

AGENDA



BASEHOR CITY COUNCIL

January 25, 2010

7:00 p.m.

Basehor City Hall

1. ROLL CALL BY MAYOR TERRY HILL AND PLEDGE OF ALLEGIANCE

2. CONSENT AGENDA

(Consent Agenda Items will be acted upon by one motion unless a Council Member requests an item be removed for discussion and separate action.)

- a. Approve Minutes
 1. December 21, 2009
- b. Approve Treasurer's Report
- c. Approve calendar of events – February 2010

3. CALL TO PUBLIC

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

UNFINISHED BUSINESS

(none to review at this time)

BUSINESS

4. WEED CONTROL: Consider adoption of Ordinance #566 amending Ordinance Number 315, relating to the cutting of weeds and vegetation, providing for notice and providing for abatement by the city of Basehor, and providing for charges therefore.
5. PROPERTY ANNEXATION REQUEST: Consider Resolution 2010-01 requesting the Board of County Commissioners of Leavenworth County, Kansas, to make certain findings regarding the annexation of property located in Section 13, Twp 10S, Range 22E, Theno Estates Subdivision (Brooke-Lynne Development, LLC, applicant)

6. **PROPERTY ANNEXATION REQUEST:** Consider Resolution 2010-02 requesting the Board of County Commissioners of Leavenworth County, Kansas, to make certain findings regarding the annexation of property located in Section 13, Twp 10S, Range 22E., Theno Estates Subdivision (Howard Theno & Son Builders, Inc., applicant)
7. **WORKER'S COMPENSATION:** Consider renewal of Worker's Compensation Insurance for year 2010 with Kansas Municipal Insurance Trust
8. **CONDITIONAL USE PERMIT:** Consider Ordinance #567 authorizing a Conditional Use Permit to Consolidated Rural Water District No. 1 for water tower in Section
9. **LETTER OF SUPPORT:** Consider letter of support for developer to apply for Affordable Housing tax credits to construct apartments located at 155th and Pinehurst Drive.
10. **CITY ADMINISTRATOR REPORT**
 - a. February 15 meeting moved to February 18 due to President's Day holiday.
11. **MAYOR'S REPORT**
12. **COUNCIL MEMBER REPORTS**
13. **EXECUTIVE SESSION (if needed)**
14. **ADJOURNMENT**

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

Minutes



**BASEHOR CITY COUNCIL
December 21, 2009
7:00 p.m.
Basehor City Hall**

Official Presiding: Mayor Terry Hill

Members Present: Pres. Jim Washington, David Breuer, Iris Dysart, Dennis Mertz, Bill Moyer

Members Absent: none

Staff Present: Lloyd Martley, Mary Mogle, Gene Myracle, Patrick Reavey, Matt Henderson

Newspaper: Kaitlyn Syring, *Basehor Sentinel*

1. ROLL CALL BY MAYOR TERRY HILL AND PLEDGE OF ALLEGIANCE

Mayor Hill called the meeting to order with all members present. The city attorney was in attendance.

Mayor Hill introduced the new city engineer, Mitch Pleak. Mr. Pleak gave a brief summary of his background and thanked the City for the employment opportunity.

2. CONSENT AGENDA

(Consent Agenda Items will be acted upon by one motion unless a Council Member requests an item be removed for discussion and separate action.)

- a. Approve Minutes
 1. November 16, 2009
- b. Approve Treasurer's Report
- c. Approve calendar of events – January 2010
- d. Approve license for:
 1. Shorty's Liquor – Retail liquor
 2. Kelley's Bar & Grill – Drinking Establishment

3. Pastimes Bar & Grill – Drinking Establishment
4. Falcon Lakes Golf Club – Drinking Establishment
5. Wolf Creek Marketplace – Cereal Malt Beverage

A motion was made by Councilmember Dysart and seconded by Councilmember Mertz to approve the Consent Agenda as presented. Motion passed 5-0.

3. CALL TO PUBLIC

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

Tony Turner, representing Fairmount Township Fire Dept. requested Council postpone action on Business Items 17 and 18. Mr. Turner explained the fire department would like additional time to discuss the impact of increasing the sprinkler system code from 5,000 sq. ft. to 12,000 sq. ft.

4. 2009 BUDGET AMENDMENT PUBLIC HEARING: Public Hearing to address amendment to the 2009 Cedar Lake Maintenance Fund budget.

The public hearing was called to order by Mayor Hill.

Due to additional expenses for grinder pump repairs, it was necessary to increase the Cedar Lake Maintenance Fund from \$17,000 to \$50,000.

Mayor Hill opened the floor for comments from the audience. There being no comments, the public portion of the meeting was closed.

There being no comments from staff or Council, the public hearing was closed.

5. AMENDMENT TO 2009 CEDAR LAKE MAINTENANCE FUND: Consider amendment increasing 2009 Cedar Lake Maintenance Fund budget.

Mr. Martley reported expenditures for grinder pump repairs and replacement for 2009 exceeded the proposed 2009 budget amount. In an effort to avoid a budget violation, it was necessary to amend the Cedar Lake Maintenance Fund to cover the additional expenses. Adjustments to the maintenance fees must be requested from the County Commissioners by August and would be reviewed in 2010 to see if additional funding was needed in 2011 to sustain the fund.

