

Agenda

Basehor City Council

Work Session

July 12, 2010 7:00 p.m.

Basehor City Hall



1. Theno Estates Neighborhood Revitalization
2. Series 2010 Temporary Notes
3. Personnel Manual
4. Tomahawk Valley Phase I - Final Plat
5. Tomahawk Valley Phase I – Final Development Plan
6. Donna Mittong drainage request
7. George Smith request
8. Employee Benefit Fund Ordinance
9. Executive Session (if needed)

Memo

Date: 7/2/2010
To: Basehor City Council
Cc: Mayor, Terry Hill
From: Mark Loughry, City Administrator
RE: Theno Estates Neighborhood Revitalization Plan (NRP) #3

Council the new owner of Theno Estates has requested that the City consider implementing a revitalization plan for Theno Estates similar to NRP #2 that we have in place in other parts of town. This plan will be different in that we are only considering the rebate of taxes within the City and not entering into an interlocal agreement with any other entities. If the property owner wishes for any other taxing entity to participate it will be their responsibility to approach the appropriate governing body.

You have attached a copy of the proposed plan which mirrors fairly closely the plan we implemented last year. There are a few fine points that the City Attorney and I need to work out as far as dates and changes in participation and I hope to have that ready for you Monday night. If the Council supports this request we will need to schedule a public hearing in August for final approval. This will have a retroactive implementation date of July 1st, and will expire December of 2012. The expiration date matches with NRP #2.

I do feel this is a fair request and will assist leveling the playing field for a property that was outside of the city limits when the initial plan was implemented. Staff supports this request.

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

**CITY OF BASEHOR, KANSAS
NOTICE OF PUBLIC HEARING
NEIGHBORHOOD REVITALIZATION PLAN NO. 3**

The City Council will consider the adoption of Neighborhood Revitalization Plan No. 3, pursuant to K.S.A. 12-17,114 et seq. at a public hearing at 7:00 p.m. on Monday, July 19, 2010, in the City Council Chambers, 2620 N. 155th St., Basehor, Kansas 66007

The proposed Neighborhood Revitalization Plan No. 3 and a description of the boundaries of the proposed Neighborhood Revitalization Plan No. 3 are available for inspection during the hours of 8:00 a.m. to 5:00 p.m. in the office of the City Clerk, 2620 N. 155th St., Basehor, Kansas 66007.

At the conclusion of the hearing, the Basehor City Council will consider findings necessary for the adoption of the proposed Neighborhood Revitalization Plan No. 3 and the establishment of the proposed Neighborhood Revitalization Area, all as provided for in K.S.A. 12-17,114 et seq.

This notice shall be published in the official city newspaper for two consecutive weeks prior to the hearing.

RESOLUTION NO. _____

A RESOLUTION DECLARING THENO ESTATES WITHIN THE CITY OF BASEHOR TO BE A "NEIGHBORHOOD REVITALIZATION AREA"

WHEREAS, K.S.A. 12-17,116 permits the governing body of any municipality to designate any area within such municipality as a neighborhood revitalization area if the governing body finds that one or more of the conditions as described in subsection c of K.S.A. 12-17,115, and amendments thereto, exist and that the rehabilitation, conservation, or development of the area is necessary to protect the public health, safety or welfare of the residents of the municipality.

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

Section 1. Findings. With regard to the proposed area of Theno Estates which is the subject of the Basehor Neighborhood Revitalization Plan No. 3 (attached as **Exhibit 1**), the governing body finds such area contains one or more of the following conditions: (1) there is the existence of conditions which are detrimental to the public health, safety or welfare, including, but not limited to, unsightly overgrown brush, weeds, and grasses, and foundations which have not been built on and pose a danger to the public; and (2) the presence of defective or inadequate streets, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of the City of Basehor, retards the provision of housing accommodations and constitutes an economic or social liability and is detrimental to the public health, safety or welfare in its present condition and use;

Section 2. Conclusions. It is therefore, the opinion, position, and conclusion of the Basehor City Governing Body that the Neighborhood Revitalization Area No. 3 is dependent upon rehabilitation, conservation and/or redevelopment measures in order to protect the public health, safety or welfare of the residents of the City of Basehor, and, therefore, such Area is hereby declared to be a Neighborhood Revitalization Area.

Section 3. Effective Date. This Resolution will become effective upon its adoption by the Governing Body.

ADOPTED _____.

CITY OF BASEHOR, KANSAS

Mayor, Terry Hill

(SEAL)

ATTEST:

City Clerk, Kathy Renn

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney

CITY OF BASEHOR, KANSAS

Neighborhood Revitalization Plan No. 3

SECTION I: PURPOSE

This Plan is intended to promote and encourage development, particularly large housing subdivisions and commercial development in the area generally described as Theno Estates in Basehor, Kansas through the rehabilitation, conservation or redevelopment of the area in order to protect the public health, safety or welfare of the residents of the City. Certain incentives will be used for the acquisition and/or the removal of abandoned structures and a tax rebate incentive will be available for certain improvements within the Area.

In accordance with the provisions of K.S.A. 12-17,114, et .seq., the City Council held a public hearing and considered the existing conditions and alternatives with respect to the designated area, the criteria and standards for a tax rebate and the necessity for interlocal cooperation among the other taxing units. Accordingly, the Council carefully reviewed, evaluated and determined the areas meet one or more of the conditions to be designated as a "neighborhood revitalization area".

SECTION II: ASSESSED VALUATION OF REAL PROPERTY

The assessed valuation of the real estate contained in the Plan is listed for each parcel, for land and building values separately, and is incorporated as part of the plan as Exhibit A. The total assessed valuation for the parcels contained in the defined plan area is:

Plan No. 3	
Land	\$
Improvements	\$
Total Assessed Valuation	\$

SECTION III

LEGAL DESCRIPTIONS AND MAP OF REVITALIZATION PLAN

Map of Revitalization Plans and Legal Descriptions for Plan 3

Attached as Exhibits B and C

Exhibit B – Legal Description

All of THENO ESTATES, a subdivision of land being in Part of the Northeast Quarter of Section 13, Township 10 South, Range 22 East, Leavenworth County, Kansas, more particularly described as follows:

A portion the tract originally established as the East Eighty (80) Acres of the North Three Fourths (N3/4) of the Northeast Quarter of Section 13, Township 10 South, Range 22 East and excepting the East Half (E1/2) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 13, Township 10 South, Range 22 East of the 6th P.M., Leavenworth County, Kansas, as recorded in Book 184 at Page 157 in the Office of the Register of Deeds, Leavenworth County, Kansas and being more particularly described as follows:

Commencing at the Northeast corner of the Northeast Quarter of said Section 13, thence South 87°28'29" West, along the North line thereof, a distance of 657.42 feet to the Northwest corner of the East Half (E1/2) of the East Half (E1/2) of the Northeast Quarter of said Section 13 and Point of Beginning; thence South 01°28'06" East, along said West line, a distance of 1088.35 feet; thence South 88°31'54" West, a distance of 163.94 feet; thence South 69°01'36" West, a distance of 60.00 feet; thence Southerly along a non-tangent curve to the right, said curve having an Initial Tangent Bearing of South 20°58'24" East, Radius of 270.00 feet, Included Angle of 19°30'18", an Arc Length of 91.92 feet to a point of tangency; thence South 01°28'06" East, a distance of 46.31 feet; thence South 88°31'54" West, a distance of 130.00 feet; thence North 62°46'04" West, a distance of 81.07 feet; thence South 88°27'31" West, a distance of 270.00 feet; thence North 83°23'02" West, a distance of 221.65 feet; thence North 88°44'14" West, a distance of 60.00 feet; thence Northerly along a non-tangent curve to the right, said curve having an Initial Tangent Bearing of North 01°15'46" East, Radius of 330.00 feet, Included Angle of 13°40'26", an Arc Length of 78.76 feet; thence South 88°27'31" West, a distance of 153.55 feet to the West line of the East Eighty acres of the North Three Fourths (E80 Ac N3/4) of said Northeast Quarter; thence North 01°32'29" West along said West line, a distance of 1074.69 feet to the North line of said Northeast Quarter; thence North 87°28'29" East, along said North line, a distance of 1097.54 feet to the Point of Beginning.

LESS AND EXCEPTING,

Lots 3, 9, 18, and 20 THENO ESTATES, a subdivision of land being in Part of the Northeast Quarter of Section 13, Township 10 South, Range 22 East, Leavenworth County, Kansas.

**CITY OF BASEHOR, KANSAS
NEIGHBORHOOD REVITALIZATION PLAN NO. 3**

ADOPTED: _____

RESOLUTION NO. _____

SECTION IV
LISTING OF OWNERS OF RECORD IN AREA

Each owner of record of each parcel of land is listed together with the corresponding address and is attached to this plan as Exhibit D.

SECTION V
ZONING CLASSIFICATIONS

Zoning Classifications:

- R-1 Single Family Residential District
- R-2 Duplex Residential District
- R-3 Multi-Family Residential District
- CP-1 Commercial Business District
- CP-2 General Business District
- PR Planned Residential District

SECTION VI: EXPANSION OR CAPITAL IMPROVEMENTS PLANNED AND MUNICIPAL SERVICES PROVIDED FOR THE AREAS

The City of Basehor, plans for its long-term capital improvement needs through the City's Comprehensive Plan and implements the plan with the approval of the City's annual budget. The City also provides trash service, sewer service, sidewalk repair, street improvements, law enforcement, community oriented policing and fire protection as established for the whole community.

SECTION VII: STATEMENT SPECIFYING ELIGIBILITY REQUIREMENTS FOR A TAX REBATE FOR NEW CONSTRUCTION

A. Residential Improvements:

New single family dwelling structures, owner occupied, as may be permitted by the Zoning Ordinance, are eligible for rebate provided the value of the improvement is appraised at \$140,000 or more.

Construction of new multifamily dwelling structures only within the Neighborhood Revitalization Area are eligible for rebate provided the value of the improvement is appraised at \$140,000 or more. The newly constructed multi-family dwelling must be continuous from ground to roof and sold as individual units (**Townhomes**).

A recorded contract for deed or an affidavit of interest for a single family dwelling unit will be eligible for a tax rebate. Builders of single family speculative dwelling units will be eligible for the rebate.

B. Commercial Improvements:

New construction of any office and institution, or commercial structure(s), as may be permitted by the Zoning Ordinance, may be eligible for the rebate provided the value of the new improvement is appraised at \$140,000 or more.

SECTION VIII: CRITERIA FOR DETERMINATION OF ELIGIBILITY

- 1) Construction of an improvement must have begun on or after July 19, 2010; the date of designation of Neighborhood Revitalization Plan No. 3 by the City.

