

MINUTES

BASEHOR CITY COUNCIL

August 19, 1996

7:30 PM

Basehor City Hall

OFFICIAL PRESIDING: MAYOR BRYCE D. BETTIN

MEMBERS PRESENT: CHARLES WILDERSON, JERRY BARLOW, JOSEPH ODLE, JOHN  
PFANNENSTIEL

ROBERT VERVAECKE

Staff Present: Jane Scherer, Treasurer      Mary Mogle, Clerk      John Thompson, Attorney  
William Mogle, WWTO      Vince Weston, COP      Dave Knopick, Planner  
Pat Cox and David Hamby, Engineering

\*\*\*\*\*

The monthly meeting of the Basehor City Council was called to order at 7:30 p.m by Mayor Bryce Bettin with all Council members present.

*APPROVAL OF MINUTES*

R. Vervaecke moved to approve the July 15th and July 22nd Minutes as written. J. Odle second the motion. All Aye. Motion Carried 5-0.

*APPROVAL OF TREASURER'S REPORT*

PAYMENT OF BILLS - Councilman Odle questioned the two bills from BG Consultants being submitted for payment. Odle stated he did not feel it was reasonable to charge developer, Gene Dent, the exorbitant engineering fees if they have their own inspector. Also included in the invoices were charges for the new sewer facility plan. Odle felt that until State Revolving Loan Funds were in place the bills should be held for payment.

Representative from BG Consultants, Pat Cox, was present to explain the State Revolving Loan process. Cox announced the State has initially allocated 3.1 million dollars for the City to borrow to be used for the new sewer facility plan, collection system renovation and engineering fees. All prepaid bills incurred can be paid back to the city. BG engineers are currently preparing the application and anticipate being 60-90 days away from signing the loan agreement.

A motion was made by J. Odle and seconded by J. Barlow to table the payment of \$9,890.00 to BG Consultants for further explanation. All Aye. Motion Carried 5-0.

C. Wilderson moved to pay \$3,507.50 for project L96-212 and defer the balance of \$9,784.50 until the State Revolving Loan funds are in place. J. Odle second the motion. All Aye. Motion Carried 5-0.

INVESTMENTS - C. Wilderson moved to transfer \$80,000.00 from the money market account to the overnight Municipal Investment Pool, reinvest CD #9455 in the amount of \$100,000.00 and \$50,000.00 CD #20101 for a period of six months at the highest yield rate. R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

TREASURER'S REPORT - J. Odle and C. Wilderson moved and seconded to approve the July 1996 Treasurer's Report as submitted. The motion was passed unanimously 5-0.

SCANNED

2-28-07 *BT*

SEWER FACILITY WORKSESSION - BG Consultants requested Council meet in September to discuss options regarding the sewer facility plan. Council unanimously agreed to meet on September 5th at 7:00 p.m.

***APPROVAL OF MUNICIPAL COURT REPORT***

It was moved and seconded by R. Vervaecke and J. Barlow to approve the July 1996 Municipal Court Report as presented. All Aye. Motion Carried 5-0.

***CITIZENS AND PETITIONS***

Debbie McRill and Ed Sass, Leavenworth County Solid Waste Management team, appeared to request the use of city hall parking lot for the purpose of a recycling program. McRill announced local resident Teresa McCrudden has volunteered to coordinate the volunteer groups used to staff the recycling program. The recyclable materials will be picked up on the first Saturday of each month from 9:00 a.m. to 12:00 noon. The aluminum cans collected will be placed in the parks recycling bin. The County has a tire and household appliance program currently in progress. All equipment used by the County has been obtained through grants.

Councilman Wilderson asked that the fire department be notified that part of their parking lot will be used for this program also.

A motion was made by J. Odle and seconded by J. Barlow to allow the County to use city hall parking lot for the purpose of coordinating a recycling program. All Aye. Motion Carried 5-0.