Council discussed the possibility of the Fund running out of money in early 2010 and requested the city administrator bring the budget to the Council earlier in the year to address possible increase in budget for 2011.

A motion was made by President Washington and seconded by Councilmember Moyer to approve the amended budget per the exhibit noted on page 2 of the City of Basehor budget as presented. Motion passed 5-0.

6. 2010 WAGE PLAN: Consider proposed 2010 Wage Plan.

A motion was made by Councilmember Dysart and seconded by President Washington to separate the disability insurance from the Wage Plan. Motion passed 5-0.

Mayor Hill reported President Washington prepared his own proposal to present. President Washington reported the consensus of the Council was to keep with the pay matrix that was in place and provided background on the past wage scale. Based on the economy President Washington proposed a 2% increase, rather than the 5.5%, for 2010 and provide Short-Term and Long-Term Disability insurance to eligible employees at the City's cost. He felt his proposal was a fair compromise. President Washington noted some jobs were out of line and need to be addressed and suggested looking at those after the first of the year. Councilmember Moyer stated the only way he would consider this proposal is if Council agreed to make the adjustments retroactive to January 1, 2010. The majority of the Council agreed to make the adjustments retroactive and address the position adjustments within the next sixty days.

Mayor Hill reminded Council the reason to give pay raises was for morale and retention.

A motion was made by President Washington and seconded by Councilmember Mertz to approve the 2010 Wage Scale as presented by President Washington [2% increase]. Mayor Hill reiterated the proposed wage scale did not include a COLA or Merit increases. Motion passed 4-1 with Councilmember Dysart voting against.

A motion was made by President Washington and seconded by Councilmember Mertz to approve the Short-term and Long-term Disability Insurance proposals as presented [BlueCross BlueShield of Kansas] at the City's cost. Motion passed 4-1 with Councilmember Dysart voting against.

7. CODE VIOLATION: Consider adoption of Resolution 2009-22 for order of violation of Section 8-101 of Article 1 and Section 8-208 of Article 2 of Chapter VIII of the City Code for Property located at 15821 Willow Drive.

Mr. Martley reported the property at 15821 Willow Dr. was in violation of Section 8-101 and Section 8-208 in Chapter VIII of the City Code. There were large piles of debris on the outside of the home. Currently the home is vacant and in foreclosure proceedings. The proposed resolution would allow the City to move forward with clean up of the property.

Mr. Martley was asked why cleanup of the property has taken so long. Mr. Martley explained the City had been working with the property owner since they were having hard times.

A motion was made by President Washington and seconded by Councilmember Mertz to adopt Resolution 2009-22 ordering clean up of property located at 15821 Willow Dr. Motion passed 5-0.

8. PERSONNEL MANUAL AMENDMENT: Consider adoption of resolution 2009-23 amending Article A, Section A-5 of the Personnel Manual.

City Attorney Patrick Reavey explained the proposed resolution would allow changes to the Personnel Policies and Guidelines manual to be made by Resolution rather than Ordinance. This would save the City money by eliminating the cost of publication in the newspaper.

A motion was made by Councilmember Dysart and seconded by President Washington to adopt Resolution 2009-23 amending Article A, Section A-5 of the Personnel Policies and Guidelines manual. Motion passed 5-0.

9. PROPERTY ANNEXATION REQUEST: Consider request to voluntarily annex property by Howard Theno & Sons Builders, Inc. (Sec. 13, Twp 10, Rge 22E)

10. PROPERTY ANNEXATION REQUEST: Consider request to voluntarily annex property by Brooke-Lynne Development, LLC. (Sec. 13, Twp 10, Rge 22E)

Mr. Martley explained Howard Theno & Sons Builders submitted a request for voluntary annexation of Lots 1, 44, and 50 and Brooke-Lynne Development, LLC. requested voluntary annexation of 60+ acres in Theno Estates subdivision. The annexation would be consider an island annexation and require approval from the Board of County Commissioners. If approved, resolutions would be drafted and presented at the next regular meeting.

Council discussed the pros and cons of annexing property that was not contiguous to the City.

Favorable reasons to annex were 1) infrastructure was built to City standards; 2) connected to City's sanitary sewer; 3) area included in Comprehensive Plan; 4) and easier to annex now then later when there were more properties to deal with. Unfavorable reasons to annex at this time were 1) repairs to infrastructure needed; 2) four properties do not want to be included in annexation; 3) developer owes \$40,000 in upside fees; and 4) minimal revenue income until property develops.

The city attorney suggested directing staff to prepare resolutions and placing items on the January 21st Consent Agenda.

Staff was directed to prepare the necessary documents and add to the regular meeting agenda.