All improvement projects constructed pursuant to a building permit issued and an application for tax rebate filed on or after July 19, 2010, may be eligible for a rebate under Neighborhood Revitalization Plan No. 3 created by Resolution No. _____, dated July 19, 2010.
- 2) An application for rebate must be filed with the issuance of a building permit or filed no later than thirty (30) days from the date of the issuance of a building permit. The City Council is authorized to extend the application period for just cause.
- 3) The improvements must conform to the Zoning as previously established and the Zoning Ordinances in effect at the time the improvements are made.
- 4) The new improvements must conform to all Building Codes as adopted by the City, all applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
- 5) If the taxpayer is ninety (90) days delinquent in the payment of property taxes twice during the term the property is eligible for the rebate; any remaining eligibility shall be terminated.
- 6) The Neighborhood Revitalization Plan shall not be used in conjunction with any other tax incentive unless approved by the City Council.
- 7) Residential or commercial property improvement must be appraised at \$140,000 or above to be eligible for the rebate.

SECTION IX: CONTENTS OF APPLICATION FOR TAX REBATE

Part I - General Information

- a) Owner's Name.
- b) Owner's Mailing Address.
- c) Parcel I.D. No.
- d) Building Permit No.
- e) Address of Property.

- f) Legal Description of Property.
- g) Day Phone Number.
- h) Proposed Property Use.
- i) Improvements.
- j) Estimated Date of Completion.
- k) Estimated Cost of Improvements.
- l) List of Buildings Proposed to be or actually demolished if any.
- m) County Appraiser's Statement of Assessed Valuation.

Commencement of Construction

- a) Date of commencement of construction.
- b) Estimated date of completion of construction.

Part 2 - Status of Construction/Completion

- a) Incomplete project as of January 1 following commencement.
- b) Complete project as of January 1 following commencement.
- c) County Appraiser's Statement of Minimum Value of Improvement Test.
- d) County Clerk's Statement of Tax Status.
- e) Planning Department Statement of Application Conformance for Tax Rebate.

SECTION X: APPLICATION PROCEDURE

- 1) The applicant shall obtain an Application for Tax Rebate from the Planning Department or the Codes Department concurrent with obtaining a building permit application.
- 2) The applicant shall complete and sign Part 1 of the application, sign the second page of the Application and Rules for Determination of Eligibility and file the original with the Planning Department at the time of issuance of a building permit or filed no later than thirty (30) days from the date of issuance of a building permit. The City Council is authorized to extend the application period for just cause.
- 3) The Planning Department shall forward the application to the County Appraiser's Office for determination of the assessed valuation of the improvements.
- 4) On January 1, the County Appraiser shall conduct an on-site inspection of the construction records and determine the new valuation of the real-estate and shall complete his portion of the application and shall report the new valuation to the Leavenworth County Clerk. The tax records on the project shall be revised by the Leavenworth County Clerk's Office.
- 5) Upon determination by the Appraiser's office that the improvements meet the minimum value for improvements test for rebate and the Leavenworth County Clerk's office determines the status of the taxes on the property, the Planning Department shall certify to the Leavenworth County Clerk the project and application does or does not meet the requirements for a tax rebate and shall notify the applicant.
- 6) The improvements shall not become a part of the program until the Leavenworth County Appraiser's Office is notified by the City's Planning Department that a Certificate of Occupancy was issued.

7) Upon the payment of the real estate tax for the subject property for the initial and each succeeding tax year period extending through the specified rebate period, and within a thirty (30) day period following the date of tax distribution by Leavenworth County to the other taxing units, a tax rebate in the amount of the tax increment (less any administrative fee as specified in the Interlocal Agreement) will be made to the property owner paying the tax. The tax rebate shall be made by the Leavenworth County Treasurer through the Neighborhood Revitalization Fund established in conjunction with the City of Basehor and the other taxing units participating in an Interlocal Agreement. The City Treasurer or representative shall make periodic reports on the tax rebate program to the City Council and other taxing units accordingly.

The Planning Department shall inform the Leavenworth County Clerk and City Treasurer thirty (30) days prior to the expiration of the final rebate period for each property receiving a tax rebate.

SECTION XI: STANDARDS AND CRITERIA FOR REVIEW

A. Criteria:

- 1) Construction of an improvement must have begun on or after July 19, 2010, the date of designation of the neighborhood revitalization area by the City. Any improvement project constructed pursuant to a building permit issued and an application for tax rebate filed on or after July 19, 2010, may be eligible for a rebate under the Neighborhood Revitalization Program No. 3 created by Resolution No. _____.
- 2) An application for rebate must be filed at the time of issuance of a building permit or filed no later than thirty (30) days from the date of issuance of a building permit. The City Council is authorized to extend the application period for just cause.
- 3) The improvements must conform to the Comprehensive Plan and Zoning Ordinance in effect at the time the improvements are made.
- 4) The new improvements on property must conform to the Building Codes as adopted by the City of Basehor and all other applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
- 5) If the taxpayer is ninety (90) days delinquent in the payment of property taxes twice during the term the property is eligible for the rebate, any remaining eligibility will be terminated.
- 6) The Neighborhood Revitalization Plan shall not be used in conjunction with any other tax incentive unless approved by the City Council.

7) The cost of the residential or commercial improvement is appraised at \$140,000 or more.

B. Residential:

New single family dwelling structures, owner occupied, as may be permitted in the Zoning Ordinance are eligible for rebate provided the value of the new improvement is appraised at \$140,000 or more. New single family rental dwelling structures no matter where constructed are not eligible for the rebate.

Construction of new multi-family dwelling structures built and sold as individual units (**Townhomes**) are eligible for rebate provided the value of the new improvement is appraised at \$140,000 or more.

A recorded contract for deed or an affidavit of interest for a single family dwelling unit will be eligible for a tax rebate. Builders of single family speculative dwelling units will be eligible for the rebate.

C. Commercial Improvements:

New construction of any office and institution, or commercial structure(s) as may be permitted by the Zoning Regulations may be eligible for the rebate provided the value of the new improvement is appraised at \$140,000 or more.

SECTION XII: STATEMENT SPECIFYING REBATE FORMULA

Program Period:

The Neighborhood Revitalization Plan No. 2 and tax rebate incentive program adopted by Resolution No. ____ on July 19, 2010 shall expire on December 31, 2012. The program will be reviewed periodically and the Council may consider modifications and extensions.

Rebate Period and Amount:

<u>Classification</u>	<u>Rebate Amount</u>	<u>Rebate Period</u>
New Residential Construction	100%/50%	3 Years/3 Years
New Commercial Construction	80%/25%	3 Years/3 Years

Note: The value of the new improvement shall be appraised at \$140,000 or more.

SECTION XIII: CITY OF BASEHOR TOTAL TAX LEVY SCHEDULE

TAXING JURISDICTION

Mill Levy

1	Leavenworth County Levy	31.56
2.	City of Basehor Levy	28.621
3.	U.S.D. 458	54.644
4.	Fairmount Township Fire Department	4.206
5.	Basehor Community Library	6.913
	TOTAL	125.944

**City of Basehor, Kansas
Neighborhood Revitalization Plans
Application for Property Tax Rebate**

PART 1

To be Completed by Applicant at time of issuance of building permit, but no later than 30 days after issuance of building permit (Please Print or Type):

Owner's Name: _____ Day Phone No.: _____

Owner's Mailing Address: _____

Property Address: _____ School District No.: _____

Parcel Identification Number: _____

(To be completed by the City. Note, this application cannot be processed until such time that a valid parcel number can be obtained from the County.)

Legal Description of the Property: _____

(Use additional sheets if necessary)

NOTE - All contracts for deed or an affidavit of interest *must* be recorded with the Register of Deeds.

Property Use:

(Check One)

- Single-Family Residential – Must be owner-occupied and not used as rental property.
- Multi-Family- Must be continuous from ground to roof and sold as individual units (**Townhomes**)

Number of Units _____

Commercial

Industrial

Historical - Is property listed on the State or National Historic Register? Yes No

If yes, attach proof of listing.

Proposed Improvements (Be Specific):

Value:

_____ \$ _____

_____ \$ _____

_____ \$ _____

(Use additional sheets if necessary.)

Total Estimated Value of Improvements: \$ _____

PART 1 – Page 2

List buildings that have been or will be demolished: _____

If demolishing a residential structure, complete the following:

Number of Dwelling Units _____

Construction to begin on _____ 20____. Building Permit No. _____ (Attach Copy)

By: _____ Date: _____
(Applicant's Signature)

****A copy of signed application to be provided to the applicant. The original will be filed with the City****

PART 1 - Step 1: City of Basehor Planning Department Use Only

The above application is or is **not** in conformance with the requirements of the City of Basehor
Neighborhood Revitalization **Existing Plan** **Plan No. 2** **Plan No. 3**
Reason application is not in conformance _____

By: _____ Date _____
City Planner and/or Building Official

PART 1 - Step 2: County Appraiser's Office Use Only

As of _____ 20____ the valuation is:	<u>Appraised</u>	<u>Assessed</u>
	Land	\$ _____
	Improvements	\$ _____
	Total	\$ _____
Based upon the above listed improvements and associated costs supplied by the applicant, the improvements <input type="checkbox"/> MAY <input type="checkbox"/> MAY NOT meet the percentage tests for a property tax rebate.		
By _____ Leavenworth County Appraiser's Office		Date _____

PART 2

Name of Applicant: _____

PART 2 – Step 1: City of Basehor Planning Department Use Only

Status of Construction/Completion:

- Initial building permit has expired (12 months for residential/24 for commercial).
- A Certificate of Occupancy has been issued.
- A Final Inspection has been completed for renovation/rehabilitation.

By: _____ Date _____
 City Planner and/or Building Official

PART 2 - Step 2: County Appraiser's Use Only

Existing Plan: The above improvements:

- Meet the 5% increase in appraised valuation for residential property. Approved _____
- Do not meet the 5% increase in appraised valuation for residential property. Disapproved _____
- Meet the 15% increase in appraised valuation for commercial property. Approved _____
- Do not meet the 15% increase in appraised valuation for commercial property. Disapproved _____

Plan No. 2: The above improvements:

- Meet the requirement of a minimum appraised value of \$140,000 Approved _____

for the new structure.

[] Do not meet the requirement of a minimum appraised value of \$140,000. Disapproved _____
 for the new structure.

