



**AGENDA**  
**BASEHOR CITY COUNCIL**  
May 17, 2010 7:00 p.m.  
Basehor City Hall

1. **Roll Call** by Mayor Terry Hill and Pledge of Allegiance
2. **Consent Agenda** *(Items to be approved by Commission in one motion, unless objections raised)*
  - a. Approve Minutes
    1. April 19, 2010
    2. Special meeting April 21, 2010
  - b. Approve Treasurer's Report

3. **Call to Public**

*Members of the public are welcome to use this time to comment about any matter relating to City business that is listed on this Agenda. The comments that are discussed under "Call to Public" may or may not be acted upon by the Council during this meeting. There is a five-minute time limit. (Please wait to be recognized by the mayor then proceed to the podium; state your name and address).*

4. **Unfinished Business** - (None at this time)

**New Business**

5. **Rule exception for Lot 77, Crestwood Country Estates Phase I.**
6. **Consider Resolution No. 2010-06 regarding the Mayor's appointment for City Clerk / Finance Officer Position pursuant to K.S.A. 12-16,128.**
7. **Treasurer re-appointment**
8. **Municipal Court Judge re-appointment**
9. **Chief of Police re-appointment**
10. **Prosecutor re-appointment**
11. **City Attorney re-appointment**
12. **City Attorney Independent Contractor Agreement renewal**
13. **City Clerk appointment**
14. **City Administrator's Report**
  - Treasurer's Report
  - Special Budget Meeting
15. **Mayor's Report**
16. **Council Members Report**
17. **Executive Session** (if needed)
18. **Adjournment**

Basehor City Council reserves the right to amend the agenda following its publication in the Basehor Sentinel newspaper. Citizens are encouraged to attend all public meetings. Updates to the agenda may be viewed at [www.cityofbasehor.org](http://www.cityofbasehor.org)



Minutes  
**Basehor City Council Meeting**  
Basehor City Hall April 19, 2010

*Call to Order*

Mayor Terry Hill called the meeting to order at 7:00 p.m.

*Roll Call*

Present: Council President Washington and Councilmembers, Breuer, Dysart, Mertz & Moyer

Absent: None

Present also: Kathy Renn, Mark Loughry, Lloyd Martley, Cassie Schmidt, Gene Myracle, Mitch Pleak and Patrick Reavey.

Newspaper Present: Kaitlyn Syring, *Basehor Sentinel*

*Approval of the Minutes & Consent Agenda*

A motion was made by Council President Washington & seconded by Councilmember Dysart to approve the March 15, 2010 minutes with the exception of removing the checks for MKEC & Black Top Paving from the check register report. Motion passed, 5-0.

*Call to Public*

Ken Massingill with the Basehor Historical Society said he thought the original request for the in kind donation for the parking lot at 158<sup>th</sup> & Parallel was discussed in 2008 & should not be considered in the donation budgeted for 2010.

Shannon Marcam requested the decision on the 150<sup>th</sup> St. realignment be delayed.

*Unfinished Business – None*

*New Business*

**1. Annexation Theno Estates**

Approve Ordinance No. 572 annexing the property commonly known as Theno Estates into the city limits of Basehor.

Council President Washington asked City Administrator Loughry if his recommendation had changed since past conversations on this subject. City Administrator Loughry said he still did not recommend annexation.

A motion was made by President Washington & seconded by Councilman Breuer to approve Ordinance No. 572 annexing the property commonly known as Theno Estates into the city limits of Basehor.

Motion passed, 3-2 (Councilmembers Dysart & Moyer voting no).

**2. Donation to the Basehor Historical Society**

Make a final donation decision for the Basehor Historical Society.

Councilman Mertz supported a \$3000 donation & an in kind donation for paving the parking lot at 158<sup>th</sup> & Parallel. Councilman Breuer pointed out last year Basehor Hist. Society had asked for cash for utilities only. Councilmemeber Dysart asked & confirmed that Basehor Hist. Society owns the property at 158<sup>th</sup> & Parallel then pointed out the City should not improve private property & gravel parking lots are not allowed. She also, asked if the land should be platted before paving a parking lot. City Engineer Mitch Pleak confirmed land should be platted per subdivision regulation. Councilman Moyer supported cash donation only. Councilmember Dysart supported \$1000 cash donation only as compared to VFW donation. Council President Washington pointed out this donation was discussed at budget time & supported \$5000 donation. Councilmembers Dysart & Mertz supported a \$3000 donation.

A motion was made by Councilman Breuer and seconded by Councilman Moyer to approve a \$5510 cash donation to the Basehor Historical Society. Motion passed, 4-1 (Councilmember Dysart voting no).

**3. GAAP Compliance Waiver Resolution**

Adopt Resolution 2010-06 granting a GAAP Compliance Waiver for the 2009 audit. Audrey Odermann from Lowenthal, Webb & Odermann, P.A. handed out examples & gave a presentation comparing GAAP Basis of Accounting & KS Prescribed Basis of Accounting.

Mayor Hill recommended tabling this decision until Council decided to bring it back. Councilman Moyer asked who within LW&O, P.A also had moved to the Ks Prescribed Basis of Accounting. Audrey Odermann listed many towns & all of the schools using their services. Council President Washington did not support the Waiver considering the potential financial situations the City may be dealing with in the near future.

A motion was made by President Washington & seconded by Councilmember Dysart to table the GAAP Compliance Waiver Resolution until re-bidding. Councilman Moyer requested vote be delayed until after executive session.

**4. Field of Dreams Acquisition**

Authorize Staff to prepare & the Mayor to sign the necessary agreements & documents to purchase Basehor Field of Dreams with total expense not to exceed \$400,000.

Councilman Moyer asked how the City planed to pay for the property. City Administrator Loughry explained the money will come from the Capital Improvement fund in a single payment.

A motion was made by Councilman Moyer & seconded by Councilman Breuer to approve Staff & the Mayor to sign the necessary agreements & documents to purchase Basehor Field of Dreams with total expense not to exceed \$400,000.

Motion passed, 4-1 (Councilmember Dysart voting no).

**5. 150<sup>th</sup> Street Realignment**

Consider putting on hold the construction of 150<sup>th</sup> St. Realignment & releasing loan TRF-126 back to KDOT.

City Administrator Loughry explained KDOT would like the City to make a decision as soon as possible. Council President Washington said Wolf Creek Parkway was within the TRF-0125 including the connection to the 150<sup>th</sup> St. City Administrator Loughry explained the final distance of the design was temporary. Councilman Breuer pointed out the new estimate at \$2.1 million & remaining loan amount is \$1.2 million.

A motion was made by President Washington & seconded by Councilman Moyer to approve putting on hold the construction of 150<sup>th</sup> St. Realignment & releasing loan TRF-126 back to KDOT.

Motion passed, 5-0.

*City Administrator's Report*

Change orders for Wolf Creek Parkway

City Administrator Loughry explained the bids for the retaining walls have come up higher than the original estimate. There will be a change order in the near future.

*Mayor's Report*

Mayor Hill explained some appointments for the planning commission have expired & will need to be replaced. Councilmember Dysart asked who on the Planning Commission was leaving. Interim City Clerk Kathy Renn explained Bob Harrison was leaving. Mayor Hill asked nominations be directed to City Engineer Pleak. The Outside Agency Request committee now has volunteers including David Howard, Aladdin Ashkar & Rev. Duane McCracken.

*Council Member Reports - None*

*Executive Session*

A motion was made by President Washington & seconded by Councilman Moyer for an executive session to discuss non-elected personnel to include the governing body not to exceed one hour & at various times asking the City Attorney & the City Administrator to join during the session. Councilman Breuer asked for the session not to exceed 30 min. The previous motion was withdrawn by Councilman Moyer. A re-motion was made by President Washington & seconded by Councilman Moyer for executive session not to exceed 45 min. & to re-adjourn at 9:10 p.m. Motion passed 5-0.

Meeting Reconvenes at 9:10 p.m.

A motion was made by President Washington & seconded by Councilman Moyer to extend the executive session to include the Governing Body & City Attorney Patrick Reavey with the same conditions as previously stated for an additional 35min. Motion passed 5-0.

Meeting Reconvenes at 9:54 p.m.

President Washington moved to add separation agreement of Mary Mogle to the agenda, seconded by Councilman Moyer. Motion passed 4-1 (Councilman Breuer voting no). President Washington moved to authorize the Mayor to sign the separation agreement for Mary Mogle former City Clerk for the City of Basehor. Councilman Moyer seconded. Motion passed 5-0.