TAX ABATEMENT - Gary Carlson, Leavenworth Area Development, presented Council with a Resolution stating policy guidelines for tax abatements and a cost benefit analysis for Central States Emblem Company. Upon approval of the Policy and Guidelines Resolution the Council will then need to adopt a non-binding resolution pledging abatement to Central States Emblem. Upon completion of Central State Emblems project, the Board will adopt an ordinance binding Central States Emblem to a specific tax abatement.

Carlson announced according to the cost analysis benefits from Central States Emblem over the period of ten years will be \$48,049.00 less associated costs of \$20,892.00 for a net benefit of \$27,157.00. Carlson is proposing a fifty percent annual abatement for a period of ten years.

A motion was made by J. Pfannenstiel and seconded by C. Wilderson to approve the Resolution of Statement of Policies and Procedures. All Aye. Motion Carried 5-0.

J. Pfannenstiel moved to approve the Resolution of Intent for Central States Emblem allowing for a 50%-ten year tax abatement. C. Wilderson second the motion. Discussion followed.

Vervaecke opposed granting a maximum abatement since the equipment will be a majority of Mr. Mills expenses and will depreciated. Pfannenstiel, Wilderson and Barlow-Aye. Vervaecke and Odle-Nay. Motion carried 3-2.

PETITION FOR ANNEXATION - Richard Hayes presented a petition for annexation of 30' tract of land to complete the last phase of Hickory Pointe Subdivision. The street will be known as 158th Street. Hayes announced the sewer and water mains are already installed.

A motion was made by J. Odle and seconded by J. Barlow to grant the annexation request. All Aye. Motion Carried 5-0.

***BASEHOR PLANNING COMMISSION***

TOM MILLS REZONING - Commission requested approval to rezone property belonging to Tom Mills from CP-3 to I Industrial. Planning consultant, Dave Knopick reported the Board took the surroundings and adjacent property in the county into consideration. One draw back to the rezoning is spot zoning. He noted on this one tract of land it is zoned R-0 for the homes, CP-3 for his existing business and now I for the proposed construction. Knopick noted his intention is to take steps in the comprehensive plan update to consider upgrading the zoning in the area.

A motion was made by J. Odle and seconded by J. Pfannenstiel to approve the rezoning request from CP-3 to I Industrial. All Aye. Motion Carried 5-0.

Councilman Vervaecke requested Councilman Wilderson abstain from the vote since he appeared at the planning commission meeting and spoke in favor of the rezoning. Vervaecke noted the Code of Ethics policy is very clear regarding this matter. Wilderson agreed to abstain from the vote. Vote was retaken and passed 4-0-1.

COMPREHENSIVE PLAN ORDINANCE - Mr. Knopick announced the plan coming before the Council for approval is basically that of the previous planner, Bill Kiesling. Knopick noted the only changes he made in the plan was in the capital improvement section. The Board will include the new sewer facility plan and rezonings in their 1997 update. Knopick reminded Council the comprehensive plan is not law only a policy and does not commit Council to anything.

A motion was made by C. Wilderson and seconded by R. Vervaecke to adopt the long range comprehensive plan as presented. All Aye. Motion Carried 5-0.

CENSUS STUDY - Knopick informed Council he did not feel it would be advantageous to file out the extensive packet received by the Bureau of Census protesting the latest census count. No action taken.

***CITY ENGINEER***

SEWER DISTRICT #12 - In the absence of principle engineer Cecil Kingsley, Pat Cox and David Hamby represented BG Consultants. Mr. Cox went over the letter from BG Consultants outlining work that still needed to be addressed by Western Industrial Mechanical. Mayor Bettin directed the clerk to send copies of the letter to all the district patrons. Mr. Cox requested Council permission to authorize the city engineer to use the remaining funds from Sewer District #12 to make repairs if the contractor does not start repairs by September 6, 1996.

A motion was made by J. Pfannenstiel to grant authority to the engineers to use funds if contractor does not start working by September 6, 1996. R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

Councilman Vervaecke questioned Hamby as to when Sewer District #12 patrons will be able to connect private service lines. Hamby noted after assessments are finalized.