By: _____ Date _____
 Leavenworth County Appraiser's Office

PART 2 - Step 3: County Treasurer's Use Only

As of _____ 20__ taxes on this parcel are:

[] Current
 [] Not current

By: _____ Date _____
 Leavenworth County Treasurer's Office

Neighborhood Revitalization Plan 3

Application Procedures and Rules for Determination of Eligibility

1. Anyone meeting the requirements listed below who desire to participate in this program must submit Part 1 of the application at the time of issuance of the building permit, but no later than 30 days after issuance of the building permit. Failure to meet this requirement will result in the applicant being disqualified for the program.
2. a) Construction of an improvement must have begun on or after July 19, 2009. This plan is for only new, single-family owner occupied residential, multi-family and commercial buildings for a property tax rebate of 100% for the first 3 years and 50% for the following 3 years for residential and 80% for the first 3 years and 25% for the following 3 years.
 b) The appraised value for the new structure must be no less than \$140,000 in order to qualify for a property tax rebate.
3. The improvements must conform to the Comprehensive Plan and Zoning Ordinance in effect at the time the improvements are made.
4. All improvements must conform to all applicable codes, rules, and regulations in effect at the time the improvements are made, and for the length of the rebate or the rebate may be terminated.
5. The real estate taxes on the property must be current at the time of the application or it will be disqualified. Also, if the taxpayer is ninety (90) days delinquent in the payment of property taxes twice during the term the property is eligible for the rebate, all remaining eligibility will be terminated.
6. The Neighborhood Revitalization Plans shall not be used in conjunction with any other tax incentive unless approved by the City Council.
7. New single-family rental structures are not eligible for rebates with either plan. Single-family structures must be owner occupied.
8. a) Part 2-Step 1 will be submitted by the City to the Leavenworth County Appraiser upon occurrence of one of the following, whichever comes first:

- Certificate of Occupancy for new construction.
- Final inspection of a renovation/rehabilitation.
- OR -
- 12 months after issuance of the initial building permit for residential.
- 24 months after issuance of the initial building permit for commercial and industrial.

b) The rebate period will commence on January 1st following the reappraisal if the new improvement/structure meets the plan criteria.

c) The tax rebate will be based on the amount of the increment between the base value and the new appraised value of the new improvement/structure.

I have read and understand the above items and have received a copy of this "Application Procedures and Rules for Determination of Eligibility" and a copy of Part 1 of the application.

Property Address: _____

Printed Name of Applicant: _____

By: _____
Applicant Signature

Date

Witness: _____

Date

Memo

Date: 7/2/2010
To: Basehor City Council
Cc: Mayor, Terry Hill
From: Mark Loughry, City Administrator
RE: Temporary Note Issuance for Basehor Town Center

Council the current temporary notes issued to fund the Basehor Town Center improvements is set to expire the end of August. While the project is complete there are still a few issues to be wrapped up which cannot be completed prior to the expiration of the current notes. The City's Bond Counsel and financial advisor recommend extending the temporary financing for an additional two years with the intent of paying them off as soon as everything is in place to issue bonds. All additional interest and issuance fees will be rolled into the bond issuance and included in the appropriate benefit districts assessments.

Because of timing and staff vacation at the Attorney General's office the public hearing and final approval of this sale will need to be conducted at the August 2nd work session.

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

CITY OF BASEHOR, KANSAS
General Obligation Temporary Notes
Series 2010

DRAFT CALENDAR OF EVENTS DATED JUNE 21, 2010

DATE	EVENT
June 22, 2010	Preliminary Sizing and Structuring of Note Issue
June 24, 2010	Distribute draft Authorizing Resolution for Note Issue
June 28, 2010	Distribute draft of the Preliminary Official Statement; Final Authorizing Resolution for Note Issue to City for July 12 th Work Session.
July 6, 2010	Deadline for Submitting Information to the City for the Work Session on July 12, 2010.
July 7, 2010	Distribute draft of Legal Documents
July 8, 2010	Submit Rating Presentation to the Rating Agency.
July 12, 2010	City Council – Work Session Discuss Renewal of Temporary Notes
July 19, 2010	City Council Meeting (6:00 PM) City Council considers adoption of the Authorizing Resolution for Note issue.
July 23, 2010	Rating released by the Rating Agency. Print and Mail the Preliminary Official Statement to Bidders.
July 26, 2010	Final Resolution for issuance of Temporary Notes to City for August 2 Council meeting.
August 2, 2010	Note Sale (11:00 AM) City Council Meeting (6:00 PM) Present results of Note Sale to City Council City Council considers Resolution for issuance of Temporary Notes
August 3 - 23, 2010	Prepare Closing Memorandum Submit Transcript to Attorney General Print Final Official Statement
August 24, 2010	Closing of Note Issue. Transfer Funds for Payment of outstanding Temporary Notes to State Treasurer
September 1, 2010	Payment of outstanding Temporary Notes

NOTE SALE DOCUMENTS

- A. Excerpt of Minutes of Meeting authorizing offering for sale of Notes
 - B. Resolution for a Public Sale
 - C. Certificate Deeming Preliminary Official Statement Final
 - D. Notice of Note Sale
 - E. Official Bid Form
-

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF BASEHOR, KANSAS
HELD ON JULY 12, 2010**

The governing body met in regular session at the usual meeting place in the City, at 7:00, the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

The matter of providing for the offering for sale of approximately \$3,645,000 principal amount of General Obligation Temporary Notes, Series 2010-1, came on for consideration and was discussed.

Councilmember _____ presented and moved the adoption of a Resolution entitled:

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2010-1, OF THE CITY OF BASEHOR, KANSAS.

Councilmember _____ seconded the motion to adopt the Resolution. Thereupon, the Resolution was read and considered, and, the question being put to a roll call vote, the vote thereon was as follows:

Aye: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted; the Clerk designating the same Resolution No. _____.

(Other Proceedings)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Basehor, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Clerk

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE OFFERING FOR SALE OF GENERAL OBLIGATION TEMPORARY NOTES, SERIES 2010-1, OF THE CITY OF BASEHOR, KANSAS.

WHEREAS, pursuant to the provisions of the laws of the State of Kansas applicable thereto, by proceedings duly had, the governing body of the City of Basehor Kansas (the "Issuer") has heretofore authorized certain internal improvements (jointly the "Improvements") to be made in the City, to-wit:

<u>Description</u>	<u>Resolution No.</u>	<u>Authority</u>	<u>Estimated Cost</u>
155 th Street Improvements	Res. No. 2008-08	K.S.A. 12-6a01 <i>et seq.</i>	\$ 935,000
Basehor Boulevard Improvements	Res. No. 2008-07	K.S.A. 12-6a01 <i>et seq.</i>	<u>2,825,000</u>
		Total	\$3,760,000

WHEREAS, the governing body of the Issuer is authorized by law to issue general obligation bonds to pay the costs of the Improvements; and

WHEREAS, the Issuer has previously issued its General Obligation Temporary Notes, Series 2008, in the principal amount of \$3,760,000 (the "Existing Notes") to finance the costs of the Improvements; and

WHEREAS, all aspects of the Improvements will not be completed prior to the maturity date of the Existing Notes and it is necessary for the Issuer to provide cash funds to meet its obligations on the Existing Notes by the issuance of additional temporary notes of the Issuer; and

WHEREAS, the Issuer, hereby selects the firm of Piper Jaffray & Co., Leawood, Kansas ("Financial Advisor"), as financial advisor for one or more series of temporary notes of the Issuer in order to provide funds to temporarily finance the Improvements and to refund the Existing Notes; and

WHEREAS, the Issuer desires to authorize the Financial Advisor to proceed with the offering for sale of said temporary notes and related activities; and

WHEREAS, one of the duties and responsibilities of the Issuer is to prepare and distribute a preliminary official statement relating to said temporary notes; and

WHEREAS, the Issuer desires to authorize the Financial Advisor, in conjunction with the Clerk, to proceed with the preparation and distribution of a preliminary official statement and notice of note sale and to authorize the distribution thereof and all other preliminary action necessary to sell said temporary notes.

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

Section 1. The Issuer is hereby authorized to offer at competitive public sale \$3,645,000 principal amount of General Obligation Temporary Notes, Series 2010-1 (the "Notes") as described in the

Notice of Note Sale, which is hereby approved in substantially the form presented to the governing body this date.

Section 2. The Preliminary Official Statement, dated July 12, 2010, is hereby approved in substantially the form presented to the governing body this date, with such changes or additions as the Mayor and Clerk shall deem necessary and appropriate, and such officials and other representatives of the Issuer are hereby authorized to use such document in connection with the public sale of the Notes.

Section 3. The Clerk, in conjunction with the Financial Advisor and Gilmore & Bell, P.C., Kansas City, Missouri ("Bond Counsel"), is hereby authorized and directed to give notice of said note sale by distributing copies of the Notice of Note Sale and Preliminary Official Statement to prospective purchasers of the Notes. Bids for the purchase of the Notes shall be submitted upon the terms and conditions set forth in said Notice of Note Sale, and shall be delivered to the governing body at its meeting to be held on such date, at which meeting the governing body shall review such bids and shall award the sale of the Notes or reject all bids.

Section 4. For the purpose of enabling the purchaser of the Notes (the "Purchaser") to comply with the requirements of Rule 15c2-12 of the Securities Exchange Commission (the "Rule"), the appropriate officers of the Issuer are hereby authorized: (a) to approve the form of said Preliminary Official Statement, and to execute the "Certificate Deeming Preliminary Official Statement Final", in substantially the form attached hereto as *Exhibit A*, as approval of the Preliminary Official Statement, such official's signature thereon being conclusive evidence of such official's and the Issuer's approval thereof; (b) covenant to provide continuous secondary market disclosure by annually transmitting certain financial information and operating data and other information necessary to comply with the Rule to certain national repositories and the Municipal Securities Rulemaking Board, as applicable; and (c) take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary; to enable the Purchaser to comply with the requirement of the Rule.

Section 5. The Issuer agrees to provide to the Purchaser within seven business days of the date of the sale of Notes or within sufficient time to accompany any confirmation that requests payment from any customer of the Purchaser, whichever is earlier, sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 6. The Mayor, Clerk and the other officers and representatives of the Issuer, the Financial Advisor and Bond Counsel are hereby authorized and directed to take such other action as may be necessary to carry out the public sale of the Notes. Such officials are also directed and authorized to make provision for payment of the Existing Notes from proceeds of the Notes and other available funds.

Section 7. This Resolution shall be in full force and effect from and after its adoption.

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ADOPTED by the governing body on July 12, 2010.

(SEAL)

Mayor

ATTEST:

Clerk

APPROVED AS TO FORM:

Gilmore & Bell, P.C., Bond Counsel

CERTIFICATE DEEMING
PRELIMINARY OFFICIAL STATEMENT FINAL

July 12, 2010

To: [Purchaser Name]
[Purchaser City, State]

Re: Approximately \$3,645,000 City of Basehor, Kansas, General Obligation
Temporary Notes, Series 2010-1

Ladies and Gentlemen:

The undersigneds are the duly acting Mayor and Clerk of the City of Basehor, Kansas (the "Issuer"), and are authorized to deliver this Certificate to the addressee (the "Purchaser") on behalf of the Issuer. The Issuer has heretofore caused to be delivered to the Purchaser copies of the Preliminary Official Statement (the "Preliminary Official Statement"), relating to the above-referenced notes (the "Notes").

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission (the "Rule"), the Issuer hereby deems the information regarding the Issuer contained in the Preliminary Official Statement to be final as of its date, except for the omission of such information as is permitted by the Rule, such as offering prices, interest rates, selling compensation, aggregate principal amount, principal per maturity, delivery dates, ratings, identity of the underwriters and other terms of the Notes depending on such matters.