*Executive Session*

A motion was made by Councilman Breuer & seconded by Councilman Moyer for the Governing Body to meet for executive session no longer than 10 min. for considering Finance Director / City Clerk candidate Sheldon Hamilton. Motion passed 5-0.

Meeting Reconvenes at 10:10 p.m

Mayor Hill asked if there were any other questions for Sheldon Hamilton. The Governing Body proceeded to vote on tabling the GAAP Waiver Compliance. Motion passed 5-0.

*Adjournment*

Council President Washington made the motion to adjourn. Councilman Breuer seconded. Motion passed. 5-0. There being no further business, the meeting was adjourned at 10:41 p.m.



Minutes  
**Basehor City Council Special Meeting**  
Basehor City Hall April 21, 2010  
7:00p.m

*Call to Order*

Mayor Terry Hill called the meeting to order at 7:04 p.m.

*Roll Call*

Present: Council President Washington and Council members, Breuer, Dysart, Mertz and Moyer

Staff Present: Mark Loughry, City Administrator, Lloyd Martley, Chief of Police and Katherine Renn, City Clerk Interim.

Newspaper Present: Kaitlyn Syring, *Basehor Sentinel*

*Purpose of Special Meeting: To consider an appointment for City Clerk*

Action Item: Consider the Mayor's appointment of Sheldon Hamilton for City Clerk.

Councilman Breuer motioned to approve the appointment by Mayor Hill for Sheldon Hamilton as City Clerk. Councilman Moyer seconded.

Mayor Hill asked for any discussion.

*Executive Session*

A motion was made by Council President Washington and seconded by Councilman Mertz for the Governing Body, to meet for executive session not to exceed 45 minutes and return by 7:50 p.m. Motion passed 3-2. *Councilman Breuer and Councilman Moyer voting no.*

Council returned at 7:48 p.m.

Mayor Hill calls meeting back to order with motion on the floor.

Meeting Reconvenes

Mayor Hill's appointment of Sheldon Hamilton as the City Clerk. Motion failed 3-2. *Councilman Moyer and Councilman Breuer voting yes.*

*Adjournment*

Councilman Moyer made the motion to adjourn. Council President Washington seconded. Motion passed. 5-0. There being no further business, the meeting was adjourned at 7:50 p.m.

## **Memo**

**To:** City Administrator  
**From:** Susan Adams  
**CC:**  
**Date:** 5/10/2010  
**Re:** April 2010 Monthly Financial Report

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The attached report contains the financial summaries of the revenue and expenditure activities of the City of Basehor for the month ending April 30, 2010.

**Revenues:**

General Fund – revenue from property, back, motor and recreational vehicle taxes along with franchise fees

Sewer Fund – revenue from utility billing charges

Solid Waste Fund – revenue from utility billing charges, expenditures include payment for KDHE loan

Bond & Interest: revenue from property and special assessment taxes

**Expenditures:**

The expenditure figures have been updated to include all four months of payroll including employee benefits.

City of Basehor

Period Ending 04/30/10

Revenues	Revenues				
	Budget 2010	Revenues YTD	Current Month	Balance	% Budget
General	\$2,057,837.78	\$887,067.14	\$48,686.99	\$1,170,770.64	43.1%
Special Park	\$16,376.00	\$2,731.96	\$219.68	\$13,644.04	16.7%
Sewer	\$1,045,824.00	\$510,932.26	\$62,823.41	\$534,891.74	48.9%
Cedar Lakes	\$10,704.00	\$12.73	\$4.92	\$10,691.27	0.1%
Bond & Interest	\$498,396.94	\$267,590.61	\$30.18	\$230,806.33	53.7%
Solid Waste	\$174,718.00	\$60,140.78	\$14,991.68	\$114,577.22	34.4%
Consolidated Highway	\$532,863.00	\$171,879.67	\$52,144.08	\$360,983.33	32.3%
Municipal Equipment Reserve	\$98,500.00	\$85.81	\$33.01	\$98,414.19	0.1%
Capital Improvement	\$339,798.00	\$97,964.39	\$23,523.62	\$241,833.61	28.8%
Basehor Town Center Project	\$0.00	\$235.63	\$82.03	-\$235.63	
Wolf Creek Project	\$0.00	\$342,584.18	\$75,921.57	-\$342,584.18	

Expenditures	Expenses				
	Budget 2010	Expenses YTD	Current Month	Balance	% Budget
General					
Administration	\$311,595.00	\$159,538.43	\$104,263.50	\$152,056.57	51.2%
Street Department	\$213,249.00	\$61,155.88	\$47,026.49	\$152,093.12	28.7%
Governing Body / Administrator	\$166,370.00	\$38,764.83	\$36,912.01	\$127,605.17	23.3%
Police Department	\$804,738.00	\$215,749.12	\$198,450.27	\$588,988.88	26.8%
City Facilities	\$35,190.00	\$23,349.13	\$3,332.79	\$11,840.87	66.4%
Park & Recreation	\$18,342.00	\$1,699.57	\$295.73	\$16,642.43	9.3%
Employee Benefits	\$388,496.00	\$120,247.21	\$114,851.19	\$268,248.79	31.0%
Planning & Zoning	\$232,233.00	\$60,429.52	\$37,776.25	\$171,803.48	26.0%
Special Park	\$35,000.00	\$0.00	\$0.00	\$35,000.00	0.0%
Sewer	\$1,333,544.00	\$348,262.91	\$64,119.58	\$985,281.09	26.1%
Cedar Lakes	\$17,000.00	\$2,757.03	\$543.24	\$14,242.97	16.2%
Bond & Interest	\$531,499.00	\$100,607.25	\$0.00	\$430,891.75	18.9%
Solid Waste	\$211,100.00	\$39,485.91	\$17,341.30	\$171,614.09	18.7%
Consolidated Highway	\$481,000.00	\$4,474.83	\$623.46	\$476,525.17	0.9%
Municipal Equipment Reserve	\$150,000.00	\$13,529.60	\$6,141.30	\$136,470.40	9.0%
Capital Improvement	\$150,000.00	\$7,081.00	\$5,550.00	\$142,919.00	4.7%
Basehor Town Center Project	\$0.00	\$269,879.87	\$183,269.87	-\$269,879.87	
Wolf Creek Project	\$0.00	\$136,089.46	\$67,884.25	-\$136,089.46	

Note: Expenditures for the month include payroll for the first 4 months

**BALANCE SHEET**

City Of Basehor

As of: 4/30/2010

Balances

Fund: 13 - SUMMATION OF ALL FUNDS

Assets

Acct Class: CA CURRENT ASSESTS

001 FSB CHECKING ACCOUNT	20,571.85
002 FSB MONEY MARKET ACCOUNT	6,075,474.29
005 BASEHOR TOWN CENTER ACCOUNT	535,453.61

Acct Class: CA CURRENT ASSESTS	6,631,499.75
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Total Assets	6,631,499.75
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Liabilities

Acct Class: CAPF CAPITAL PROJECT FUNDING

230 TOWN CENTER PROJECT MO BALANCE	535,453.61
231 WOLF CREEK PROJECT MO BALANCE	464,983.71

Acct Class: CAPF CAPITAL PROJECT FUNDING	1,000,437.32
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Acct Class: CL CURRENT LIABILITIES

214 SEWER FUND MONTHLY BALANCE	811,429.28
215 SOLID WASTE MONTHLY BALANCE	97,104.80
216 GENERAL FUND MONTHLY BALANCE	613,638.96
218 MUNICIPAL EQUIP FUND MO BAL	272,782.92
219 CAPITAL IMPROVE FUND MO BAL	1,490,596.99
220 SPECIAL PARK & REC FUND MO BAL	162,629.79
221 CONS HIGHWAY FUND MONTHLY BAL	1,893,585.83
226 BOND & INTEREST MONTHLY BAL	248,596.30
300 CL MAINTENANCE MONTHLY BALANCE	40,697.56

Acct Class: CL CURRENT LIABILITIES	5,631,062.43
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Total Liabilities	6,631,499.75
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Total Liabilities & Balances	6,631,499.75
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SEWER AND SOLID WASTE BILLING 2010						
MONTH	SEWER COUNT	SEWER BILLED	AVERAGE SWR BILL	SOL WASTE COUNT	SOL WASTE BILLED	AVERAGE SOL BILL
January	1,655	\$57,650.02	\$34.83	1,458	14,625.07	\$10.03
February	1,658	\$57,919.69	\$34.93	1,463	14,670.04	\$10.03
March	1,663	\$57,968.33	\$34.86	1,469	14,699.83	\$10.01
April	1,666	\$58,142.23	\$34.90	1,475	14,762.29	\$10.01
May						
June						
July						
August						
September						
October						
November						
December						
<b>TOTAL</b>	6,642	\$231,680.27		5,865	\$58,757.23	
<b>AVERAGE</b>	1,661		\$34.88			\$10.02

NOTE: Bills are generated at the end of the month and charges are collected the following month



City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 5

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**Topic:**

Rule exception request

**Action Requested:**

Consider request to approve a rule exception to the Subdivision Regulations in relation to the lot split of Lot 77, Crestwood Country Estates Phase I.