LEAVENWORTH ROAD DRAINAGE - Cox noted the city engineer has assessed the problem and feels the culverts and ditches need to be cleaned or replaced. Several of the homes are below street level. It was recommended by Cox that a storm drainage study be ordered. Clerk Mogle reported the County Department of Public Works gave a bid of \$4,000-\$5000 labor and equipment to replace culverts and ditch both sides of Leavenworth Road where needed. The price does not include culvert replacement costs.

Odle noted the City legally cannot disturb the natural flow of water. Thompson concurred. Clerk Mogle was directed by Mayor Bettin to obtain a detailed written bid from the County describing the type of work they plan to performed on Leavenworth Road.

SEPTIC TANK ORDINANCE - R. Vervaecke moved to adopt the Ordinance regulating septic tanks within the city limits of Basehor as written. J. Odle second the motion. All Aye. Motion Carried 5-0.

SEWER FACILITY UPDATE - Pat Cox, BG Consultants, reported at the June 4th meeting, the City of Basehor was directed by KDHE to review the present worth analysis for City of Basehor plan, Leavenworth County plan and Kansas City, Kansas plan. Cox reported the City of Basehor plan was by far the cheapest at 3.1 million dollars. The firm has established several locations along Hog Creek that can be used for the new mechanical plant. Several existing plant locations will be located for Council to visit before making their final decision.

Cox reported KDHE's Consent Order stipulating date requirements is due by the 23rd of August. Bettin reserved the right to telephone poll Council after receiving approval from the city attorney.

#### *CITY CLERK*

KPL - Clerk Mogle reported she received a letter back from KPL stating they are not able to provide street lights on 142nd Street from Parallel south to 24-40 Highway. Council directed Mogle to contact KCPL to see if they would be able to do so.

KNIGHTS OF COLUMBUS HALL - Mogle noted she has received a request to discontinue the monthly sewer billing charge for the Knights of Columbus Hall. Mogle reported the Hall was demolished last week. Council tabled their decision to terminate the bill until they received a letter from Holy Angels Church stating the sewer line was capped off properly or that an inspection was made at the time of demolition.

#### *CITY ATTORNEY*

2719 N. 155TH STREET - Thompson reported a letter to abate the fire debris nuisance was sent to Duncan Cabinet Shop. However, following a title search, Citizen Bank & Trust was deemed the legal owners. A new letter will be sent to the bank as soon as possible. According to state regulations, the City of Basehor is entitled to \$5,000.00 from the insurance proceeds which can be used for clean-up if necessary. The insurance company will be forwarding the check to the city next week. Thompson requested Council approve a resolution allowing the amendment to Article 5 granting the City the authority to pursue fire insurance proceeds.

A motion was made by J. Odle to adopt the amendment to Article 5 pertaining to dangerous and unfit structures as presented. All Aye. Motion Carried 5-0.

Thompson requested Council declare 2719 N. 155th Street as a hazard and dangerous structure.

R. Vervaecke moved to adopt a resolution declaring 2719 N. 155th Street as a hazard. J. Barlow second the motion. All Aye. Motion Carried 5-0.

Council directed the city clerk to obtain two bids to clear the debris from the property. Chief Weston reported EPA cleared the property as non-hazardous waste.

C. Wilderson moved to direct the city clerk to obtain two bids to remove and dispose of debris and if more than \$5,000.00 authorize the city attorney to collect the difference. R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

Wilderson requested the debris be cleaned up prior to September 23rd when the PRIDE judges come to town.

***MAYOR'S REPORT***

ADVERTISING FUND FOR JUSTICE CENTER - Mayor Bettin tabled the matter.

CHARTER ORDINANCE - A motion was made by C. Wilderson to adopt a Charter Ordinance designating revenues derived from county-wide sales tax and to place the question on the November 1996 ballot. J. Pfannenstiel second the motion. Wilderson, Pfannenstiel, Barlow and Vervecke - Aye Odle-Nay. Motion Carried 4-1.