Very truly yours,

CITY OF BASEHOR, KANSAS

By: _____
Title: Mayor

By: _____
Title: Clerk

NOTICE OF NOTE SALE

\$3,645,000

CITY OF BASEHOR, KANSAS

GENERAL OBLIGATION TEMPORARY NOTES SERIES 2010-1

(GENERAL OBLIGATION NOTES PAYABLE
FROM UNLIMITED AD VALOREM TAXES)

Bids. Written and electronic (as explained below) bids for the purchase of above-referenced notes (the "Notes"), of the City of Basehor, Kansas (the "Issuer") herein described will be received on behalf of the undersigned Clerk of the Issuer, in the case of written bids, at the address hereinafter set forth, and in the case of electronic bids, via *PARITY*[®] until 12:00 p.m., Central Time (the "Submittal Hour"), on

AUGUST 2, 2010

(the "Sale Date"). All bids will be publicly evaluated at said time and place and the award of the Notes will be acted upon by the governing body at its meeting to be held at 7:00 on the Sale Date. No oral or auction bids will be considered. Capitalized terms not otherwise defined herein shall have the meanings set forth in the hereinafter referenced Preliminary Official Statement relating to the Notes.

Terms of the Notes. The Notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof (the "Authorized Denomination"). The Notes will be dated August 15, 2010 (the "Dated Date"), and will become due on September 1, 2012.

The Notes will bear interest from the date thereof at rates to be determined when the Notes are sold as hereinafter provided, which interest will be payable at maturity or earlier redemption.

Place of Payment. The principal of and interest on the Notes will be payable in lawful money of the United States of America by check or draft of the Treasurer of the State of Kansas, Topeka, Kansas (the "Paying Agent" and "Note Registrar"). The principal of each Note and the interest thereon will be payable at maturity or earlier redemption to the owners thereof whose names are on the registration books (the "Note Register") of the Note Registrar (the "Registered Owner") upon presentation and surrender at the principal office of the Paying Agent.

Note Registration. The Notes will be registered pursuant to a plan of registration approved by the Issuer and the Attorney General of the State of Kansas. The Issuer will pay for the fees of the Note Registrar for registration and transfer of the Notes and will also pay for printing a reasonable supply of registered note blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Note Registrar, will be the responsibility of the Registered Owners.

Book-Entry-Only System. The Notes shall be initially registered in the name of Cede & Co., as the nominee of DTC and no beneficial owner will receive certificates representing their interests in the Notes. During the term of the Notes, so long as the book-entry-only system is continued, the Issuer will

make payments of principal of, premium, if any, and interest on the Notes to DTC or its nominee as the Registered Owner of the Notes, DTC will make book-entry-only transfers among its participants and receive and transmit payment of principal of, premium, if any, and interest on the Notes to its participants who shall be responsible for transmitting payments to beneficial owners of the Notes in accordance with agreements between such participants and the beneficial owners. The Issuer will not be responsible for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants. In the event that (i) DTC determines not to continue to act as securities depository for the Notes, or (ii) the Issuer determines that continuation of the book-entry-only form of evidence and transfer of ownership of the Notes would adversely affect the interests of the beneficial owners of the Notes, the Issuer will discontinue the book-entry-only form of registration with DTC. If the Issuer fails to identify another qualified securities depository to replace DTC, the Issuer will cause to be authenticated and delivered to the beneficial owners replacement Notes in the form of fully registered certificates. Reference is made to the Preliminary Official Statement for further information regarding the book-entry-only system of registration of the Notes and DTC.

Redemption of Notes Prior to Maturity.

General. Whenever the Issuer is to select Notes for the purpose of redemption, it will, in the case of Notes in denominations greater than the minimum Authorized Denomination, if less than all of the Notes then outstanding are to be called for redemption, treat each minimum Authorized Denomination of face value of each such fully registered Note as though it were a separate Note in the minimum Authorized Denomination.

Optional Redemption. At the option of the Issuer, the Notes will be subject to redemption and payment prior to maturity on September 1, 2011, and thereafter, as a whole or in part (selection of the amount of Notes to be redeemed to be determined by the Issuer in such equitable manner as it may determine) at any time, at the redemption price of 100% (expressed as a percentage of the principal amount), plus accrued interest to the date of redemption.

Notice and Effect of Call for Redemption. Unless waived by any owner of Notes to be redeemed, if the Issuer shall call any Notes for redemption and payment prior to the maturity thereof, the Issuer shall give written notice of its intention to call and pay said Notes to the Note Registrar and the original purchaser of the Notes. In addition, the Issuer shall cause the Note Registrar to give written notice of redemption to the registered owners of said Notes. Each of said written notices shall be deposited in United States first class mail not less than 30 days prior to the date fixed for redemption. All notices of redemption shall state the date of redemption, the redemption price, the Notes to be redeemed, the place of surrender of Notes so called for redemption and a statement of the effect of the redemption. The Issuer shall also give such additional notice as may be required by Kansas law or regulation of the Securities and Exchange Commission in effect as of the date of such notice. If any Note be called for redemption and payment as aforesaid, all interest on such Note shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Authority, Purpose and Security. The Notes are being issued pursuant to K.S.A. 10-123, K.S.A. 12-6a01 et seq., as amended, and a resolution adopted by the governing body of the Issuer (the "Note Resolution") for the purpose of paying the cost of certain street, water and sewer improvements (the "Improvements"). The Notes shall be general obligations of the Issuer payable as to both principal and interest from special assessments levied upon the property benefited by the construction of said Improvements from the proceeds of general obligation bonds of the Issuer, and, if not so paid, from ad valorem taxes which may be levied without limitation as to rate or amount upon all the taxable tangible

property, real and personal, within the territorial limits of the Issuer. The full faith, credit and resources of the Issuer are irrevocably pledged for the prompt payment of the principal and interest on the Notes as the same become due.

Submission of Bids. Written bids must be made on forms which may be procured from the Clerk or the Financial Advisor and shall be addressed to the undersigned, and marked "Proposal for General Obligation Temporary Notes, Series 2010-1." Written bids submitted by facsimile should not be preceded by a cover sheet and should be sent only once to (913)724-3388. Confirmation of receipt of facsimile bids may be made by contacting the Financial Advisor at the number listed below. Electronic bids via PARITY® must be submitted in accordance with its Rules of Participation, as well as the provisions of this Notice of Note Sale. If provisions of this Notice of Note Sale conflict with those of PARITY®, this Notice of Note Sale shall control. Bids must be received prior to the Submittal Hour on the Sale Date accompanied by the Deposit (as hereinafter defined), which may be submitted separately, provided such Deposit is received by the Issuer or the Financial Advisor prior to the Submittal Hour on the Sale Date. The Issuer shall not be responsible for any failure, misdirection or error in the means of transmission selected by any bidder.

PARITY®. Information about the electronic bidding services of PARITY® may be obtained from i-Deal LLC at 1359 Broadway, 2nd Floor, New York, New York 10018, Phone No. (212) 849-5023.

Conditions of Bids. Proposals will be received on the Notes bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: (a) the same rate shall apply to all Notes; (b) no interest rate may exceed a rate equal to the daily yield for the 10-year Treasury Bond published by *THE BOND BUYER*, in New York, New York, on the Monday next preceding the day on which the Notes are sold, plus 6%; and (c) no supplemental interest payments will be considered. No bid shall be for less than 100% of the principal amount of the Notes and accrued interest thereon to the date of delivery will be considered. Each bid shall specify the total interest cost (expressed in dollars) during the term of the Notes on the basis of such bid, offered by the bidder, and the net interest cost (expressed in dollars) on the basis of such bid. Each bidder shall certify to the Issuer the correctness of the information contained on the Official Bid Form; the Issuer will be entitled to rely on such certification. Each bidder agrees that, if it is awarded the Notes, it will provide the certification as to initial offering prices described under the caption "Certification as to Offering Price" in this Notice.

Good Faith Deposit. No good faith deposit shall be required to submit a bid for the Notes.

Basis of Award. The award of the Notes will be made on the basis of the lowest net interest cost (expressed in dollars), which will be determined by the total interest cost to the Issuer. The Issuer or its Financial Advisor will compute the net interest cost based on such bids. If there is any discrepancy between the net interest cost specified and the interest rates specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the governing body of the Issuer will determine which bid, if any, will be accepted, and its determination is final.

The Issuer reserves the right to reject any and/or all bids and to waive any irregularities in a submitted bid. Any bid received after the Submittal Hour on the Sale Date will be returned to the bidder. Any disputes arising hereunder shall be governed by the laws of Kansas, and any party submitting a bid agrees to be subject to jurisdiction and venue of the federal and state courts within Kansas with regard to such dispute. Any bid received after the Submittal Hour on the Sale Date will be returned to the bidder.

Optional Bond Insurance. The Issuer has **not** applied for any policy of municipal bond insurance with respect to the Notes, and will not pay the premium in connection with any policy of municipal bond insurance desired by the successful bidder. In the event a bidder desires to purchase and pay all costs associated with the issuance of a policy of municipal bond insurance in connection with the Notes, a commitment from the selected insurer must be attached to such bidder's Official Bid Form, and shall specify all terms and conditions to which the Issuer will be required to agree in connection with the issuance of such insurance policy. The Issuer specifically reserves the right to reject any bid specifying municipal bond insurance, even though such bid may result in the lowest net interest cost to the Issuer.

Ratings. The Issuer has **not** applied for a rating on the Notes herein offered for sale.

CUSIP Numbers. CUSIP identification numbers will be assigned and printed on the Notes, but neither the failure to print such number on any Note nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Notes in accordance with the terms of this Notice. All expenses in relation to the assignment and printing of CUSIP numbers on the Notes will be paid by the Issuer.

Delivery and Payment. The Issuer will pay for printing the Notes and will deliver the Notes properly prepared, executed and registered without cost on or about August 24, 2010, to DTC for the account of the successful bidder. The successful bidder will be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the Notes and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the Notes affecting their validity and a certificate regarding the completeness and accuracy of the Official Statement. Payment for the Notes shall be made in federal reserve funds, immediately available for use by the Issuer.

The denominations of the Notes and the names, addresses and social security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the Note Registrar at least one week prior to the date of delivery of the Notes. In the absence of such information, the Issuer will deliver one Note registered in the name of the manager of the successful bidder. The Issuer will deliver one Note registered in the nominee name of DTC.

Reoffering Prices. To provide the Issuer with information necessary for compliance with Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), the Successful Bidder will be required to complete, execute and deliver to the Issuer prior to the delivery of the Notes, a certificate regarding the "issue price" of the Notes (as defined in Section 148 of the Code). For Notes reoffered for sale this certificate is intended to reflect the initial reoffering prices (excluding any accrued interest and expressed as dollar prices) at which a substantial amount (*i.e.*, 10% or more) of the Notes have been or are expected to be sold to the public. The term "public" excludes bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers. Such certificate shall state that all of the Notes were subject to an offering to the public at the initial reoffering prices and that immediately prior to the commencement of the reoffering the Successful Bidder reasonably expected that at least 10% or more of the Notes would be sold to the public at prices no higher than such initial offering prices. However, such certificate may indicate that the successful bidder will not offer the Notes for sale to the public. In the alternative, for Notes not reoffered for sale, such certificate may, instead provide that the Successful Bidder has purchased the Notes for its own account in a capacity other than as an underwriter or wholesaler, and currently has no intent to reoffer the Notes for sale.