**Narrative:**

On April 6, 2010, the Planning Commission approved the lot split for Lot 77, Crestwood Estates Phase I with the condition that the applicant shall file for a rule exception from the City Council pertaining to Section 3-101 of the Subdivision Regulations concerning further divisions of lot(s) that have been previously split. City Council must approve the rule exception.

Lot 77 has been split previously for the United States Post Office location. Under Chapter 3 of the Subdivision Regulation no lot shall be split into more than two (2) lots without having to comply with the platting requirements described in Chapter 2.

Outside of the lot previously being split, the lot meets all the approval guidelines associated with the Chapter 3 Lot Split Procedure. The approval guidelines are set to prevent any hardship that it may bring. Such hardship is a result of inadequate infrastructure that may be costly to the City. The proposed lot split has existing infrastructure for the proposed lots.

Chapter 6 of the Subdivision Regulations allows the City Council to approve a rule exception to the regulations.

**Presented by:**

Mitch Pleak, City Engineer

**Administration Recommendation:**

Grant a rule exception to approve the lot split for Lot 77, Crestwood Country Estates Phase I

**Committee Recommendation:**

**Attachments:**

Memo dated 4-26-10 (1 page)

Application form (1 page)

Staff reports (4 pages)

Letter requesting a rule exception (1 page)

Plats (1 page)

**Projector needed for this item?**

No

# Memorandum

**To:** Mark Loughry  
**CC:** Kathy Renn, Mr. Mayor and City Council  
**From:** Mitch Pleak  
**Date:** 4.26.10  
**Re:** Rule Exception for Lot 77, Crestwood Country Estates Phase I

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On April 6, 2010, the Planning Commission approved the lot split for Lot 77, Crestwood Estates Phase I. The approved lot split has the following conditions:

1. The applicant shall have the lot split recorded at the Register of Deeds Office, with a recorded copy provided to the City.
2. The applicant shall file for a rule exception from the City Council pertaining to Section 3-101 of the Subdivision Regulations concerning further divisions of lot(s) that have been previously split. City Council must approve the rule exception.

Lot 77 has been previously split for the current United States Post Office location. Under Chapter 3 of the Subdivision Regulations no lot shall be split into more than two (2) lots without having to comply with the platting requirements described in Chapter 2. Staff has reviewed the requested lot split and concludes in this application that the proposed lot split meets all the requirements associated with the lot split procedure besides the lot being split into more than two (2) lots. Under Chapter 6 of the Subdivision Regulations, the City Council may approve a rule exception to the regulations in an event that hardship caused by size, location or configuration of the land within a subdivision. Staff believes that Lot 77 was platted without consideration of the twenty (20) foot drainage easement that divides the lot. The lot should have been platted into two (2) lots with the twenty (20) foot drainage easement dividing the lots. If this was done at the time of platting, the rule exception request would have not been necessary.

Staff recommends that the rule exception be granted to approve the lot split for Lot 77, Crestwood Country Estates Phase I.

**Date: April 26, 2010**

**Subject: Lot Split of Lot 77, Crestwood Country Estates Phase I**

**Staff Report**

March 23, 2010, GBT Realty Corporation requested a lot split for the property of the proposed Dollar General Store. The lot has been split previously for the current United States Post Office. Per the Subdivision Regulations, it is defined that any further divisions of the lot shall be platted per Chapter 2 of the Subdivision Regulations and not be split a second time with the lot split procedure. The intent and purpose for this language is to prevent large tracts of land to be continually split producing lots that may bring hardship to the City of Basehor. Such hardship is a result of inadequate sewers, water supplies, storm water systems, erosion, roadway systems, and other public services which are difficult and costly to resolve. Staff concludes that the proposed lot split will conform to existing public facilities, plat, zoning, and Comprehensive Plan that is typical for the lot split.

Lot 77, of the Crestwood Country Estates Phase I subdivision was initially platted as four (4) acres with a twenty (20) foot drainage easement splitting the lot down the middle. Staff believes consideration should have been given with Lot 77 and the drainage easement knowing that a building can not be built on a drainage easement. As a result of the drainage easement the lot should have been platted into two (2) lots instead of one (1) at the time of the initial plat of Crestwood Country Estates Phase 1. Chapter 6, of the Subdivision Regulations, does allow consideration for hardship caused by size, location or configuration of the land within a subdivision. The applicant may request a rule exception from one or more of the requirements contained in the Subdivision Regulations. A rule exception may be approved by the City Council, provided that in its judgment, such action will not violate the public interest, unnecessarily burden the City, or will annul the intent and purpose of the Subdivision Regulations.

April 6, 2010, the Planning Commission approved the lot split for Lot 77, Crestwood Estates Phase 1 with the following conditions:

1. The applicant shall have the lot split recorded at the Register of Deeds Office, with the recorded copy provided to the City.
2. The applicant shall file for a rule exception from the City Council pertaining to Section 3-101 of the Subdivision Regulations concerning further divisions of lot(s) that have been previously split. The City Council must approve the rule exception.

April 13, 2010, GBT Realty Corporation requested a rule exception pertaining to the action taken by the Planning Commission on April 6, 2010.

Staff recommends the approval of the rule exception to split Lot 77, Crestwood Country Estates Phase I, which has been split previously under Chapter 3 of the Subdivision Regulations.

## Staff Report

**Date:** March 30, 2010  
**Subject:** Lot-Split of Lot 77, Crestwood Country Estates Phase I  
Parcel ID Number: 158-34-0-40-03-001.00-0

### GENERAL INFORMATION

**Applicant:** Bob Gage, V.P. Development  
201 Summit View Drive  
Brentwood, TN 37027

**Owner:** Dollar General Store

**Address:** 201 Summit View Drive  
Brentwood, TN 37027

**Phone:** 615-370-0670

**Surveyor:** Cornerstone Regional Surveying, L.L.C

### SITE INFORMATION

**Location:** 2404 N. 155<sup>th</sup> Street  
**Current Zoning:** "CP-1" Neighborhood Business District  
**Proposed Zoning:** "CP-1" Neighborhood Business District  
**Future Land Use Map:** CP-1

### STAFF ANALYSIS

**Site Characteristics:**  
The current lot is vacant with access to 155<sup>th</sup> Street.

**Character of Neighborhood:**  
This property is typical of others along 155<sup>th</sup> Street with Commercial/Planned Residential and Single Family Residential Districts.

**Adjacent Property:**

	<u>Zoning</u>	<u>Use</u>
North:	"P-R"	American Family Insurance
South:	"CP-1"	Post Office
East:	"P-R"	Vacant Land
West:	"R-1"	Crestwood Country Estates Phase I

**Conformance with the Comprehensive Plan:**

There is no proposed change in use. **The proposed lot split request is in conformance with the comprehensive plan.**

**Conformance with the Future Land Development Plan:**

The Future Development Plan identifies this area as "Commercial". **The proposed lot split request is in conformance with the Future Development Plan.**

**Traffic Impact:**

The subject property has current access to 155<sup>th</sup> Street. The Comprehensive Plan has defined 155<sup>th</sup> Street as a future collector street. Since the adoption of the Comprehensive Plan, 155<sup>th</sup> Street has been constructed to a collector street along the subject property. 155<sup>th</sup> Street also dedicates a separate lane for left turn movements to the property. **The proposal would generate additional traffic to 155<sup>th</sup> Street. The additional traffic would be sustained with the current geometrics of 155<sup>th</sup> Street.**

**Drainage Impact:**

The existing site drains to the south and southwest. Underground detention will be constructed to limit run-off to pre-development flow rates. **The proposed lot split will have minimal impact on the run-off of storm water on this tract.**

**STAFF COMMENTS:**

The lot has been split previously for the current Post Office. Per the Subdivision Regulations, it is defined that any further divisions of the lot shall be platted per Chapter 2. The intent and purpose for this language is to prevent large tracts of land to be continually split producing lots that may bring hardship to the City of Basehor. Such hardship is a result of inadequate sewers, water supplies, storm water systems, erosion, roadway systems, and other public services which are difficult and costly to resolve. Staff concludes that the proposed lot split will conform to existing public facilities, plat, zoning, and Comprehensive Plan.