11. BASEHOR ATHLETIC ASSOCIATION: Consider request for financial assistant for Field of Dreams complex.

Mr. Martley reported Basehor Athletic Association (BAA) requested \$10,500 in financial assistant for calendar year 2009 and to open dialogue regarding the possibility of creating a Recreation Commission. Staff recommended Council deny the request for 2009 and consider a plan of action over the next few months with possible funding in the 2011 budget.

BAA Board Member Mike Chumley reported the \$10,500 interest payment had been paid and did not think it was necessary to move forward with the request at this time; however, he would like Council to move forward with a more in depth game plan. Although BAA had interest from another source to purchase the complex, they felt it was a valuable commodity to the community and wanted to research a long term goal with the City.

A motion was made by President Washington and seconded by Councilmember Mertz to table action until the mayor and a working group had an opportunity to meet and report back to Council regarding a plan of action. Motion passed 5-0.

12. FINANCIAL CORPORATE RESOLUTION: Consider adoption of resolution authorizing mayor, city administrator, assistant city administrator, city clerk, and city treasurer to conduct business with Commerce Bank.

Mr. Reavey reported it was standard for a bank to request the adoption of their Corporate Resolution doing business with their bank. He requested Council include in the motion the various positions authorized to conduct business on behalf of the City.

A motion was made by Councilmember Mertz and seconded by President Washington to adopt the Commerce Bank Corporate Resolution authorizing the mayor, city administrator, assistant city administrator, city clerk, and city treasurer to conduct business on behalf of the City of Basehor. Motion passed 5-0.

13. WOLF CREEK PARKWAY CHANGE ORDER: Consider change order 3A for Wolf Creek Parkway (TRF125)

Change Order 3A would authorize construction of an ADA ramp, retaining walls and a wrought iron fence within the Wolf Creek Parkway project not to exceed \$129,296.60. This request would also authorize staff to utilize state grant money [KDOT 24/40 Corridor] to fund any portion of the expenditure that exceeds funds available in TRF125.

A motion was made by President Washington and seconded by Councilmember Breuer to approve Wolf Creek Parkway Change Order 3A not to exceed \$129,296.60. Authorize staff to utilize state grant money [KDOT 24/40 Corridor] to fund any portion of the expenditure that exceeds funds available in TRF125. Motion passed 5-0.

14. WOLF CREEK PARKWAY CHANGE ORDER: Consider change order 3B for Wolf Creek Parkway (TRF125)

Change Order 3B would authorize the City to pay for moving a Westar power pole not to exceed \$3079. This request would also authorize staff to utilize state grant money [KDOT 24/40 Corridor] to fund any portion of the expenditure that exceeds funds available in TRF125.

A motion was made by President Washington and seconded by Councilmember Breuer to approve Change Order 3B authorize the City to pay Westar \$3079 to move a power pole. Authorize staff to utilize state grant money [KDOT 24/40 Corridor] to fund any portion of the expenditure that exceeds funds available in TRF125. Motion passed 5-0.

15. WOLF CREEK PARKWAY CHANGE ORDER: Consider change order 4A for Wolf Creek Parkway (TRF125)

Change Order 4A would authorize the City to pay for the installation of decorative pond walls and deciduous trees through out the Wolf Creek Parkway project not to exceed \$208,434 and authorize staff to utilize state grant money [KDOT 24/40 Corridor] to fund any portion of the expenditure that exceeds funds available in TRF125.

A motion was made by President Washington and seconded by Councilmember Breuer. After further consideration, President Washington and Councilmember Breuer withdrew their motions. No further action taken.

16. WOLF CREEK PARKWAY CHANGE ORDER: Consider change order 4B for Wolf Creek Parkway (TRF125)

Change Order 4B would authorize the City to pay for installation of conduit, wire, transformers and other items necessary for the installation of street lights along Wolf creek Parkway not to exceed \$30,000. This request would also authorize staff to utilize state grant money [KDOT 24/40 Corridor] to fund any portion of the expenditure that exceeds funds available in TRF125.

A motion was made by President Washington and seconded by Councilmember Breuer to approve Change Order 4B authorizing the City to pay for installation of conduit, wire, transformers and other items necessary for the installation of street lights along Wolf Creek Parkway not to exceed \$30,000. Authorize staff to utilize state grant money to fund any portion of the expenditure that exceeds funds available in TRF125. Motion passed 5-0

17. AMENDMENT TO ORDINANCE 503: Consider adoption of Ordinance 564 amending Ordinance 503 pertaining to Building Code requirements for sprinkler systems.

Mr. Martley explained when the City adopted the 2003 International Building Code they chose to adopt a more stringent sprinkler system code by reducing the square footage requirement from 12,000 to 5,000. A business has expressed interest in locating in Basehor; however, the current sprinkler system code may be a “deal breaker”.

Councilmember Breuer brought up that the fire department had requested earlier in the meeting that action be tabled in order for em to discuss the effects of the amendment. President Washington noted the work session agenda had been printed in the newspaper which gave the fire department the opportunity to make a presentation at that time.