Certification as to Offering Prices. To provide the Issuer with information necessary for compliance with Section 148 of the Internal Revenue Code of 1986, as amended (the “Code”), the successful bidder will be required to complete, execute and deliver to the Issuer prior to the delivery of the Notes, a certificate regarding the “issue price” of the Notes (as defined in Section 148 of the Code), reflecting the initial offering prices (excluding accrued interest and expressed as dollar prices) at which a substantial amount (*i.e.*, 10% or more) of the Notes of each maturity have been or are expected to be sold to the public. The information necessary to complete such certificate shall be provided to the Issuer or the Financial Advisor not more than 30 minutes after notification by the Issuer or its Financial Advisor of the award of the Notes to such successful bidder. The term “public” excludes bond houses, brokers or similar persons or organizations acting in the capacity of underwriters or wholesalers. Such certificate shall state that 10% or more of the Notes have been or are expected to be sold to the public at prices no higher than such initial offering prices. However, such certificate may indicate that the successful bidder will not offer the Notes for sale to the public.

Preliminary Official Statement and Official Statement. The Issuer has prepared a Preliminary Official Statement dated July 23, 2010, “deemed final” by the Issuer except for the omission of certain information as provided in Securities and Exchange Commission Rule 15c2-12, copies of which may be obtained from the Clerk or from the Financial Advisor. Upon the sale of the Notes, the Issuer will adopt the final Official Statement and will furnish the successful bidder, without cost, within seven business days of the acceptance of the successful bidder’s proposal, with a sufficient number of copies thereof, which may be in electronic format, in order to comply with the requirements of Rule 15c2-12(3) and (4) of the Securities and Exchange Commission and Rule G-32 of the Municipal Securities Rulemaking Board (jointly the “Rules”). Additional copies may be ordered by the successful bidder at its expense. The Issuer’s acceptance, including electronic acceptance through PARITY®, of the successful bidder’s proposal for the purchase of the Notes in accordance with this Notice of Note Sale shall constitute a contract between the Issuer and the successful bidder for purposes of the Rules.

Continuing Disclosure. The Securities and Exchange Commission (the “SEC”) has promulgated amendments to its Rule 15c2-12 (the “Rule”) requiring continuous secondary market disclosure for certain issues. In the Note Resolution, the Issuer has covenanted to provide annually certain financial information and operating data and other information necessary to comply with the Rule, and to transmit the same to certain national repositories and the Municipal Securities Rulemaking Board, as applicable. This covenant is for the benefit of and is enforceable by any Registered Owner of the Notes. For further information, reference is made to the caption “CONTINUING DISCLOSURE” in the Preliminary Official Statement.

Assessed Valuation and Indebtedness. The total assessed valuation of the taxable tangible property within the Issuer for the year 2010, is as follows:

Equalized Assessed Valuation of	
Taxable Tangible Property	\$
Tangible Valuation of Motor Vehicles.....	
Equalized Assessed Tangible Valuation	
for Computation of Bonded Debt Limitations	\$

The total general obligation indebtedness of the Issuer as of the date of delivery of the Notes, including the Notes being sold, but excluding temporary notes to be retired in conjunction therewith, is

\$ _____. Temporary notes in the principal amount of \$3,760,000 will be retired out of proceeds of the Notes and other available funds.

Legal Opinion. The Notes will be sold subject to the approving legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, Bond Counsel, which opinion will be furnished and paid for by the Issuer, will be printed on the Notes, if the Notes are printed, and will be delivered to the successful bidder when the Notes are delivered. Said opinion will also include the opinion of Bond Counsel relating to the exclusion of the interest on the Notes from gross income for federal income tax purposes and from computation of Kansas adjusted gross income. Reference is made to the Preliminary Official Statement for further discussion of federal and Kansas income tax matters relating to the interest on the Notes.

Additional Information. Additional information regarding the Notes may be obtained from the undersigned, or from the Financial Advisor, at the addresses set forth below:

DATED: July 12, 2010.

CITY OF BASEHOR, KANSAS
By Katherine Renn, Clerk

Written and Facsimile Bid Address:

City Hall
2620 N. 155th Street
Basehor, Kansas 66007
Phone No. (913)724-1370
Fax No. (913)724-3388
Email: _____

Financial Advisor:

Piper Jaffray & Co.
11150 Overbrook Road, Suite 310
Leawood, Kansas 66211-2298
Attn: Greg Vahrenberg
Phone No. (913)345-3374
Fax No. (913)345-3393
Email: gregory.m.vahrenberg@pjc.com

OFFICIAL BID FORM

**PROPOSAL FOR THE PURCHASE OF CITY OF BASEHOR, KANSAS
GENERAL OBLIGATION TEMPORARY NOTES**

TO: Katherine Renn, Clerk
City of Basehor, Kansas

August 2, 2010

For \$3,645,000 principal amount of General Obligation Temporary Notes, Series 2010-1, of the City of Basehor, Kansas, to be dated August 15, 2010, as described in your Notice of Note Sale dated July 12, 2010, said Notes to bear interest as follows:

<u>Maturity</u>	<u>Principal</u>	<u>Interest</u>
<u>September 1</u>	<u>Amount</u>	<u>Rate</u>
2012	\$3,645,000	_____ %

the undersigned will pay the par value of the Notes plus accrued interest to the date of delivery, in the amount set forth below.

Total interest cost to maturity at the rates specified\$ _____
 Net interest cost.....\$ _____
 Average annual net interest rate _____ %

This proposal is subject to all terms and conditions contained in said Notice of Note Sale, and if the undersigned is the successful bidder, the undersigned will comply with all of the provisions contained in said Notice. The acceptance of this proposal by the Issuer shall constitute a contract between the Issuer and the successful bidder for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission.

Submitted by: _____

[LIST ACCOUNT MEMBERS ON REVERSE]

By: _____
Telephone No. (____) _____

ACCEPTANCE

Pursuant to action duly taken by the Governing Body of the City of Basehor, Kansas, the above proposal is hereby accepted on August 2, 2010.

Attest:

Clerk

Mayor

NOTE: No additions or alterations in the above proposal form shall be made, and any erasures may cause rejection of any bid. Sealed bids may be filed with the Clerk, Katherine Renn, 2620 N. 155th Street, Basehor, Kansas 66007, facsimile bids may be filed with the Clerk, Fax No. (913)724-3388 and electronic bids may be submitted via **PARITY**®, at or prior to 12:00 p.m., Central Time, on August 2, 2010. Any bid received after such time will be returned to the bidder.

Memo

Date: 6/08/2010
To: City Council
Cc: Mayor, Terry Hill
From: Mark Loughry, City Administrator
RE: Personnel Manual

Council one of the first items brought to my attention when I started with Basehor was the results of a human resource audit that was conducted for the City. Staff has addressed most of the issues brought up in that audit but one area left to address is the personnel manual. In going through the manual it became apparent that it would be easier to start over with a new manual rather than to try and piece together something using portions of the old manual. Staff has been working on this process with our current Human Resource consultants as well as with the City Attorney and I am attaching a draft of the results for your review. I would like to place this on the July work session for further discussion but wanted to get it out to you early for review. This represents a substantial change from the current manual so I will highlight the most significant areas.

- All benefits have a three full month waiting period as opposed to the current one full month. This is fairly typical practice and will save the city a substantial amount of money on new hires.
- Added a probationary period for all employees. This is a fairly standard practice as well and gives the City some flexibility in the hiring and review process.
 - All new employees will be reviewed on a pass don't pass basis monthly for their probation.
- Added a nepotism policy. This is a fairly standard practice.
- Longevity – added a longevity policy and removed the employee recognition program
 - This policy allows for an annual payment based on longevity with the city and the employee's salary. This is a bonus program that is used in several communities around the state. Based on current wages this program would cost approximately \$26,000.00.
- Work assignment to a higher classification – defines how temporary work assignments will be handled.

Memo

- Reduces the number of holidays to ten defined holidays from the current twelve.
 - This removes MLK Day and New Years Eve from the current policy.
 - It also changes responsibility for declaring additional holidays from the Mayor to the City Administrator.
- Allows permanent part-time employees to earn holiday pay proportionate to their hours worked.
- Transitions from the current sick leave and vacation time plan to a paid time off plan.
 - Each step would decrease by six days the total amount of time earned per year.
 - The maximum accrual would be limited to one year's worth of PTO and would be evaluated per pay period.
 - Establishes a paid time off bank that allows other employees to donate time to an employee in need.
- Defines the short term and long term disability insurance
- Defines the travel and training requirements for employees
 - Defines the allowance for meals.
 - Explains the request and approval process.
 - Explains the reimbursement process and defines allowed expenditures
- Increases tuition reimbursement for approved courses to 100% from the current 50%
- Includes a leave of absence policy
- Transitions from the current 457 deferred compensation plan participation by the city to a 401A plan.
 - Moving to a 401A plan allows vesting after three years versus the current plan which has no vesting capability. By requiring employees to be vested the City will save substantial amounts of money on new hires that do not stay with the City for at least three years. This is a fairly common practice.
- Allows employees to purchase additional life insurance through the group policy currently in place. The current plan just provides for the City participation only.
- Makes some changes to the disciplinary policies better defining the process.
- Makes recommended changes to the Harassment policy
- Includes a defined residency policy and offers an incentive for employees to live within the city limits.
 - Since we do not require employees to live in the city limits I thought offering a small incentive for those that do might be nice.
- Includes a computer usage policy.
- Includes a cellular telephone usage policy.
- Includes a dress code.

Memo

- Includes an inclement weather policy.
- Includes a public relations policy and the procedure to handle media requests for information.

I believe the two biggest changes will be the transition from a vacation and sick leave plan to a paid time off (PTO) plan and the implementation of the longevity plan.

More and more companies are transitioning to a PTO plan as it lowers the exposure of unfunded time off as compared to sick leave. It also discourages abuse of sick time since all of the time is pooled together. Since there is a much smaller amount of maximum time accrued it is important for the City to maintain both short and long term disability insurance for the employees while on the PTO plan. The City already has both insurance programs in place so there is limited exposure to the employee. The main item of concern with transitioning to a PTO program is how to handle the current sick leave the employees have on the books. I would suggest that the City buys back up to 25% of any unused sick leave an employee has on the books when implemented. Currently a buyback of 25% of sick leave would be a onetime expense of approximately \$29,000.00.