Section 3-104 Approval Guidelines. No split shall be approved if one or more of the following applies:

1. A new street or alley is needed or proposed; unless dedication can be made by separate instrument. **Currently there is access to the property from 155<sup>th</sup> Street. The existing access will shift to the north (18 feet). The shifted access will be a shared access for the lots being generated from this lot split. There is no new street or alley being proposed.**
2. Such action will result in significant increase in service requirements, e.g. utilities, traffic control, streets, etc.; or will interfere with maintaining existing service levels, e.g. additional curb cuts or points of access, repaving, etc. **There will be no significant increase in service requirements and/or will not interfere with maintaining existing service levels.**
3. There is less street right-of-way than required by these regulations, unless dedication of additional right-of-way can be made by separate instrument. **There will be no less right-of-way than required by the Subdivision Regulations.**
4. Any easement requirements have not been satisfied. **No additional easement requirements are necessary. The lot split does propose a joint access easement for the shared access between the lots. The remainder of easements has been set forth in the already approved Crestwood Estates Phase I plat.**

5. Such split will result in a lot without direct access to and/or less than the required frontage on a street as specified in the City of Basehor Zoning Regulations. **The proposed lots will have a shared direct access to 155<sup>th</sup> Street.**
6. A substandard sized lot will be created according to these regulations or the City of Basehor Zoning Regulations; except as provided in Section 6-101 herein. **The lots generated by this split will conform to the CP-1 zoning. CP-1 zoning regulations require the minimum lot to be an area of 6,000 square feet. The proposed lot sizes are 0.95 acres and 1.05 acres.**

Staff recommends approval of the lot split for lot 77, Crestwood Estates Phase I property, with the following conditions:

1. The applicant shall have the lot split recorded at the Register of Deeds Office, with a recorded copy provided to the City.
2. The applicant shall file for a rule exception from the City Council pertaining to Section 3-101 of the Subdivision Regulations concerning further divisions of lot(s) that have been previously split. City Council must approve the rule exception.

# CITY OF BASEHOR

Planning & Zoning Department  
 2620 N. 155<sup>th</sup> Street, PO Box 406, Basehor, KS 66007  
 Phone: 913-724-1370 Fax: 913-724-3388  
 www.basehor.org



# APPLICATION FORM

Project Name & Description <b>DOLLAR GENERAL STORE</b>		Total Site Acreage <b>0.95 ACRES</b>	Present Zoning <b>CPI</b>
Legal Description (May be attached as separate sheet) <b>SEE ATTACHED</b>		Proposed Zoning <b>CPI</b>	
Project Address / General Location <b>2404 N. 155<sup>th</sup> STREET</b>		Presubmittal Date <b>3-24-10</b>	
Parcel ID Number (CAMA Number) <b>158-34-0-40-03-001.00-0</b>		Floor Area Classification	
Property Owner Name	Phone <b>615-370-0670</b>	Fax <b>615-373-3111</b>	
Property Owner Address <b>201 SUMMIT VIEW DRIVE</b>	City <b>BRENTWOOD</b>	State <b>TX</b>	Zip <b>37027</b>
Applicant's Name (if different from above) <b>BOB GAGE, V.P. DEVELOPMENT</b>	Phone <b>615-373-7836</b>	Fax <b>615-373-3111</b>	
Applicant's Address <b>201 SUMMIT VIEW DRIVE</b>	City <b>BRENTWOOD</b>	State <b>TX</b>	Zip <b>37027</b>
Applicant's mobile phone <b>615-519-8208</b>	Property Owner and/or Applicant's E-mail address <b>BGAGE@GBTREALTY.COM</b>		

APPLICATION TYPE	
<input type="checkbox"/> Annexation	<input type="checkbox"/> Preliminary Development Plan (Submit Sheet A)
<input type="checkbox"/> Rezoning (Submit Sheet A)	<input type="checkbox"/> Final Development Plan (Submit Sheet A)
<input type="checkbox"/> Conditional Use Permit (Submit Sheet A)	<input checked="" type="checkbox"/> Lot Split
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Variance (Submit Sheet B)	<input type="checkbox"/> Final Plat / Replat

PROJECT INFORMATION	
Existing Use <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Other _____	
Proposed Use <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Other _____	

COMPLETE THIS AREA IF APPLYING FOR SITE PLAN, CONDITIONAL USE PERMIT, AND PRELIMINARY OR FINAL DEVELOPMENT PLANS (in acres)			
Total Site Area	Existing Floor Area	Existing Building Footprint	Open Space Area
No. of Buildings	Proposed Floor Area	Proposed Building Footprint	Pavement Coverage

COMPLETE THIS AREA IF SUBDIVIDING PROPERTY			
Proposed Number of Lots <b>2</b>	Maximum Lot Size <b>1.08</b>	Minimum Lot Size <b>0.95</b>	Average Lot Size <b>1.016</b>

Property Owner/Agent Consent – I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

x *Bob Gage* Signature      *3/23/10* Date

Office Use Only			
<input checked="" type="checkbox"/> Filing Fee \$ <u>150.-</u>	<input checked="" type="checkbox"/> Received by <u><i>[Signature]</i></u>	<input checked="" type="checkbox"/> # of Plans <u>2</u>	
<input checked="" type="checkbox"/> Attached Legal Description	<input type="checkbox"/> Property Ownership List		

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 6

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**Topic:**

Consider Resolution No. 2010-06 regarding the Mayor's appointment for City Clerk / Finance Officer Position pursuant to K.S.A. 12-16,128.

**Action Requested:**

Approve Resolution No. 2010-06 regarding the Mayor's appointment for City Clerk / Finance Officer Position pursuant to K.S.A. 12-16,128.

**Narrative:**

Recently enacted K.S.A. 12-16,128 requires that, in order for a city council to reject a Mayoral appointment, the Council must pass a Resolution indicating that the person is either unqualified to hold the office or is not fit for the office or position.

**Presented by:**

City Attorney Patrick Reavey

**Administration Recommendation:**

Recommend Approval as presented

**Committee Recommendation:**

**Attachments:**

Memo from City Attorney Patrick Reavey (1 page)  
Resolution 2010-06 (2 pages)

**Projector needed for this item?**

No

MEMORANDUM

**TO: GOVERNING BODY**

**FROM: PATRICK REAVEY**

**RE: RESOLUTION GIVING REASON FOR NOT APPROVING  
MAYOR'S APPOINTMENT OF SHELDON HAMILTON**

**DATE: MAY 11, 2010**

---

Recently enacted K.S.A. 12-16,128 requires that, in order for a city council to reject a Mayoral appointment, the Council must pass a Resolution indicating that the person is either unqualified to hold the office or is not fit for the office or position:

**12-16,128. Mayoral appointments; governing body approval; time limits; other requirements**

From and after July 1, 2008, any appointment to any board, commission, advisory group or other body made by the mayor of any city which is subject to approval of the governing body of the city must be acted upon by the governing body within 45 days of the appointment by the mayor or the appointment shall be deemed approved. The governing body of the city shall approve such appointment unless the governing body makes a specific finding by the passage of a resolution that the person is either unqualified to hold the office or is not fit to hold the office or position.

The Kansas Attorney General has indicated there is no need for the Resolution to indicate anything other than the candidate is unqualified or not fit for the office or position. The attached Resolution has been prepared to simply indicate whether the Council believes Mr. Hamilton is unqualified or unfit. In the event the Resolution fails, and is not passed within 45 days of the Mayor's appointment, then the Mayor's appointment will become effective without the Council's endorsement.

Because of privacy concerns, and concerns that debate about Mr. Hamilton's qualifications or fitness for the position may inhibit his ability to find other employment, my recommendation is that the Council simply indicate where an "X" should be placed in the Resolution, and take a vote on the Resolution rather than engage in debate specifically about Mr. Hamilton.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION REGARDING MAYOR'S APPOINTMENT FOR CITY CLERK/FINANCE OFFICER POSITION PURSUANT TO K.S.A. 12-16,128**

**WHEREAS**, K.S.A. 12-16,128 requires that, in order to reject a proposed appointment by the Mayor, the City Council must, within 45 days of the proposed appointment, pass a Resolution indicating the candidate for appointment is unfit or unqualified for the position; and

**WHEREAS**, on April 19, 2010, the City Council considered and failed to approve the Mayor's appointment of Sheldon Hamilton for the position of City Clerk and Finance Officer; and

**WHEREAS**, pursuant to K.S.A. 12-16,128, and in order to make the rejection of the Mayor's appointment effective, the City Council must make a specific finding, via a Resolution, that the candidate is either (1) unqualified to hold the office or (2) is not fit to hold the office or position.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS, AS FOLLOWS:**

**Section 1.** On the Mayor's appointment of Sheldon \_\_\_\_\_ for the position of City Clerk and Finance Officer, the City Council determines Mr. \_\_\_\_\_ is:

\_\_\_\_\_ Unqualified to hold the office; or

\_\_\_\_\_ Not fit to hold the office

**Section 2.** This Resolution will become effective upon its adoption by the City Council.

ADOPTED May 10, 2010.