Mayor Hill stated there was some risk of losing a potential business if not approved and that Basehor had the reputation of not being the most business friendly and having the most stringent regulations.

A motion was made by Councilmember Breuer to table action until the next meeting. Motion died for lack of second.

A motion was made by President Washington and seconded by Councilmember Dysart to approve Ordinance 564 amending Ordinance 503 pertaining to Building Code requirements for sprinkler systems. Motion passed 4-1 with Councilmember Breuer voting against.

18. AMENDMENT TO ORDINANCE 507: Consider adoption of Ordinance 565 amending Ordinance 507 pertaining to Fire Code requirements for sprinkler systems.

Adoption of Ordinance 565 would amend Ordinance 507 pertaining to sprinkler systems within the 2003 Fire Code by reverting back to the 12,000 sq. ft. requirement rather than the adopted 5,000 sq. ft.

A motion was made by President Washington and seconded by Councilmember Mertz to approve Ordinance 565 amending Ordinance 507 pertaining to Fire code requirements for sprinkler systems. Motion passed 4-1 with Councilmember voting against.

19. CITY ADMINISTRATOR’S REPORT

- a. BLAS Donations – The City raised \$2,600 in money and food for Basehor-Linwood Assistance Services.
- b. Other – Councilmember Dysart requested the Accounts Receivable Report and Planning
Commission meeting minutes be included in future City Administrator Reports.

20. MAYOR'S REPORT

Mayor Hill reported he and the assistant city administrator attended the LCDC retreat regarding the role of LCDC and the Chamber of Commerce in the State of Kansas. At the meeting Mayor Hill brought up the fact that LCDC spent very little time promoting development. After discussion, the group was in favor of working on development within Leavenworth County.

21. COUNCIL MEMBER REPORTS**David Breuer**

Councilmember Breuer reported steps have been taken to proceed with marketing the Neighborhood Rebate Program. Councilmember Mertz reported he met last week with Councilmember Breuer and the city administrator to discuss marketing strategy. They felt it would take about \$20,000 from both public and private funding to market the program properly. LCDC has agreed to help. The funding would be used to develop and publish brochures, develop and maintain a website, and marketing.

Councilmember Moyer felt the City's portion should be designated for employee benefits.

Dennis Mertz

Councilmember Mertz asked Mr. Martley to make sure the purchasing policy was being followed. Mr. Martley reported the city administrator questioned purchasing and he felt the policy was being followed to the "T".

Bill Moyer

Councilmember Moyer reported the citizens in Cedar Lakes were sensitive to snow removal situation and he would continue to work with the city superintendent to address issues.

Councilmember Moyer asked the city attorney for an update on the Cedar Lakes annexation appeal. Mr. Reavey reported Cedar Lakes attorney Mr. Orr filed his position with the Court and he would have thirty days to file a response and thought the Court would rule in February 2010. He was confident the City met State Statues.

22. ADJOURNMENT

A motion was made by President Washington and seconded by Councilmember Moyer to adjourn the meeting. Motion passed 5-0. Meeting adjourned at 9:00 p.m.

Submitted for Council approval with/without corrections or additions this 25th day of January, 2010.

Terry L. Hill, Mayor

Attest:

Mary A. Mogle, City Clerk

Memo

To: City Administrator
From: Susan Adams
CC:
Date: 1/20/2010
Re: December 2009 Monthly Financial Report

The attached report contains the financial summaries of the revenue and expenditure activities of the City of Basehor for the month ending December 31, 2009.

Revenues:

General Fund - Additional revenues have come in from property tax and franchise fees, with court fines at 100% of budget to make up for lower building permit revenues

Sewer Fund – State revolving loan proceeds are at 92% and utility billing charges are at 106% of budget, with sewer connection fees only at 33%

Cedar Lakes Fund – Maintenance fees collected, \$9,646.00, by the county were received 11/02/09

Solid Waste Fund – Utility billing charges at 108% of budget

Consolidate Highway Fund – Sales tax at 105% of budget with excise fees at 33%

Capital Improvement Fund – Sales tax at 105% of budget

Expenditures:

In general the average of the departments under the General Fund are at 92% of the 2009 budget with the overall General Fund at 74% of the 2009 budget. Budgeted year-end transfers lower the overall percent as they have not been completed and are under current review.

City of Basehor

Period Ending 12/31/09

	Revenues				
	Budget 2009	Revenues YTD	Current Month	Balance	% Budget
Revenues					
General	\$1,726,436.00	\$1,820,024.68	\$55,671.61	-\$93,588.68	105.4%
Special Park	\$22,855.00	\$14,458.84	\$2,661.32	\$8,396.16	63.3%
Sewer	\$6,673,694.00	\$5,989,116.23	\$260,208.90	\$684,577.77	89.7%
Cedar Lakes	\$11,170.00	\$10,297.26	\$1.50	\$872.74	92.2%
Bond & Interest	\$436,168.00	\$510,762.20	\$3,620.24	-\$74,594.20	117.1%
Solid Waste	\$164,641.00	\$178,459.56	\$14,939.03	-\$13,818.56	108.4%
Consolidated Highway	\$630,625.00	\$568,781.97	\$25,504.41	\$61,843.03	90.2%
Municipal Equipment Reserve	\$167,300.00	\$3,789.72	\$8.86	\$163,510.28	2.3%
Capital Improvement	\$438,967.00	\$306,401.81	\$25,487.52	\$132,565.19	69.8%
Basehor Town Center Project	\$0.00	\$33,154.01	\$36.38	-\$33,154.01	
Wolf Creek Project	\$0.00	\$1,730,225.10	\$5,194.91	-\$1,730,225.10	