The longevity plan is similar to a bonus program as discussed by the City Council earlier this year. I feel if we are to implement a bonus program this is the best way of doing it. This would replace our current service awards program as well. The approximate cost of implementation based on current wages is \$26,000.00.

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

Memorandum

To: Mr. Mayor and City Council
CC: Mark Loughry
From: Mitch Pleak
Date: 7.1.10
Re: Tomahawk Valley Phase I – Final Plat.

June 8, the Planning Commission found that the proposed Tomahawk final plat was in compliance with the approved preliminary plat. The Planning Commission approved the final plat with a vote of 4-0.

Public improvement plans have been reviewed and are to an approval stage. The sewer easement has been reviewed by staff and is adequate. The Subdivision Improvement Agreement and the trail right-of-way description have not been submitted and will be delivered to Staff by July 12 for review.

Staff concludes that the final plat is consistent with the approved preliminary plat. Staff recommends that the final plat be approved.

Staff Report

Date: June 8, 2010

Subject: Consideration of Final Plat for Tomahawk Valley Phase I, submitted by MEI, LLC on the following described property:

A 18.48 acre tract of land in the Northwest Quarter and Southwest Quarter of Section 2, Township 11 South, Range 22 East of the 6th Principal Meridian in the City of Basehor, Leavenworth County, Kansas

GENERAL INFORMATION

Applicant: MEI, LLC

Owner: MEI, LLC

Address: 15063 State Ave
Basehor, KS 66007

Engineer: LandPlan Engineering

SITE INFORMATION

Location: South of Creek Ridge between 155th and 158th Street
Current Zoning: "P-R" Planned Residential
Future Land Use Map: See below.

STAFF ANALYSIS

Site Characteristics:

The plat is an 18.47 acre tract located south of Creek Ridge, between 158th and 155th Street. The property is currently vacant. The site discharges storm water to the North and South of the property line. This final plat consists of 55 single-family residential lots.

Character of Neighborhood:

The proposed use of the property is typical of others in the area. The development of Creek Ridge to the north has single-family, multi-family and commercial properties. The lots to the east are large lot residential. The property to the south is proposed to be commercial and to the west is the Prairie Gardens development.

Adjacent Property:

	<u>Zoning</u>	<u>Use</u>
North:	"P-R"	Planned Res., Multi-Family
South:	"CP-2"	Vacant Land
East:	"R-O"	Large-lot Residential
West:	"PR" and "R-2"	Planned Res. and Two-Family Res.

10. Identification system for all lots and blocks, and the area in square feet of each lot. **The lots and blocks are shown within the submitted plat.**
11. Certification of the land surveyor preparing the plat, seal, and signature. **This is provided within the submitted plat.**
12. Acknowledgement of a notary. **This is provided within the submitted plat.**
13. A certification of the Planning Commission showing its approval of the plat. **Action has not been taken.**
14. The approval of the City Council. **Action has not been taken.**
15. The certificate of the Register of Deeds. **This was submitted with the plat.**
16. The title insurance certification showing that the proposed sub divider owns all the property within the plat and that it is free from encumbrances and liens. **This was submitted with the plat and is free of any encumbrances and liens.**
17. Statement by the owner dedicating streets, rights-of-way, and sites for public use. **This is shown within the submitted plat.**
18. Such other certificates, affidavits, endorsements, or dedication as may be required by the Planning Commission in the enforcement of these Regulations. **Action has not been taken by the Planning Commission.**
19. Purpose for which sites, other than residential lots, are dedicated or reserved. **Tract A is reserved for a pool & clubhouse.**
20. Proper margins and lettering on the sheet that contains the plat. **Margins and lettering are properly shown.**
21. Legal description of the subdivision. **This was submitted with the plat.**
22. Public improvement plans associated with the final plat. **Roadway and sanitary sewer plans were submitted with the plat and reviewed.**
23. Certification by the County Treasurer showing that all due or unpaid taxes have been paid in full. **This was submitted with the plat and all taxes are current.**
24. A copy of the homeowners association. **This was submitted with the plat and reviewed.**
25. Subdivision Improvements Agreement. **The Subdivision Improvement Agreement is currently under review and will be finalized before the City Council takes action.**

Staff, public entities, and utility companies have completed the review of the plat, construction documents, and development plan. The final plat for Tomahawk Valley Phase I is in substantial compliance with the preliminary plat. The construction documents are at the approval stages. It is Staff's recommendation to approve the final plat.

APPLICATION FORM

CITY OF BASEHOR

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



Project Name & Description Tomahawk Valley		Total Site Acreage 94.01	Present Zoning PR
Legal Description (May be attached as separate sheet) See Attached		Proposed Zoning PR	
Project Address / General Location Between Parallel Rd. & State Ave., and 155th St. & 158th St.		Presubmittal Date 5/3/10	
Parcel ID Number (CAMA Number) 181-02-0-00-00-005.00 and 181-02-0-00-00-005.05		Floor Area Classification	
Property Owner Name Miles Excavating Inc.	Phone (913) 724-1934	Fax (913) 724-2529	
Property Owner Address 15063 State Avenue	City Basehor	State Kansas	Zip 66007
Applicant's Name (if different from above) Steve Miles	Phone (913) 724-1934	Fax (913) 724-2529	
Applicant's Address 15063 State Avenue	City Basehor	State Kansas	Zip 66007
Applicant's mobile phone (816) 769-6572	Property Owner and/or Applicant's E-mail address janeb@milesexcavating.com		

APPLICATION TYPE	
<input type="checkbox"/> Annexation	<input type="checkbox"/> Preliminary Development Plan (Submit Sheet A)
<input type="checkbox"/> Rezoning (Submit Sheet A)	<input checked="" type="checkbox"/> Final Development Plan (Submit Sheet A)
<input type="checkbox"/> Conditional Use Permit (Submit Sheet A)	<input type="checkbox"/> Lot Split
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Variance (Submit Sheet B)	<input checked="" 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 checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____	
Proposed Use <input checked="" type="checkbox"/> Residential <input 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 94.01 acres	Existing Floor Area 0 sf	Existing Building Footprint 0 sf	Open Space Area 14.49 ac
No. of Buildings n/a	Proposed Floor Area n/a	Proposed Building Footprint n/a	Pavement Coverage n/a

COMPLETE THIS AREA IF SUBDIVIDING PROPERTY			
Proposed Number of Lots Final Plat - 55 lots + 1 tract	Maximum Lot Size 32,117 sf	Minimum Lot Size 8,040 sf	Average Lot Size 11,290 sf

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 <u>Steve Miles</u> <u>5/14/10</u> Signature Date	Office Use Only <input checked="" type="checkbox"/> Filing Fee \$1060.00 <input checked="" type="checkbox"/> Received by <u>Klenn</u> <input type="checkbox"/> # of Plans _____ <input type="checkbox"/> Attached Legal Description <input type="checkbox"/> Property Ownership List
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Memorandum

To: Mr. Mayor and City Council
CC: Mark Loughry
From: Mitch Pleak
Date: 7.1.10
Re: Tomahawk Valley Phase I – Final Development Plan.

June 8, the Planning Commission found that the proposed Tomahawk final development plan was in compliance with the approved preliminary development plan. The Planning Commission was notified that the lighting plan for the street lights had not been submitted and was necessary before construction could begin on Phase I. The Planning Commission approved the final development plan with a vote of 4-0.

Since the June 8 action by the Planning Commission, the owner's design engineer has developed a lighting plan for street lights. The lighting plan has been reviewed and is to an approval stage.

Staff concludes that the final development plan is consistent with the approved preliminary development plan. Staff recommends that the final development plan be approved.

Staff Report

Date: June 8, 2010
Subject: Consideration of Final Development Plan for Tomahawk Valley, submitted by MEI, LLC on the following described property:

GENERAL INFORMATION

Applicant: MEI, LLC
Owner: MEI, LLC
Address: 15063 State Ave
Basehor, KS 66007
Engineer: LandPlan Engineering

SITE INFORMATION

Location: South of Creek Ridge between 155th and 158th Street
Current Zoning: "P-R" Planned Residential
Future Land Use Map: See below.

PROJECT BACKGROUND

August 3, 2009, the City Council approved the preliminary development plan for Tomahawk Valley Subdivision Phase I. Per the Zoning Regulations, the Planning Commission shall review the Final Development Plan for compliance with the approved Preliminary Development Plan. If the Final Development Plan is found to be in substantial compliance with the approved Preliminary Development Plan, the Planning Commission shall recommend that the Governing Body approve the Final Development Plan.

STAFF ANALYSIS

Site Characteristics:

The site is located south of Creek Ridge, between 158th and 155th Street. The property is currently vacant. The subject property consists of approximately 94.1 acres that is currently zoned P-R. The proposed development plan consists of 106 single-family residential lots, 58 patio homes, 43 duplex lots (86 units) and 68 multi-family units. The development will be constructed into six phases.

There are two main entrances to the subdivision are on 155th Street and one on 158th Street. There are also two secondary access points that serve Phase 6. Lakeside Drive is proposed to be constructed as part of Phase I and will intersect with 155th Street just north of the First Baptist Church. Garden Parkway will intersect with 155th Street just south of the First Baptist Church and traverse the property to 158th Street. According to the phasing plan, the west half of Garden Parkway will be constructed with Phase 4 and the east half will be part of Phase 5.

the increased demand. The applicant has a current permit to discharge sewage from sewer extensions serving the development into the City of Basehor's waste water treatment plant.

Water:

This development will be served by Consolidated Rural Water District #1.

Fire Protection:

Fire hydrants will be located every 500 feet along the streets throughout all of the subdivision with the exception of Phase 5, where they will be located no more that 300 apart. The apartment buildings will likely require internal fire sprinkler systems according to the International Building Code (IBC 2003).