CITY OF BASEHOR, KANSAS

\_\_\_\_\_  
Mayor, Terry Hill

(SEAL)

ATTEST:

\_\_\_\_\_  
Asst./Interim City Clerk, Kathy Renn

APPROVED AS TO FORM:

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Patrick G. Reavey, City Attorney

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 7

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**Topic:**

Treasurer Re-Appointment

**Action Requested:**

Approval of re-appointment of Susan Adams as City Treasurer

**Narrative:**

Susan Adams has requested re-appointment with no additional adjustments.

**Presented by:**

City Administrator Mark Loughry

**Administration Recommendation:**

Recommend approval as presented.

**Committee Recommendation:**

**Attachments:**

Letter of intent from current City Treasurer Susan Adams (1 page)

**Projector needed for this item?**

No

# Memo

**To:** Mark Loughry, City Administrator

**From:** Susan Adams, City Treasurer

**CC:** Mayor, City Council

**Date:** 5/10/2010

**Re:** Appointment

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Please accept this as my request to be reappointed as the Treasurer for the City of Basehor.

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 8

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**Topic:**

Municipal Court Judge Re-appointment

**Action Requested:**

Approval of re-appointment of William Pray as Municipal Court Judge

**Narrative:**

William E. Pray has requested re-appointment with no additional adjustments.

**Presented by:**

City Administrator Mark Loughry

**Administration Recommendation:**

Recommend approval as presented.

**Committee Recommendation:**

**Attachments:**

Letter from Police Chief Martley recommending re-appointment (1 page)  
Letter of intent from current Municipal Court Judge (1 page)

**Projector needed for this item?**

No

# POLICE DEPARTMENT

## CITY OF BASEHOR

---

2620 North 155<sup>th</sup> Street, PO Box 420 Basehor Ks 66007

Date: April 26, 2010

To: Mark Loughry

From: Lloyd Martley

Ref: Appointed positions for Municipal Judge and City Prosecutor

William E. Pray is our current Municipal Judge. He is currently appointed with an agreement to be paid \$300.00 a month for holding Municipal Court in the City of Basehor on the second Tuesday of every month. Judge Pray has submitted a letter requesting that he be considered for reappointment as the Municipal Judge for the City of Basehor with no increase to his salary (see attached).

Kiann McBratney is currently our City Prosecutor. Ms. McBratney was appointed to this position last year replacing Mr. Mogenson. Ms. McBratney has submitted a letter requesting she be reappointed as the City of Basehor City Prosecutor (see attached). Ms. McBratney is currently being paid a minimum of \$400.00 a month with an hourly rate of \$85.00 per hour after the minimum has been exceeded. She is requesting reappointment with no adjustments to her current agreement.

It is my recommendation to the Mayor and Council that the above positions be reappointed under the same terms and agreements that are currently in place.



Lloyd Martley  
Chief of Police

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**Chief of Police**

Lloyd Martley  
913-724-3397 ext. 22  
<mailto:policechief@cityofbasehor.org>  
[policechief@basehorpolice.org](mailto:policechief@basehorpolice.org)  
[sgt@basehorpolice.org](mailto:sgt@basehorpolice.org)

**Police/Court Administration**

Traci Dockery  
913-724-3397 ext. 30

**Lieutenant/Investigator**

Robert Pierce  
913-724-3397 ext. 25  
[pdmclerk@basehorpolice.org](mailto:pdmclerk@basehorpolice.org)

**Sergeant**

Greg Hallgrimson  
913-724-3397 ext. 26  
[lt@basehorpolice.org](mailto:lt@basehorpolice.org)

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**WILLIAM E. PRAY**  
*Attorney at Law*  
316 South Fifth Street  
Post Office Box 16  
Leavenworth, Kansas 66048-0016

Phone: 913-651-5678  
Fax: 913-682-8789  
[wepgrayatt@sbeglobal.net](mailto:wepgrayatt@sbeglobal.net)

21 April, 2009

Hon. Terry Hill  
Mayor, City of Basehor  
City Hall  
2620 North 155<sup>th</sup> Street  
Post Office Box 406  
Basehor, Kansas 66007-0406

re: Municipal Court Judge position

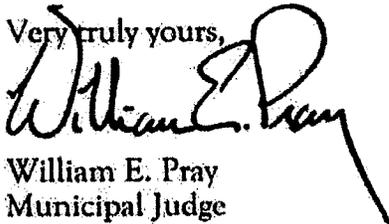
Dear Mayor Hill:

I would request that I be considered for reappointment as the Municipal Judge for the City for the next year. Once again we have seen an increase in case load and revenue for the Court. The Police force continues to improve their professionalism during their Court appearances. I would expect that these trends will continue into the future.

We have had an increase in our number of cases filed in the last year, which means that our Police Department is working harder. Some cases have to be reviewed outside of Court and I am regularly consulted by the Clerk on scheduling and jail matters that need my attention. I would anticipate that those duties will only increase as our increasing population will require more enforcement actions. While we have not yet added any additional court sessions, I think this remains an option in the future.

I received an increase in my salary last year and, given the financial situation all cities face, do not request one for this year. If you have any questions about my qualifications, please do not hesitate to contact me. Thank you for your consideration or my request in this matter.

Very truly yours,



William E. Pray  
Municipal Judge

WEP:fh

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 9

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**Topic:**

Chief of Police Re-appointment

**Action Requested:**

Approval of re-appointment of Lloyd Martley as Chief of Police

**Narrative:**

Chief Lloyd Martley has requested re-appointment with no additional adjustments.

**Presented by:**

City Administrator Mark Loughry

**Administration Recommendation:**

Recommend approval as presented.

**Committee Recommendation:**

**Attachments:**

Letter of intent from current Police Chief Lloyd Martley (1 page)

**Projector needed for this item?**

No

# POLICE DEPARTMENT

CITY OF BASEHOR

---

2620 North 155<sup>th</sup> Street, PO Box 420 Basehor Ks 66007

May 7, 2010

Hon. Terry Hill  
Mayor, City of Basehor

re: Chief of Police appointment

Dear Mayor Hill:

I would request that I be considered for reappointment as the Chief of Police for the City of Basehor.

I was originally appointed in 2008 and since that time I have been working to improve the image and perception of our Police Department. I am a firm believer in providing proactive policing for the citizens we serve. As we all know, people feeling safe and secure are big factors when it comes to someone deciding to move to our city. It is my goal to provide the safest environment and the best service possible for every citizen in our community.

Your consideration for reappointment will be greatly appreciated.

Sincerely,

Lloyd Martley  
Chief of Police

---

**Chief of Police**

Lloyd Martley  
913-724-3397 ext. 22  
[policechief@basehorpolice.org](mailto:policechief@basehorpolice.org)

**Police/Court Administration**

Traci Dockery  
913-724-3397 ext. 30  
[pdmccclerk@basehorpolice.org](mailto:pdmccclerk@basehorpolice.org)

**Lieutenant/Investigator**

Robert Pierce  
913-724-3397 ext. 25  
[lt@basehorpolice.org](mailto:lt@basehorpolice.org)

**Sergeant**

Greg Hallgrimson  
913-724-3397 ext. 26  
[sgt@basehorpolice.org](mailto:sgt@basehorpolice.org)

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City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 10

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**Topic:**

City Prosecutor Re-appointment

**Action Requested:**

Approval of re-appointment of KiAnn McBratney as City Prosecutor

**Narrative:**

KiAnn McBratney has requested re-appointment with no additional adjustments.

**Presented by:**

City Administrator Mark Loughry

**Administration Recommendation:**

Recommend approval as presented.