	Expenses				
	Budget 2009	Expenses YTD	Current Month	Balance	% Budget
Expenditures					
General					
Administration	\$313,767.00	\$266,160.45	\$19,586.74	\$47,606.55	84.8%
Street Department	\$206,153.00	\$194,936.98	\$27,107.83	\$11,216.02	94.6%
Governing Body / Administrator	\$119,766.00	\$157,522.04	\$14,219.64	-\$37,756.04	131.5%
Police Department	\$755,900.00	\$727,708.02	\$87,033.77	\$28,191.98	96.3%
City Facilities	\$40,550.00	\$39,381.08	\$8,306.85	\$1,168.92	97.1%
Park & Recreation	\$12,758.00	\$10,904.15	\$274.46	\$1,853.85	85.5%
Employee Benefits	\$385,487.00	\$330,645.44	\$37,875.29	\$54,841.56	85.8%
Planning & Zoning	\$244,466.00	\$156,085.19	\$13,701.68	\$88,380.81	63.8%
Special Park	\$13,500.00	\$820.72	\$0.00	\$12,679.28	6.1%
Sewer	\$7,297,823.00	\$5,164,072.57	\$78,453.42	\$2,133,750.43	70.8%
Cedar Lakes	\$17,000.00	\$29,378.16	\$892.08	-\$12,378.16	172.8%
Bond & Interest	\$534,971.00	\$534,971.26	\$0.00	-\$0.26	100.0%
Solid Waste	\$167,149.00	\$160,032.84	\$24,355.54	\$7,116.16	95.7%
Consolidated Highway	\$1,127,377.00	\$1,053,698.37	\$317,243.90	\$73,678.63	93.5%
Municipal Equipment Reserve	\$150,000.00	\$103,535.44	\$0.00	\$46,464.56	69.0%
Capital Improvement	\$150,000.00	\$117,596.51	\$9,000.00	\$32,403.49	78.4%
Basehor Town Center Project	\$0.00	\$2,561,207.74	\$78,462.55	-\$2,561,207.74	
Wolf Creek Project	\$0.00	\$1,471,736.11	\$239,556.44	-\$1,471,736.11	

BALANCE SHEET

AS OF 12/31/09

Page: 1

1/20/2010

7:54 am

City Of Basehor

As of: 12/31/2009

Balances

Fund: 13 - SUMMATION OF ALL FUNDS

Assets

001 FSB CHECKING ACCOUNT	20,571.85
002 FSB MONEY MARKET ACCOUNT	5,357,564.42
005 BASEHOR TOWN CENTER ACCOUNT	887,511.14

Total Assets 6,265,647.41

Liabilities

214 SEWER FUND MONTHLY BALANCE	815,932.20
215 SOLID WASTE MONTHLY BALANCE	86,813.87
216 GENERAL FUND MONTHLY BALANCE	474,953.90
218 MUNICIPAL EQUIP FUND MO BAL	256,226.71
219 CAPITAL IMPROVE FUND MO BAL	1,399,713.60
220 SPECIAL PARK & REC FUND MO BAL	159,897.83
221 CONS HIGHWAY FUND MONTHLY BAL	1,882,055.16
226 BOND & INTEREST MONTHLY BAL	81,612.94
230 TOWN CENTER PROJECT MO BALANCE	805,530.35
231 WOLF CREEK PROJECT MO BALANCE	259,468.99
300 CL MAINTENANCE MONTLY BALANCE	43,441.86

Total Liabilities 6,265,647.41

Total Liabilities & Balances 6,265,647.41

SEWER AND SOLID WASTE BILLING 2009						
MONTH	SEWER COUNT	SEWER BILLED	AVERAGE SWR BILL	SOL WASTE COUNT	SOL WASTE BILLED	AVERAGE SOL BILL
January	1,601	\$57,005.47	\$35.61	1,407	13,701.41	\$9.74
February	1,601	\$57,052.65	\$35.64	1,411	13,740.05	\$9.74
March	1,606	\$57,206.04	\$35.62	1,421	13,817.20	\$9.72
April	1,607	\$55,256.28	\$34.38	1,427	13,904.95	\$9.74
May	1,622	\$56,186.89	\$34.64	1,434	13,978.02	\$9.75
June	1,631	\$56,196.84	\$34.46	1,443	14,021.35	\$9.72
July	1,636	\$56,631.18	\$34.62	1,449	14,530.51	\$10.03
August	1,642	\$56,972.45	\$34.70	1,460	14,596.46	\$10.00
September	1,639	\$57,329.70	\$34.98	1,458	14,629.78	\$10.03
October	1,646	\$57,211.36	\$34.76	1,459	14,615.12	\$10.02
November	1,652	\$57,382.99	\$34.74	1,464	14,640.15	\$10.00
December	1,654	\$57,592.36	\$34.82	1,463	14,669.90	\$10.03
TOTAL	19,537	\$682,024.21		17,296	\$170,844.90	
AVERAGE	1,628		\$34.91			\$9.88

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

April - Cedar Lakes Estates annexed and therefore there Sewer rates go down from 125% causing sewer billed to go down.