Transportation Excise Tax:

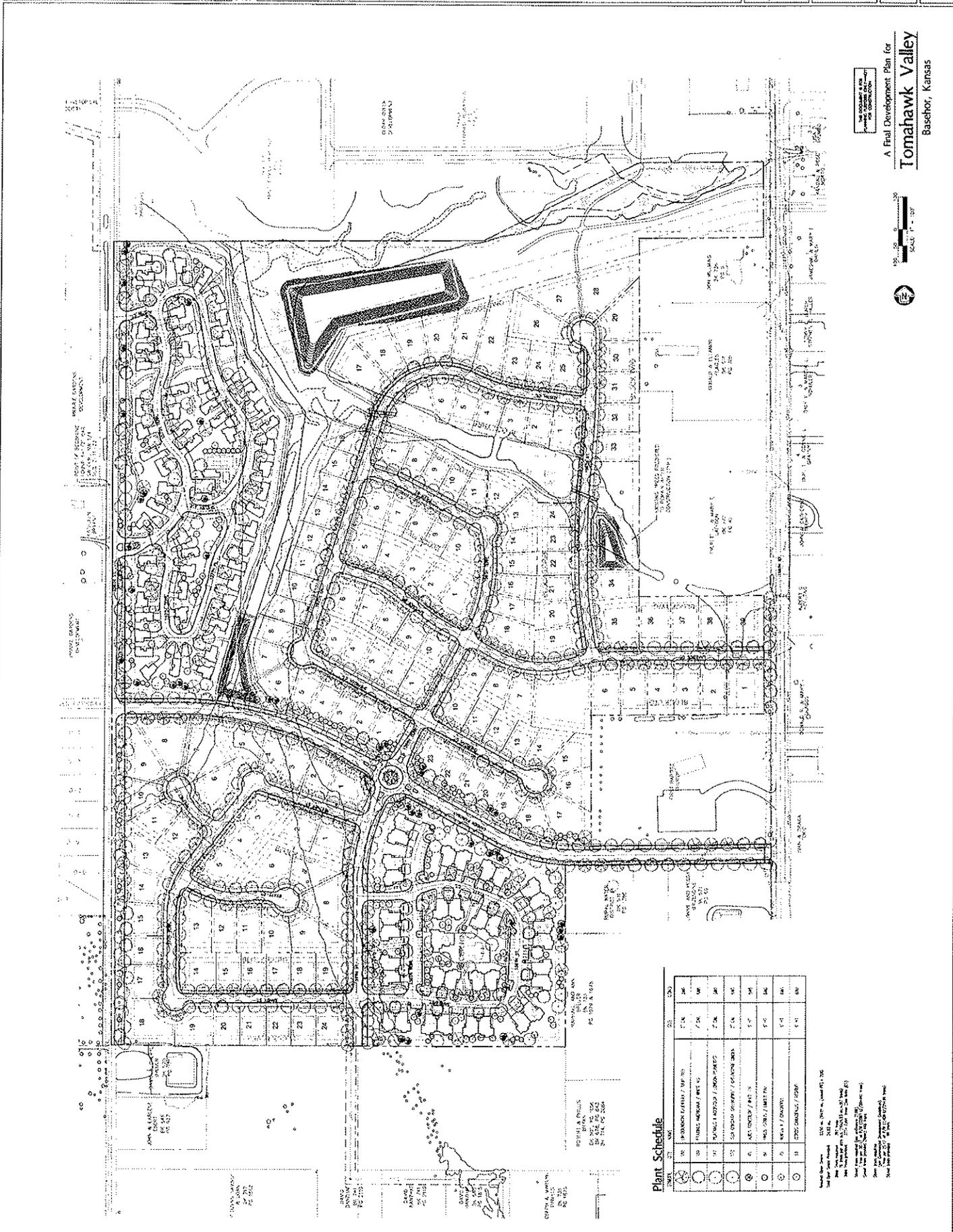
The total excise tax that will apply to the development (based on 94.01 acres) is approximately \$368,556.80.

Park Fees:

The developer will be required to pay \$200 per residential unit for park fees, as required by the City's Subdivision Regulations. The total park fees associated with the development will be approximately \$63,600.

STAFF COMMENTS:

The applicant has been notified that a lighting plan for street lights will need to be submitted and approved before construction begins on Phase I. Staff concludes that the Final Development Plan is consistent with the approved Preliminary Development Plan. Staff recommends that the Final Development Plan be approved.



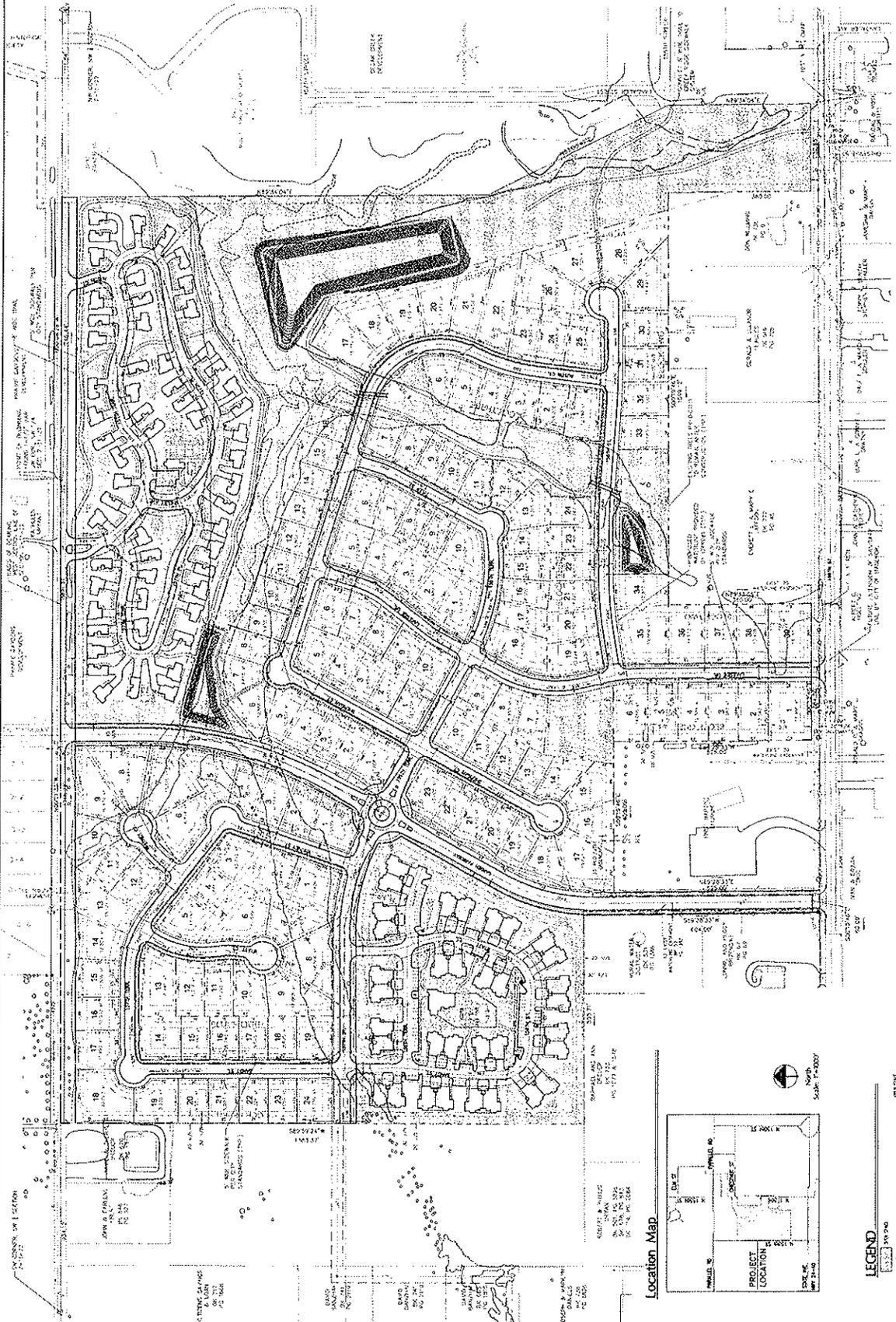
A Final Development Plan for
Tomahawk Valley
 Basehor, Kansas



Plant Schedule

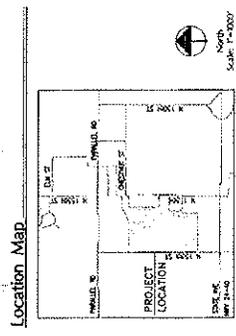
SYMBOL	PLANT SPECIES	QUANTITY	NOTES
1	SPRING BURNING BUSH	100	10' x 10' PLANT
2	DOGWOOD	50	10' x 10' PLANT
3	RED TWIG DOGWOOD	50	10' x 10' PLANT
4	SMOOTH DRAGON TREE	50	10' x 10' PLANT
5	ORANGE BLOSSOMED HYDRANGEA	50	10' x 10' PLANT
6	HYDRANGEA	50	10' x 10' PLANT
7	DOGWOOD	50	10' x 10' PLANT
8	DOGWOOD	50	10' x 10' PLANT
9	DOGWOOD	50	10' x 10' PLANT
10	DOGWOOD	50	10' x 10' PLANT
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50	DOGWOOD	50	10' x 10' PLANT

DATE: 10/20/23
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO. 2023-001
 SHEET NO. 2 OF 3

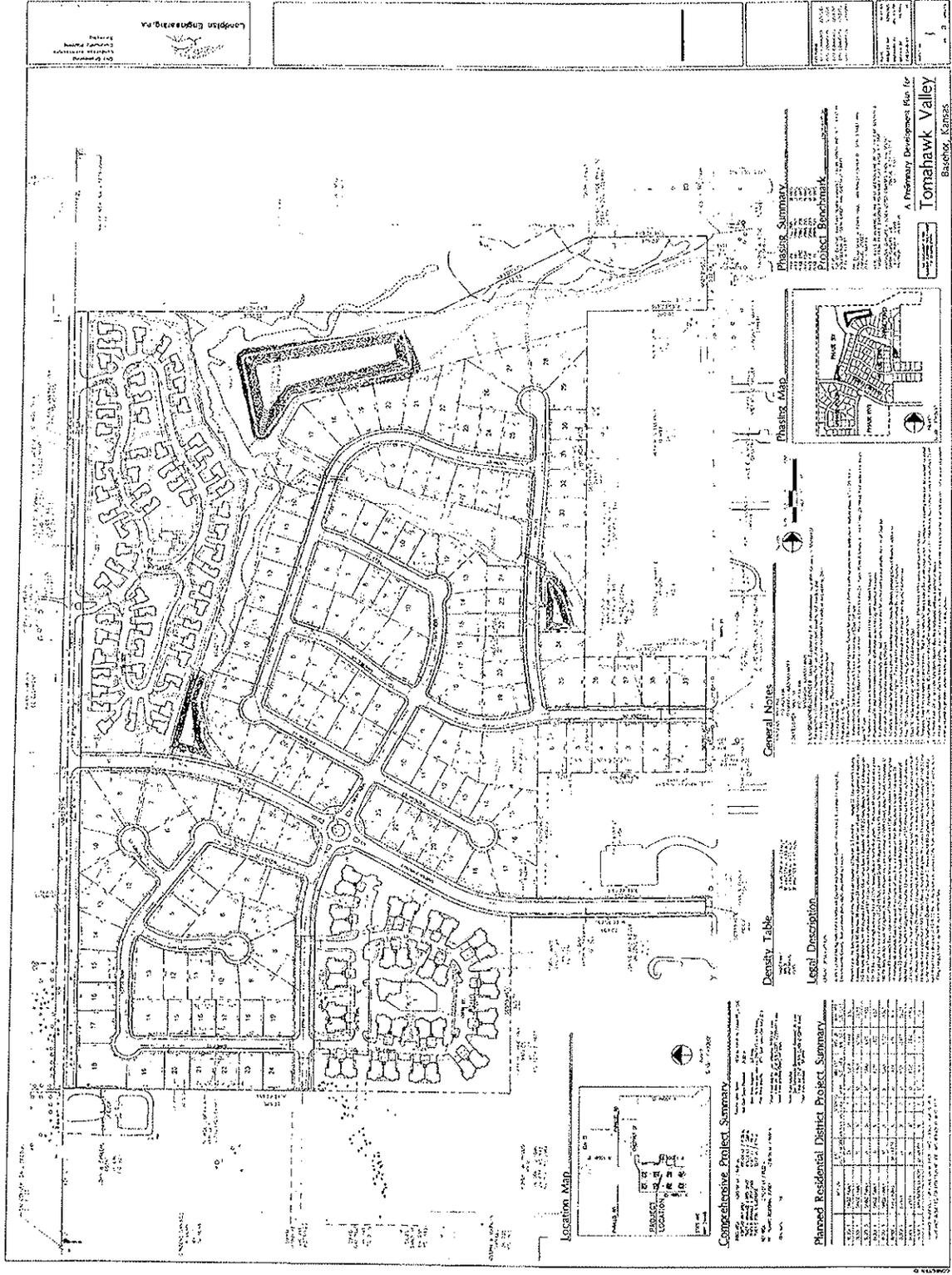


LEGEND

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- 50" = 100'