**Committee Recommendation:**

**Attachments:**

Letter from Police Chief Martley recommending re-appointment (1 page)  
Letter of intent from current City Prosecutor KiAnn McBratney (1 page)

**Projector needed for this item?**

No

# POLICE DEPARTMENT

CITY OF BASEHOR

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2620 North 155<sup>th</sup> Street, PO Box 420 Basehor Ks 66007

Date: April 26, 2010

To: Mark Loughry

From: Lloyd Martley

Ref: Appointed positions for Municipal Judge and City Prosecutor

William E. Pray is our current Municipal Judge. He is currently appointed with an agreement to be paid \$300.00 a month for holding Municipal Court in the City of Basehor on the second Tuesday of every month. Judge Pray has submitted a letter requesting that he be considered for reappointment as the Municipal Judge for the City of Basehor with no increase to his salary (see attached).

Kiann McBratney is currently our City Prosecutor. Ms. McBratney was appointed to this position last year replacing Mr. Mogenson. Ms. McBratney has submitted a letter requesting she be reappointed as the City of Basehor City Prosecutor (see attached). Ms. McBratney is currently being paid a minimum of \$400.00 a month with an hourly rate of \$85.00 per hour after the minimum has been exceeded. She is requesting reappointment with no adjustments to her current agreement.

It is my recommendation to the Mayor and Council that the above positions be reappointed under the same terms and agreements that are currently in place.



Lloyd Martley  
Chief of Police

---

**Chief of Police**

Lloyd Martley  
913-724-3397 ext. 22

[policechief@cityofbasehor.org](mailto:policechief@cityofbasehor.org)  
[policechief@basehorpolice.org](mailto:policechief@basehorpolice.org)  
[sgt@basehorpolice.org](mailto:sgt@basehorpolice.org)

**Police/Court Administration**

Traci Dockery  
913-724-3397 ext. 30

[policechief@basehorpolice.org](mailto:policechief@basehorpolice.org)

**Lieutenant/Investigator**

Robert Pierce  
913-724-3397 ext. 25

[pdmclerk@basehorpolice.org](mailto:pdmclerk@basehorpolice.org)

**Sergeant**

Greg Hallgrimson  
913-724-3397 ext. 26

[lt@basehorpolice.org](mailto:lt@basehorpolice.org)

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KIANN MCBRATNEY  
ATTORNEY AT LAW  
3723 N 152ND COURT  
PO BOX 410  
BASEHOR, KS 66007

April 23, 2010

Hon. Terry Hill  
Mayor, City of Basehor  
City Hall  
2620 N 155<sup>th</sup> Street  
Basehor, Ks 66007

RE: City Prosecutor Position

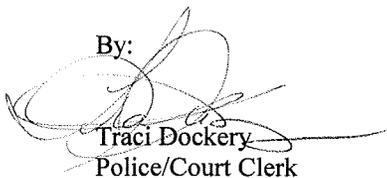
Dear Mayor:

Please accept this letter as my intent to remain as City Prosecutor for the next year. Since being offered this position, I have taken great pride in prosecuting those who violate the laws and ordinances within the city where I live and raise my family. I would like to continue to in this position with the same terms and conditions that are currently in place.

Sincerely,

  
KiAnn McBratney

By:

  
Traci Dockery  
Police/Court Clerk

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 13

---

**Topic:**

City Attorney re-appointment

**Action Requested:**

Approval of re-appointment of Patrick Reavey as City Attorney

**Narrative:**

Patrick Reavey has requested re-appointment with no additional adjustments.

**Presented by:**

City Administrator Mark Loughry

**Administration Recommendation:**

Recommend approval as presented.

**Committee Recommendation:**

**Attachments:**

Letter of intent from current City Attorney Patrick Reavey (1 page)

**Projector needed for this item?**

No



Reavey Law LLC

May 5, 2010

**VIA ELECTRONIC MAIL**

Mayor Hill  
Basehor City Hall  
2620 N. 155th St.  
PO Box 406  
Basehor, Kansas 66007

**Re: *Employment Agreement***

Dear Mayor:

I have enjoyed the time that I have spent serving the City of Basehor as City Attorney and would be honored to continue to do so. Please consider the attached Agreement and let me know if you have any questions about the same. This Agreement is identical to the Agreement entered into last year.

While we have had some bumps in the road over the course of the last few months, I see no reason why we cannot work through those bumps and move the City forward in the right direction. Certainly, if you feel more comfortable starting the second year of your term with a different City Attorney, I completely understand and, upon you letting me know that, will withdraw my name from consideration.

Thank you for your confidence in me, and I look forward to continuing to serve the City.

Sincerely,

REAVEY LAW LLC



Patrick G. Reavey

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 12

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**Topic:**

City Attorney Independent Contractor Agreement renewal

**Action Requested:**

Authorize the Mayor to sign agreement between City of Basehor and Patrick Reavey as presented.

**Narrative:**

Patrick Reavey's Independent Contractor Agreement is recurrent with the appointment and outlines the fees charged to the City.

**Presented by:**

City Administrator Mark Loughry

**Administration Recommendation:**

Approve agreement

**Committee Recommendation:**

**Attachments:**

Patrick Reavey Independent Contractor Agreement (2 pages)

**Projector needed for this item?**

No

## INDEPENDENT CONTRACTOR AGREEMENT

**THIS AGREEMENT** is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by and between **THE CITY OF BASEHOR, KANSAS** (hereinafter "the City") and **REAVEY LAW LLC**, Livestock Exchange Building, 1600 Genessee, Suite 303, Kansas City, Missouri 64102.

In consideration of the mutual covenants hereinafter set forth, the City and REAVEY LAW LLC hereby agree as follows:

1. **Services.** The City hereby engages Mr. Reavey of REAVEY LAW LLC to provide to the City all legal services needed by the City, of whatever nature. Such services include, but are not limited to, attending council meetings when requested, attending any other meetings connected with the City's business, advising the Mayor, the City Administrator, City Council, and City staff on any and all legal matters, preparing resolutions, ordinances, employee handbooks, and handling all litigation and other matters which may arise from time to time. Mr. Reavey agrees to perform the services in a timely, competent, and professional manner, and in accordance with all applicable laws, regulations, and ordinances, and the terms and conditions of this Agreement.
2. **Qualifications.** Mr. Reavey agrees that he will maintain his license and memberships to practice law in all Kansas State and Federal Courts, and will maintain professional liability insurance.
3. **Compensation.** In consideration of the agreements and provisions contained herein, the City agrees to pay Mr. Reavey a monthly retainer of \$1,600 to perform any and all legal services on behalf of the City. In the event Mr. Reavey is required to spend more than 15 hours during any calendar month for performance of legal services needed by the City, then such additional hours shall be billed to the City at a rate of \$110 per hour.
4. **Billing Statements.** Billing statements shall be sent to the City on a monthly basis itemizing services performed pursuant to this Agreement.
5. **Miscellaneous Expenses.** The City will reimburse Mr. Reavey for miscellaneous, out-of-pocket expenses, such as copies, postage, and mileage for out-of-town meetings and appearances.
6. **Other Employment.** During the term hereof, Mr. Reavey is free to pursue other business interests and representation so long as such activities do not adversely affect Mr. Reavey's representation of the City.
7. **Term and Termination.** This Agreement shall be effective upon recommendation by the Mayor and approval by the Governing Body of the City. The Agreement shall continue thereafter for one year at the pleasure of the Governing Body. The Agreement shall be renewable for successive one year periods by appointment by the Mayor and approval by

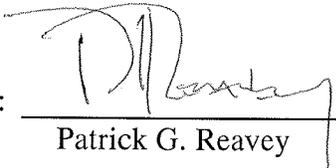
the Governing Body unless three-months' notice of non-renewal is given by either party. Three months before the renewal date, the parties will engage in good faith negotiation concerning the terms of the next one-year Agreement.

**IN WITNESS WHEREOF**, the parties, voluntarily and with full knowledge of the contents hereof, have executed this Agreement.

**THE CITY OF BASEHOR, KANSAS:**

By: \_\_\_\_\_  
Mayor Terry Hill, with consent of a  
majority of the City Council

**REAVEY LAW LLC:**

By:  \_\_\_\_\_  
Patrick G. Reavey

City of Basehor  
Agenda Item Cover Sheet

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Agenda Item No. 13

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**Topic:**

City Clerk appointment

**Action Requested:**

Consider approval of the mayoral appointment for City Clerk

**Narrative:**

See enclosed packet containing resume, reference checks and reports from City Council President and City Administrator for the candidate for the City Clerk position.

**Presented by:**

City Administrator Mark Loughry

**Administration Recommendation:**

Recommend approval as presented.