**City of Basehor
2010 ANNUAL CALENDAR OF EVENTS**

FEBRUARY			
MONTH/DAY	TIME	EVENT	LOCATION
1	7:00 p.m.	City Council Work Session	City Hall Meeting Room
2	7:00 p.m.	Planning Commission Meeting	City Hall Meeting Room
9	1:00 p.m.	Municipal Court	City Hall Meeting Room
10	4:00 p.m.	Park Advisory Board meeting <i>(canceled due to lack of agenda items)</i>	City Hall Meeting Room
22	7:00 p.m.	City Council Meeting <i>(moved from 2/15/2010 due to holiday)</i>	City Hall Meeting Room

Next Meetings:

March 1, 2010 Work Session

March 15, 2010 Regular Meeting

CITY OF BASEHOR

Agenda Item Cover Sheet

Council Agenda Item No.: 4

Meeting Date: January 25, 2010

+ Feb 22, 2010

TOPIC: Revisions to Tall Grass and Weeds Ordinance

ACTION REQUESTED: Staff recommends the approval of the attached Ordinance that will be brought in front of council in regards to this matter.

NARRATIVE: This change in the Ordinance is stemming from the difficulty in maintaining large undeveloped/un-platted properties and inaccessible drainage ways within the city limits. This would address multiple acre large lots, owned by individual homeowners (five acre homesteads for example). It would also address large un-platted lots within the city limits. The way our existing Municipal Code reads is that no matter what the type of grass (brome hay for example) is growing, if it exceeds twelve (12") inches in height then it is considered a nuisance and shall be cut and maintained within that twelve (12") inches. This does not exclude developed, platted properties from being maintained, it merely removes some properties from this list that have never been maintained or that are used for agricultural purposes.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION: Building Official, Mark Lee

ADMINISTRATION RECOMMENDATION:

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS: Ordinance (old & new) and a tally of un-platted lots and their sizes.

PROJECTOR NEEDED FOR THIS ITEM?

ORDINANCE NO: _____

AN ORDINANCE AMENDING ORDINANCE NUMBER 315, RELATING TO THE CUTTING OF WEEDS AND VEGETATION, PROVIDING FOR NOTICE AND PROVIDING FOR ABATEMENT BY THE CITY OF BASEHOR, AND PROVIDING FOR CHARGES THEREFORE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1 WEEDS TO BE REMOVED.

It shall be unlawful for any owner, agent, lessee, tenant, or other person occupying or having charge or control of any real platted or un-platted property three (3) acres or less within the city limits of Basehor, Kansas to permit weeds to remain upon said premises or any area between the property lines of said premises and the centerline of any adjacent street or alley, including but not specifically limited to sidewalks, streets, alleys, easements, right-of-way and all other areas, public or private. These areas shall not include drainage ways deemed to be inaccessible. All weeds as hereinafter defined are hereby declared a nuisance and are subject to abatement as hereinafter provided.

Section 2 DEFINITIONS:

(a) Calendar Year as used herein, means that period of time beginning January 1st and ending December 31st of the same year.

(b) Weeds as used herein, means any of the following:

- (1) Brush and woody vines shall be classified as weeds.
- (2) Weeds and indigenous grasses which may attain such large growth as to become, when dry, a fire menace to adjacent improved property.
- (3) Weeds which bear or may bear seeds of a downy or wingy nature.
- (4) Weeds which are located in an area which harbors rats, insects, animals, reptiles, or any other creature which either may or does constitute a menace to health, public safety or welfare.
- (5) Weeds and indigenous grasses, excluding crops intended for harvest on or about property, which because of its height, has a blighting influence on the neighborhood. Any such weeds and indigenous grasses shall be presumed to be blighting if they exceed 12 inches in height.

Section 3 NOTICE TO REMOVE:

The chief of police or any duly authorized official shall be designated a public officer to be charged with the administration and enforcement of this article. The public officer or an authorized assistant shall notify the owner or his or her agent in charge of any premises in the city upon which weeds exist in violation of this article, by restricted mail or by personal service, once per calendar year. Such notice shall include the following:

- (a) That the owner, occupant or agent in charge of the property is in violation of the city weed control law.
- (b) That the owner, occupant, or agent in charge of the property is ordered to cut the weeds within 10 days of the receipt of notice.
- (c) That the owner, occupant or agent in charge of the property may request a hearing before the governing body or its designated representative within five days of the receipt of notice.