**A Final Development Plan for
 Tomahawk Valley**
 Basehor, Kansas



APPLICATION FORM

CITY OF BASEHOR

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



Project Name & Description Tomahawk Valley		Total Site Acreage 94.01	Present Zoning PR
Legal Description (May be attached as separate sheet) See Attached		Proposed Zoning PR	
Project Address / General Location Between Parallel Rd. & State Ave., and 155th St. & 158th St.		Presubmittal Date 5/3/10	
Parcel ID Number (CAMA Number) 181-02-0-00-00-005.00 and 181-02-0-00-00-005.05		Floor Area Classification	
Property Owner Name Miles Excavating Inc.	Phone (913) 724-1934	Fax (913) 724-2529	
Property Owner Address 15063 State Avenue	City Basehor	State Kansas	Zip 66007
Applicant's Name (if different from above) Steve Miles	Phone (913) 724-1934	Fax (913) 724-2529	
Applicant's Address 15063 State Avenue	City Basehor	State Kansas	Zip 66007
Applicant's mobile phone (816) 769-6572	Property Owner and/or Applicant's E-mail address janeb@milesexcavating.com		

APPLICATION TYPE	
<input type="checkbox"/> Annexation	<input type="checkbox"/> Preliminary Development Plan (Submit Sheet A)
<input type="checkbox"/> Rezoning (Submit Sheet A)	<input checked="" type="checkbox"/> Final Development Plan (Submit Sheet A)
<input type="checkbox"/> Conditional Use Permit (Submit Sheet A)	<input type="checkbox"/> Lot Split
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Preliminary Plat
<input type="checkbox"/> Variance (Submit Sheet B)	<input checked="" 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 checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Vacant <input type="checkbox"/> Other _____	
Proposed Use <input checked="" type="checkbox"/> Residential <input 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 94.01 acres	Existing Floor Area 0 sf	Existing Building Footprint 0 sf	Open Space Area 14.49 ac
No. of Buildings n/a	Proposed Floor Area n/a	Proposed Building Footprint n/a	Pavement Coverage n/a

COMPLETE THIS AREA IF SUBDIVIDING PROPERTY			
Proposed Number of Lots Final Plat - 55 lots + 1 tract	Maximum Lot Size 32,117 sf	Minimum Lot Size 8,040 sf	Average Lot Size 11,290 sf

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 _____ Signature _____ Date 5/14/10	Office Use Only <input checked="" type="checkbox"/> Filing Fee \$1060.00 <input checked="" type="checkbox"/> Received by <i>Klenn</i> <input type="checkbox"/> # of Plans _____ <input type="checkbox"/> Attached Legal Description <input type="checkbox"/> Property Ownership List
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Memorandum

To: Mr. Mayor and City Council
CC: Mark Loughry
From: Mitch Pleak
Date: 7.1.10
Re: Donna Mittong Request.

At the City Council Work Session on June 7, City Council gave direction to Staff to investigate a solution around the existing drainage structure in Donna Mittong's property. The solution presented to the property owner was to remove the reinforced concrete end section and install an area inlet. With the area inlet installed, the grade outside the area inlet will be raised close to four feet. With the area inlet and the additional grading, the yard around the area inlet will be less steep. The property owner supports the proposed solution.

The scope of the work will consist of removing the existing end section and replacing it with an area inlet. Earthwork and seeding will be completed once the structure is in place.

The estimated cost to complete the work is \$11,200.

Memorandum

To: Mr. Mayor and City Council
CC: Mark Loughry
From: Mitch Pleak
Date: 5.17.10
Re: Donna Mittong Request.

150th Street Project (Parallel to Craig) is near completion. The work yet to complete mostly consists of punch list items. The Contractor (Larking Excavating) is under liquidated damages as of April 23 due to the lack of completing the project in a timely matter. The liquidated damages are \$300.00 per day.

In April, Donna Mittong (1910 N 150th St.) requested the City to double check the grade at the constructed drainage inlet at the northeast corner of her property (Southwest corner of Parallel and 150th Street). Mark Lee and I checked the elevation of the drainage inlet on both sides of 150th Street along the run of pipe. Both inlets and run of pipe are to grade per the construction documents. I had also checked Basehor's design standards to verify the design. The designed pipe run has a slope of 1% and meets the 18 inches of cover required between the ground surface to the top of pipe. Upstream of the drainage inlet, along Mittong's property, the design called out to excavate an area for drainage capacity during the 100 year storm event. The excavated area has been constructed to the design.

The excavated area was not previously there before construction and the pipe running under 150th Street was to a higher elevation (closer to the bottom of the pavement). Since the construction of the inlet and pipe run it has created steeper grade along the drainage area to the inlet than was currently on the property before the construction. Donna Mittong is concerned about mowing around the inlet with her mower and has requested the City to install landscaping that will minimize the mowing and maintenance around the inlet and drainage area. Staff agrees that the area near the inlet would be difficult to mow with a riding lawn mower.

It is standard practice before a construction project is let for bid to require necessary easements and/or right-of-way to construct the project. It is at this time in the project when residents may request additional items (landscaping) along their property to be completed within the project. In turn, agreeing to reasonable request(s), the property owner grants the project owner (City) easements and/or right-of-way instead of monetary reimbursement. Once all property owners along a project agree to either requests or monetary reimbursement the project is moved to the final design stage. In the final design stage, the designer will make any changes that have been agreed with the property owners and the project. With this in mind, it gives the owner (City) an exact project cost for construction. Once the design is completed the project goes to bid and then is built. I would also like to note that property owners may additional requests. Requests can be as simple as removing a tree they don't want. A property owner may elect to settle for one (1) dollar knowing the benefit of the

project to the property and property owner. It is a case by case basis. Typically, the owner (City) will not agree to any requests that cost more than just purchasing the easements. A private appraisal is hired and will suggest a fair market value for any easements and/or right-of-way. In the case of Donna Mittong and 150th Street Project, Donna had agreed to a monetary amount for right-of-way and easements.

The design and construction around the inlet on the subject property is to standard and is commonly seen throughout the City. The drainage structure and pipe is an improvement to property as far as large storm water events, surrounding properties, and street system. The improvement may seem to be a disadvantage to the property owner and maintaining their lawn. The drainage area can be maintained in different methods such as a push mower and a weed trimmer. It is correct to note that the drainage area around the inlet can not be mowed on a riding mower. Per Ordinance 566, Tall Grass and Weeds, it states: Except that inaccessible drainage ways, as determined by the Public Officer, shall not be included. This would be an example where this language would be applied to the area around the drainage inlet.

I was not part of City staff when the project was in its design phase and can not confirm that Donna Mittong was aware of the changes to her property after the construction was completed. I have discussed with Donna if she was aware of the changes surrounding her property. She seemed to be aware of the changes to her property but was not aware of the steepness of the slope around the culvert. Typically, during the design process it is explained to each property owner, affected from the project, the changes that will conclude from the construction. During construction there are typically changes to the project that were not seen or could not be seen during the design phase of a project. These changes (change orders) always conclude in a necessary change to preserve the intent and safety of the finished project. In the case of the subject property, it is not necessary change to add landscaping around the inlet to preserve the intent of the project. The request is more of aesthetics issue rather than a functional/safety issue.

The City Administrator has recommended that staff should look at possible solutions that would be reasonable and ease the property owner with the situation. I have contacted many landscape contractors around the area and requested landscaping quotes. The quotes were \$850 to \$2,800. Once I received all the quotes, I presented the proposed layout options to Ms. Mittong.

Ms. Mittong informed me that she was not satisfied with the landscaping layouts and options I presented to her. She has requested a more permanent solution on the lines of a concrete structure system that will allow the grading to be flush with the remaining yard and be similar to the grading before the project was constructed. I will be investigating different options that will involve a more enclosed drainage system versus an open graded drainage system.

Memorandum

To: Mr. Mayor and City Council
CC: Mark Loughry
From: Mitch Pleak
Date: 7.1.10
Re: George Smith Request.

At the City Council Work Session on June 7, City Council gave direction to Staff to investigate a solution around the existing drainage structure on George Smith's property. Staff met with George to discuss options around the existing drainage structure. George requested a retaining wall around the existing structure with a concrete flume along the flow line of the ditch. The retaining wall will decrease the slope of the grade around the drainage structure. The concrete flume will prevent erosion along the retaining wall and will allow minimal mowing around the drainage structure.

The scope of the work will consist of installing the retaining wall and concrete flume. Earthwork and seeding will be completed once the retaining wall is completed.

The estimated cost to complete the work is \$2,700.

Memo

Date: 7/2/2010
To: Basehor City Council
Cc: Mayor, Terry Hill
From: Mark Loughry, City Administrator
RE: Employee Benefit Fund

Council at the planning retreat earlier this year there was some interest by the Council in being able to more easily identify the full cost of city staff including benefits. In the past each fund had allocations for benefits of employees associated with that fund included in its budget. This made the total cost of an increase in benefit costs difficult to track. In an effort to simplify the tracking of benefit costs I am proposing the creation of the Employee Benefit Fund.

An Employee Benefit Fund is allowed per state statute and can be created via Ordinance. The Fund allows for the levying of taxes to provide benefits for City employees and for transfers from other funds to support benefits as well. I am proposing in the 2011 budget that the City utilize this fund with the transfer of funds from the Solid Waste Fund and Sewer Fund to pay for their share of employee benefits and the levying of ad valorem taxes to support the rest. This does not increase the cost of the benefits or the necessary mill levy to support the benefits; it simply consolidates all benefits to one easy to track location. Any money budgeted to this fund and not expended in the budget year will create a cash carryover that can be used to help offset subsequent year's expenditures.

The City Attorney is working on the necessary Ordinance to create the Employee Benefit Fund and I hope to have that to you at the Monday work session for your review and then subsequent approval at the July 19th regular meeting.

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