**Committee Recommendation:**

**Attachments:**

Memo dated 5-11-2010 from City Administrator Mark Loughry regarding City Clerk position (1page)  
Packet containing City Clerk reference material

**Projector needed for this item?**

No

# Memo

**Date:** 5/11/2010  
**To:** Basehor City Council  
**Cc:** Mayor, Terry Hill  
**From:** Mark Loughry, City Administrator  
**RE:** City Clerk Position

---

Council in your packet you have the resume and reference checks for a candidate for the City Clerk position. Additionally you have reports from the Council President and I based on interviews we have conducted. In order that the city not miss out on what appears to be an excellent candidate the Mayor and Council President have asked that the Council consider this person for appointment at the May 17<sup>th</sup> meeting. I will make arrangements for this candidate to be in attendance at the meeting so the Council can meet the candidate if needed.

If you have questions or require further discussion please let me know.

Check Register Report

AS OF 04/23/10

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
17704	04/21/2010	COMMERCE	COMMERCE PURCHASING CARD	DEFFENBAUGH/SPRINT/QUILL/SUNF	
		11805	10-000-811		336.12
		11805	10-000-803		287.34
		11805	09-010-775		10,803.78
		11805	05-009-803		35.54
		11805	05-009-762		2,242.75
		11805	05-009-758		136.74
		11805	05-009-757		127.86
		11805	01-017-808		5.70
		11805	01-017-758		142.40
		11805	01-008-792		53.80
		11805	01-005-803		81.53
		11805	01-005-757		465.30
		11805	01-005-754		153.00
		11805	01-004-808		5.54
		11805	01-004-803		164.74
		11805	01-004-801		72.35
		11805	01-004-758		665.42
		11805	01-004-761		53.95
		11805	01-003-803		818.81
		11805	01-003-774		200.00
		11805	01-002-804		166.77
		11805	01-002-803		20.40
		11805	01-002-758		129.23
		11805	01-002-761		301.06
		11805	01-001-808		5.00
		11805	01-001-801		180.81
		11805	01-001-774		710.78
				Check Amount	18,366.72
17705	04/22/2010	EFTPS	EFTPS	FED/SS/MEDI WITHHOLDING PYMT	
		11806	01-000-202		3,762.50
		11806	01-000-205		1,196.44
		11806	01-000-204		5,115.54
				Check Amount	10,074.48
17706	04/22/2010	KS DOR WTH	KANSAS DEPARTMENT OF REVENUE	KS STATE WITHHOLDING PYMT	
		11807	01-000-206		1,729.93
				Check Amount	1,729.93
17707	04/22/2010	KS EMPLOY	KANSAS EMPLOYMENT SECURITY FD	UNEMPLOYMENT TAX 1ST QTR-ARP	
		11808	01-000-207		228.68
				Check Amount	228.68
17708	04/22/2010	PROPAYROLL	PROPAYROLL	PAYROLL PROCESSING-PAY #08	
		11809	01-011-742		181.00
				Check Amount	181.00
17709	04/23/2010	ADVANCE IN	ADVANCE INSURANCE COMPANY	AD&D/LIFE/LTD/STD PREMIUM PYMT	
		11810	01-000-247		248.85
		11810	01-000-244		277.64
		11810	01-000-235		105.60
				Check Amount	632.09

Check Register Report

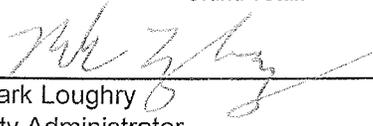
AS OF 04/23/10

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
17710	04/23/2010	AFLAC	AFLAC	CAFETERIA PLAN PREMIUM PYMT	
		11811	01-000-242		25.56
		11811	01-000-241		261.76
		11811	01-000-240		260.16
		11811	01-000-239		61.12
		11811	01-000-238		39.36
		11811	01-000-237		36.24
				Check Amount	<u>684.20</u>
17711	04/23/2010	BASEHOR HI	BASEHOR HISTORICAL SOCIETY	2010 DONATION	
		11813	01-001-781		5,510.00
				Check Amount	<u>5,510.00</u>
17712	04/23/2010	BLUE CROSS	BLUE CROSS & BLUE SHIELD OF KS	MEDICAL PREIMIUM PYMT	
		11812	01-000-209		13,586.46
				Check Amount	<u>13,586.46</u>
17713	04/23/2010	OMBPOLLENE	EXPRESS POLICE SUPPLY, INC	POLICE OFFICER SUPPLIES	
		11823	01-011-813		55.99
				Check Amount	<u>55.99</u>
17714	04/23/2010	GRIFFIN/WI	WILLIAM GRIFFIN	PAYROLL DIRECTED DEDUCTION	
		11814	01-000-248		200.00
				Check Amount	<u>200.00</u>
17715	04/23/2010	HUMAN RESO	HUMAN RESOURCE SOLUTION	HR SUPPORT/POLICY MANUAL PREP	
		11815	01-011-745		1,550.00
				Check Amount	<u>1,550.00</u>
17716	04/23/2010	ING LIFE	ING LIFE INSURANCE & ANNUITY	DEFERRED COMP PYMT	
		11816	01-000-212		6,025.70
				Check Amount	<u>6,025.70</u>
17717	04/23/2010	KACM	KACM	KS ASC COURT MNGT MEMBERSHIP	
		11819	01-004-783		100.00
				Check Amount	<u>100.00</u>
17718	04/23/2010	KS MUNCINS	KANSAS MUNC INSURANCE TRUST	2009 ADJUSTMENT WORK COMP	
		11820	01-001-779		8,419.00
				Check Amount	<u>8,419.00</u>
17719	04/23/2010	KANSAS ONE	KANSAS ONE-CALL SYSTEMS, INC.	ONE CALL LOCATES	
		11817	05-009-799		21.60
				Check Amount	<u>21.60</u>
17720	04/23/2010	KANSAS PAY	KANSAS PAYMENT CENTER	PAYROLL DIRECTED DEDUCTION	
		11818	01-000-248		379.50
				Check Amount	<u>379.50</u>
17721	04/23/2010	KPF EFT	KPF EFT PROGRAM	KPF RETIREMENT PYMT	
		11833	01-000-208		3,794.96
		11833	01-000-211		7.45
				Check Amount	<u>3,802.41</u>
17722	04/23/2010	LCDC	LCDC	LVCO/LCPA MEETING	
		11822	01-003-803		12.00
				Check Amount	<u>12.00</u>

# Check Register Report

AS OF 04/23/10

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
17723	04/23/2010	LV SHERIFF 11821	LEAVENWORTH COUNTY SHERIFF 01-004-764	BOARDING PRISIONERS	122.50
				Check Amount	<u>122.50</u>
17724	04/23/2010	PTINEY PUR 11825 11825 11825 11825	PITNEY BOWES PURCHASE POWER 01-001-808 05-009-808 01-017-808 01-004-808	POSTAGE REFILL	50.00 50.00 50.00 50.00
				Check Amount	<u>200.00</u>
17725	04/23/2010	PLEAK 11826 11826	MITCH PLEAK 01-017-782 01-017-803	REIMBURSEMENT-MILEAGE/TOLL	203.50 12.73
				Check Amount	<u>216.23</u>
17726	04/23/2010	PRAY 11824	WILLIAM E. PRAY 01-004-766	MUNICIPAL JUDGE SERVICES	300.00
				Check Amount	<u>300.00</u>
17727	04/23/2010	REAVEY LAW 11827 11827 11827	REAVEY LAW LLC 19-000-751 01-017-751 01-001-751	LEGAL SERVICES	632.50 187.00 1,111.00
				Check Amount	<u>1,930.50</u>
17728	04/23/2010	SELECT IMA 11828	SELECT IMAGING 01-001-799	FILEBOUND HOSTING FEE	300.00
				Check Amount	<u>300.00</u>
17729	04/23/2010	SMITH VET 11829	SMITH VETERINARY CLINIC INC 01-004-759	BOARDING ANIMALS	54.00
				Check Amount	<u>54.00</u>
17730	04/23/2010	SPEAKMAN 11830	LUCAS SPEAKMAN 01-000-421	COURT FINES REFUND	5.00
				Check Amount	<u>5.00</u>
17731	04/23/2010	WESTAR GRP 11831	WESTAR ENERGY 05-009-753	UTILITIES	352.00
				Check Amount	<u>352.00</u>
17732	04/23/2010	WRIGHT EX 11832 11832 11832	WRIGHT EXPRESS 01-003-804 01-017-804 01-004-804	FUEL CITY VEHICLES	19.66 66.02 2,714.00
				Check Amount	<u>2,799.68</u>
				<b>Grand Total:</b>	<b><u>77,839.67</u></b>