- (d) That if the owner, occupant or agent in charge of the property does not cut the weeds and assess the cost of the cutting, including a reasonable administrative fee against the owner, occupant or agent in charge of the property.
- (e) That the owner, occupant or agent in charge of the property will be given an opportunity to pay the assessment, and, if it is not paid, it will be added to the property tax as a special assessment.
- (f) That no further notice shall be given prior to removal of weeds during the current calendar year.
- (g) That the public officer should be contacted if there are any questions regarding the order.

If there is a change in record owner of title to property subsequent to the giving of notice pursuant to this subsection, the city may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds on such property unless the new record owner of title to such property is provided notice as required by this section.

Section 4 ABATEMENT; ASSESSMENT OF COSTS:

- (a) Upon the expiration of 10 days after receipt of the notice required by section 8-403, and in the event that the owner, occupant or agent in charge of the premises shall neglect or fail to comply with the requirements of section 8-401, the public officer or an authorized assistant shall cause to be cut, destroyed and/or removed all such weeds and abate the nuisance created thereby at any time during the current calendar year.
- (b) The public officer or an authorized assistant shall give notice to the owner, occupant or agent in charge of the premises by restricted mail of the costs of abatement of the nuisance. The notice shall state that payment of the cost is due and payable within 30 days following receipt of the notice.
- (c) If the costs of removal or abatement remain unpaid after 30 days following receipt of notice, a record of the costs of cutting and destruction and/or removal shall be certified to the city clerk who shall cause such costs to be assessed against the particular lot or piece of land on which such weeds were so removed, and against such lots or pieces of land in front of or abutting on such street or alley on which such weeds were so removed. The city clerk shall certify the assessment to the county clerk at the time other special assessments are certified for spreading on the tax rolls of the county.

Section 5 RIGHT OF ENTRY:

The public officer, and the public officer's authorized assistants, employees, contracting agents or other representatives are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of cutting, destroying and/or removing such weeds in a manner not inconsistent with this article.

Section 6 UNLAWFUL INTERFERENCE:

It shall be unlawful for any person to interfere with or to attempt to prevent the public officer or the public officer's authorized representative from entering upon any such lot or piece of ground or from proceeding with such cutting and destruction. Such interference shall constitute a code violation.

Section 7 NOXIOUS WEEDS:

- (a) Nothing in this article shall affect or impair the rights of the city under the provisions of Chapter 2, Article 13 of the Kansas Statutes Annotated, relating to the control and eradication of certain noxious weeds.
- (b) For the purpose of this section, the term noxious weeds shall mean kudzu (*Pueraria lobata*), field bindweed (*Convolvulus arvensis*), Russian knapweed (*Centaurea picris*), hoary cress (*Lepidium draba*), Canada thistle (*Cirsium arvense*), quackgrass (*Agropyron repens*), leafy spurge (*Euphorbia esula*), burragweed (*Franseria tomentosa* and *discolor*), pignut (*Hoffmannseggia densiflora*), musk (nodding) thistle (*Carduus nutans* L.), and Johnson grass (*Sorghum halepense*).

Memorandum

To: Mark Loughry
CC: Mary Mogle, Mr. Mayor and City Council
From: Mark Lee, Building Official
Date: 1/25/2010
Re: Council Meeting/Consider Ordinance revising existing Tall grass and Weed Ordinance

Mark Lee, Building Official Recommendations

History: During the four mowing seasons that I have conducted code enforcement. The issue of large acreage lots; have always been in question. If an individual has a home on five acres and only maintains the area directly around their home, then technically they are in violation of the Municipal Code.

If a large area of land within the city limits is not platted or contains drainage areas that are inaccessible then why require that these areas be maintained, these areas are largely still rural in nature and provide natural habitat for small animals and birds of prey as well as provide natural water control as well as natural beauty.

A few of the areas in question that can be used as an example are:

1. The 5 acre homesteads on the east side of 155th Street south of Parallel.
2. The area to the east of the Pin Oak and Wellington Place Subdivisions.
3. Tomahawk Valley between 155th and 158th
4. The area where the funeral home was to be built.
5. Creek Ridge Phase 4 at the corner of 158th and Parallel
6. Fox Ridge Phase 2
7. The Historical Societies property at the corner of 158th and Parallel

We do not list brome hay or straw as a crop and to some this is just a weed and a place to harbor snakes, mice and field rats. We have not in the past forced some of these areas to be mowed and maintained but in all reality they should be held to the same standards as all other lots within the city limits.

This ordinance does not relieve lots in platted subdivisions that will continue to be maintained as always.

Mark Lee

From: "Mitch Pleak" <planning@cityofbasehor.org>
To: "Mark Lee" <bldginspect@cityofbasehor.org>
Sent: Tuesday, January 12, 2010 11:37 AM
Subject: Unplatted Lots info
Mark,

There is 206 unplatted properties within the City.