INTERLOCAL AGREEMENT RESOLUTION - An interlocal agreement between the Board of County Commissioners of Leavenworth County, Kansas and the governing bodies of the incorporated cities providing for the use of the proceeds of the proposed one cent countywide sales tax for the payment of principal and interest on general obligation bonds issued by the county to finance the construction of a county justice center and certain capital improvement projects.

J. Odle protested the adoption on the bases the Council has not been given ample time to review the document.

C. Wilderson moved to adopt the Ordinance implementing a one cent county-wide sale tax. Motion died for lack of second.

Mayor Bettin reserved the right to telephone poll Council for a vote.

***ELECTION OF COUNCIL PRESIDENT***

Councilman Pfannenstiel noted the state statues called for the vote to be taken following an official election. Clerk Mogle noted Council has set precedent by voting annually. The matter was tabled until after the 1997 election.

***COUNCIL MEMBER REPORTS***

CHARLES WILDERSON requested storm drainage be added to the list of capital improvements listed in the charter ordinance passed earlier.

Wilderson also noted federal law requires all businesses to be ADA accessible as of July 1, 1996. The City should comply with those requirements.

***EXECUTIVE SESSION***

R. Vervaecke moved to convene into a fifteen minute executive session to discuss pending legal matters. C. Wilderson second the motion. All Aye. (10:20 p.m.)

At 10:40 p.m. Mayor Bettin reconvened the meeting back into regular session.

J. Odle moved to authorize the city attorney to pay Robert Skaggs \$3000.00 for the additional easement (located in Sewer District #12, lift station #3). R. Vervaecke second the motion. All Aye. Motion Carried 5-0.

***ADJOURNMENT***

There being no further business to discuss, J. Barlow moved and R. Vervaecke second the motion to adjourn the meeting. All Aye. Motion Carried 5-0.

Submitted for Council approval with/without corrections this 30<sup>th</sup> day of Sept., 1996.

  
Bryce D. Bettin, Mayor

  
Mary A. Mogle, City Clerk

July 10, 1996

Mr. Rod Geisler, P.E., Chief  
Municipal Programs Section  
Kansas Dept. Of Health & Environment  
Forbes Field, Bldg. 283  
Topeka, Ks. 66620-0001

Re: Basehor, Kansas  
Wastewater Treatment Alternatives

Dear Mr. Geisler;

This letter is in response to a request for additional information related to the above referenced project. A public meeting was held on June 4, 1996 at 4:00 p.m. at the Basehor, Kansas City Hall to review additional possible wastewater treatment alternatives. Discussion dealt with transporting wastewater to either Bonner Springs, Kansas or Kansas City, Kansas. The City of Basehor had previously made written request of both cities for detailed information related to possible sewage treatment alternatives. The city of Bonner Springs was not interested in providing sewage treatment for the city of Basehor. No written response was received.

In review of the KCK alternate present worth analysis, I offer the following observations:

1. No present worth of annual pumping costs were included in the KCK alternate for pumping wastewater from Basehor to the point of initial connection at State Avenue & Wolf Creek.  $\$17,883.00$  yearly (p/a, 5%, 20 yrs. ) $12.462 = \$ 222,858.00$ . For equivalent comparison of other alternatives this must be included.

2. Contingencies for construction were only 15% in the KCK construction estimates, as compared with 30% in the Basehor, Kansas Engineering Report prepared by BG Consultant's, Inc. in January, 1996. Revision of the initial estimates of construction should be as follows for equivalent comparison of present worth:

Pump station & force main (State Ave. To Metropolitan Ave.)	\$ 290,425.00
Pump station & force main (Metropolitan Ave. To KCK)	\$1,100,000.00
Contingency (30%)	\$ 417,128.00
Total	<u>\$1,807,553.00</u>



3. The city of Basehor, Kansas cost share as compared to estimated present day sewage flows v.s. future 20 year design flows is 54.35%.