4-26-10  
 \_\_\_\_\_ Date  
 Mark Loughry  
 City Administrator


04/26/10  
 \_\_\_\_\_ Date  
 Susan Adams  
 3 Treasurer

Check Register Report

AS OF 04/30/10

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
17733	04/30/2010	BASEHOR DA 11834	BASEHOR DAIRY DAYS FESTIVAL 01-001-781	DONATION TOWARDS EVENT	5,000.00
				Check Amount	<u>5,000.00</u>
17734	04/30/2010	HOLLAND R 11835	ROBERT HOLLNAD 01-000-200	REFUND VISION DEDUCTION	5.69
				Check Amount	<u>5.69</u>
17735	04/30/2010	MIDWEST PU 11836	MIDWEST PUBLIC RISK 01-000-203	DENTAL INSURANCE PYMT	1,320.00
				Check Amount	<u>1,320.00</u>
17736	04/30/2010	VISION SER 11837	VISION SERVICES PLAN 01-000-200	VISION INSURANCE PYMT	507.71
				Check Amount	<u>507.71</u>
17737	04/30/2010	WESTAR GRP 11838	WESTAR ENERGY 01-002-787	UTILITIES	20.74
			11838 01-008-753		194.43
			11838 01-005-753		216.71
			11838 05-009-753		8,004.61
				Check Amount	<u>8,436.49</u>
				<b>Grand Total:</b>	<b><u>15,269.89</u></b>

*Mark Loughry* 5-3-10  
 \_\_\_\_\_  
 Mark Loughry Date  
 City Administrator

*Susan Adams* 05/03/10  
 \_\_\_\_\_  
 Susan Adams Date  
 Treasurer

Check Register Report  
AS OF 05/07/10

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
17738	05/04/2010	MOGLE 11839	MARY A. MOGLE 01-001-701		11,000.00
				Check Amount	<u>11,000.00</u>
17739	05/06/2010	EFTPS 11840	EFTPS 01-000-202	FIT/SS/MEDI WITHHOLDING PYMT	3,399.21
		11840	01-000-205		1,212.66
		11840	01-000-204		5,185.38
				Check Amount	<u>9,797.25</u>
17740	05/06/2010	KS DOR WTH 11841	KANSAS DEPARTMENT OF REVENUE 01-000-206	KS STATE WITHHOLDING PYMT	1,770.59
				Check Amount	<u>1,770.59</u>
17741	05/06/2010	KS EMPLOY 11843	KANSAS EMPLOYMENT SECURITY FD 01-000-207	UNEMPLOYMENT PYMT PP#09	3.45
				Check Amount	<u>3.45</u>
17742	05/06/2010	PROPAYROLL 11842	PROPAYROLL 01-011-742	PAYROLL PROCESSING PP#09	186.50
				Check Amount	<u>186.50</u>
17743	05/07/2010	ADVANCE PE 11844	ADVANCE PEST CONTROL 01-008-799	PEST CONTROL @ CITY PARK/WTF	27.50
		11844	05-009-799		94.30
				Check Amount	<u>121.80</u>
17744	05/07/2010	ALAU 11845	MARIA ALAU 05-000-521	REFUND OVERPYMT SWR ACCT	17.86
				Check Amount	<u>17.86</u>
17745	05/07/2010	ANDERSON J 11846	JAN ANDERSON 01-000-421	REFUND OVERPYMT CITATION	5.00
				Check Amount	<u>5.00</u>
17746	05/07/2010	ATMOS ENER 11847	ATMOS ENERGY 01-005-752	UTILITIES	178.05
				Check Amount	<u>178.05</u>
17747	05/07/2010	PRIDE 11848	BASEHOR PRIDE 01-001-781	DONATION FIREWORKS 2010	3,500.00
				Check Amount	<u>3,500.00</u>
17748	05/07/2010	BON SP FOR 11849	BONNER SPRING FORD 01-004-761	UNIT 8 REPAIRS	433.08
				Check Amount	<u>433.08</u>
17749	05/07/2010	CARTER WAT 11850	CARTER WATERS CORPORATION 10-000-811	1 TON ASPHAL PATCH MATERIAL	95.12
				Check Amount	<u>95.12</u>
17750	05/07/2010	CINTAS 11851	CINTAS 05-009-799	WEEKLY SERVICES & SUPPLIES	158.76
				Check Amount	<u>158.76</u>

Check Register Report  
AS OF 05/07/10

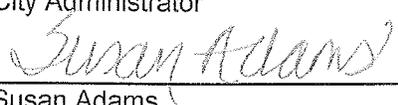
Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount	
17751	05/07/2010	CONS WATER 11852 11852	CONS RURAL WATER DISTRICT #1 01-008-755 01-005-755	WATER SERVICES	20.56	
					115.85	
					Check Amount	136.41
17752	05/07/2010	DATAMAX 11853 11853	DATAMAX 01-001-799 01-004-799	LEASE/BASE/EXCESS COPIES	294.38	
					282.70	
					Check Amount	577.08
17753	05/07/2010	GRIFFIN/WI 11873	WILLIAM GRIFFIN 01-000-248	PAYROLL DIRECTED DEDUCTION	200.00	
					Check Amount	200.00
					17754	05/07/2010
Check Amount	775.24					
17755	05/07/2010	JOHNSON CL 11855	JOHNSON COUNTY GOVERNMENT 05-009-790	FACILITY FLOW SAMPLING		
					Check Amount	292.50
					17756	05/07/2010
Check Amount	39.00					
17757	05/07/2010	KANSAS PAY 11874	KANSAS PAYMENT CENTER 01-000-248	PAYROLL DIRECTED DEDUCTION		
					Check Amount	379.50
					17758	05/07/2010
Check Amount	895.50					
17759	05/07/2010	KPF EFT 11875 11875	KPF EFT PROGRAM 01-000-208 01-000-211	KPF RETIREMENT PYMT		
					7.45	
					Check Amount	3,833.02
17760	05/07/2010	LADD SERVI 11858	LADD SERVICE COMPANY 05-009-777	REPAIR/REPLACE FAN SWITCH	180.00	
					Check Amount	180.00
					17761	05/07/2010
157.60						
Check Amount	265.60					
17762	05/07/2010	LEAV PROB 11860	LEAV CTY & CO PROBATION OFFICE 01-004-767	JAN - MARCH 2010 PROBATION SVR	2,465.75	
					Check Amount	2,465.75
					17763	05/07/2010
Check Amount	210.00					

Check Register Report

AS OF 05/07/10

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
17764	05/07/2010	MCBRATNEY 11861	KIANN MCBRATNEY 01-004-767	APRIL 2010 FEES	400.00
				Check Amount	<u>400.00</u>
17765	05/07/2010	MISSION CO 11863	MISSION COMMUNICATIONS 05-009-789	RENEWAL SERIVCES-LIFT STATION	2,431.80
				Check Amount	<u>2,431.80</u>
17766	05/07/2010	MODERN MAR 11864	MODERN MARKETING, INC. 01-004-803	PROMO ITEMS	162.99
				Check Amount	<u>162.99</u>
17767	05/07/2010	PITNEY BOW 11872	PITNEY BOWES 05-009-808	POSTAGE	50.00
					50.00
					50.00
					50.00
				Check Amount	<u>200.00</u>
17768	05/07/2010	SCHMIDT C 11865	CASSIE SCHMIDT 01-001-782	MILEAGE REIMBURSEMENT	50.67
				Check Amount	<u>50.67</u>
17769	05/07/2010	SHRED IT 11866	SHRED IT 01-005-799	SHREDDING/DESTRUCTION DATA	25.00
				Check Amount	<u>25.00</u>
17770	05/07/2010	SIMMONS GU 11867	SIMMONS GUN SPECIALTIES, INC 01-004-774	AMMO TRAINING	634.80
				Check Amount	<u>634.80</u>
17771	05/07/2010	SPECTRA 11868	SPECTRA 05-009-803	HERBICIDE/MISC SUPPLIES	142.54
					1,494.10
				Check Amount	<u>1,636.64</u>
17772	05/07/2010	SYSTEMS MA 11869	SYSTEMS MANUFACTURING INC 05-009-865	REPLACEMENT PARTS	1,101.00
					1,075.00
				Check Amount	<u>2,176.00</u>
17773	05/07/2010	UNITED LAB 11871	UNITED LABORATORIES 01-002-803	GALLON RUST CONVERTOR	190.03
				Check Amount	<u>190.03</u>
				<b>Grand Total:</b>	<b><u>45,424.99</u></b>

  
 Mark Loughry  
 City Administrator  
 Date 5-10-10

  
 Susan Adams  
 Treasurer  
 Date 05/10/10

Page