$$54.35\% ( \$1,807,553.00 ) = \$ 982,405.00$$

4. No construction costs for internal improvements necessary to consolidate and transport Basehor's wastewater to the point of connection at State Ave. and Wolf Creek were included. The following costs and construction contingencies must be included in the KCK present worth analysis for equivalent comparison of all alternatives:

Gravity sewers	\$ 368,000.00
Pump Station	\$ 175,000.00
Force main & sewer to point of connection	\$ 650,000.00
Contingency (30%)	\$ 357,900.00
Total	<u>\$1,550,900.00</u>

5. Present worth of annual operating expenses based upon estimated current flows and future design flows and gradient analysis are as follows:

$$\text{Now } 271,894 (365) \$18.00 / 6,000 = \$ 297,724.00$$

$$\text{Future } 568,663 (365) \$18.00 / 6,000 = \$ 622,686.00$$

$$(p/a, 5\%, 20 \text{ yrs.}) 12.462 ( \$ 297,724.00 ) = \$ 3,710,236.00$$

$$(p/g, 5\%, 20 \text{ yrs.}) 98.48 ( ( \$622,686.00 - \$297,724.00 ) / 20 ) = \\ \$1,600,112.00$$

6. My opinion of the revised KCK alternate present worth analysis is as follows:

First Cost	\$ 982,405.00 (cities share)
	\$1,550,900.00 (internal imp.)
	<u>\$2,533,305.00</u>
Present Worth of Annual Expenses	\$3,710,236.00
	\$1,600,112.00
	<u>\$5,310,348.00</u>

Present Worth of Annual Pumping Costs	\$ 420,697.00
	\$ 222,858.00
	<hr/>
	\$ 643,555.00

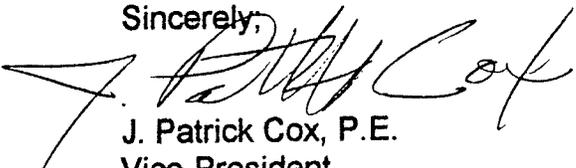
TOTAL PRESENT WORTH KCK ALTERNATE	\$8,487,208.00
--------------------------------------	----------------

**REVISED RANKING OF BASEHOR, KANSAS TREATMENT ALTERNATIVES**

- 1. Stranger Creek \$ 5,775,509**
- 2. Wolf Creek \$ 6,709,445**
- 3. KCK \$ 8,487,208**

In addition to the above mentioned revisions I have attached the estimated average annual operating expense breakdown. If you have any questions please contact me at 913-537-7448.

Sincerely,



J. Patrick Cox, P.E.  
Vice-President

cc: Mr. Bryce Bettin, Mayor  
Basehor, Ks.

Jpc:jpc

**BASEHOR, KANSAS  
MECHANICAL WASTEWATER TREATMENT FACILITY  
ESTIMATED ANNUAL OPERATING EXPENSES**

ITEM:	1st YEAR COST	20th YEAR COST
Personal Services	\$ 22,000.00	\$ 39,700.00
Contractural Services	\$ 8,000.00	\$ 14,400.00
Commodities	\$ 10,000.00	\$ 18,000.00
Capitol Outlay	\$ 1,000.00	\$ 1,800.00
Testing	\$ 5,000.00	\$ 9,000.00
Elect.(excluding pumping)	\$ 10,500.00	\$ 23,000.00
Equipment Replacement	\$ 5,000.00	\$ 9,000.00
Collection system	\$ 41,000.00	\$ 74,100.00
Office	\$ 30,000.00	\$ 54,200.00
Sludge Disposal	\$ 13,500.00	\$ 29,000.00
	<hr/>	<hr/>
	\$146,000.00	\$272,200.00

**ASSUMPTIONS:**

3% inflation.

Electrical & Sludge Disposal costs increase over time due to increased population and subsequent increased plant flows.

Average yearly estimated operating costs \$ 209,100.00. Used \$ 210,000.00 in present worth analysis.