99 properties are 3 acres and less
38 properties are 3 acres to 5 acres
25 properties are 5 acres to 10 acres
44 properties are 10 acres and up

Mitch

ORDINANCE NO. 315

AN ORDINANCE RELATING TO THE CUTTING OF WEEDS AND VEGETATION, PROVIDING FOR NOTICE AND PROVIDING FOR CUTTING BY THE CITY OF BASEHOR, AND PROVIDING FOR CHARGES THEREFOR; AND REPEALING ORDINANCE NO. 230, CHAPTER VIII, ARTICLE 4 OF THE CITY OF BASEHOR, KANSAS IN CONFLICT THEREWITH.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1. Weeds to Be Removed.

It shall be unlawful for any owner, agent, lessee, tenant, or other person occupying or having charged or control of any premises to permit weeds to remain upon said premises or any area between the property lines of said premises and the centerline of any adjacent street or alley, including but not specifically limited to sidewalks, streets, alleys, easements, right-of-way and all other areas, public or private. All weeds as hereinafter defined are hereby declared a nuisance and are subject to abatement as hereinafter provided.

Section 2. Definitions.

(a) Calendar Year as used herein, means that period of time beginning January 1st and ending December 31st of the same year.

(b) Weeds as used herein, means any of the following:

- (1) Brush and woody vines shall be classified as weeds;
- (2) Weeds and indigenuous grasses which may attain such large growth as to become, when dry, a fire menace to adjacent improved property.
- (3) Weeds which bear or may bear seeds of a downy or wingy nature.
- (4) Weeds which are located in an area which harbors rats, insects, animals, reptiles, or any other creature which either may or does constitute a menace to health, public safety or welfare;
- (5) Weeds and indigenous grasses, excluding crops intended for harvest on or about any property, which because of its height, has a blighting influence on the neighborhood. Any such weeds and indigenous grasses shall be presumed to be blighting if they exceed 12 inches in height.

Section 3. Notice to Remove.

The chief of police or any police officer shall be designated a public officer to be charged with the administration and enforcement of this article. The public officer or an authorized assistant shall notify the owner or his or her agent in charge of any premises in the city upon which weeds exist in violation of this article, by restricted mail or by personal service, once per calendar year. Such notice shall include the following:

- (a) That the owner, occupant or agent in charge of the property is in violation of the city weed control law.
- (b) That the owner, occupant, or agent in charge of the property is ordered to cut the weeds within 10 days of the receipt of notice.

SCANNED

1-18-07

- (c) That the owner, occupant or agent in charge of the property may request a hearing before the governing body or its designated representative within five days of the receipt of notice.
- (d) That if the owner, occupant or agent in charge of the property does not cut the weeds and assess the cost of the cutting, including a reasonable administrative fee, against the owner, occupant or agent in charge of the property.
- (e) That the owner, occupant or agent in charge of the property will be given an opportunity to pay the assessment, and, if it is not paid it will be added to the property tax as a special assessment.
- (f) That no further notice shall be given prior to removal of weeds during the current calendar year.
- (g) That the public officer should be contacted if there are any questions regarding the order.

If there is a change in record owner of title to property subsequent to the giving of notice pursuant to this subsection, the city may not recover any costs or levy an assessment for the costs incurred by the cutting or destruction of weeds on such property unless the new record owner of title to such property is provided notice as required by this section.

Section 4. Abatement; Assessment of Costs.

- (a) Upon the expiration of 10 days after receipt of the notice required by Section 3, and in the event that the owner, occupant or agent in charge of the premises shall neglect or fail to comply with the requirements of Section 1, the public officer or an authorized assistant shall cause to be cut, destroyed and/or removed all such weeds and abate the nuisance created thereby at any time during the current calendar year.
- (b) The public officer or an authorized assistant shall give notice to the owner, occupant or agent in charge of the premises by restricted mail of the costs of abatement of the nuisance. The notice shall state that payment of the costs is due and payable within 30 days following receipt of notice.
- (c) If the costs of removal or abatement remain unpaid after 30 days following receipt of notice, a record of the costs of cutting and destruction and/or removal shall be certified to the city clerk who shall cause such costs to be assessed against the particular lot or piece of land on which such weeds were so removed, and against such lots or pieces of land in front of or abutting on such street or alley on which such weeds were so removed. The city clerk shall certify the assessment to the county clerk at the time other special assessments are certified for spreading on the tax rolls of the county.

Section 5. Right of Entry.

The public officer, and the public officer's authorized assistants, employees, contracting agents or other representatives are hereby expressly authorized to enter upon private property at all reasonable hours for the purpose of cutting, destroying and/or removing such weeds in a manner not inconsistent with this ordinance.

Section 6. Unlawful Interference.

It shall be unlawful for any person to interfere with or to attempt to prevent the public officer or the public officer's authorized representative from entering upon any such lot or piece of ground or from proceeding with such cutting and destruction. Such interference shall constitute an ordinance violation.

Section 7. Noxious Weeds.

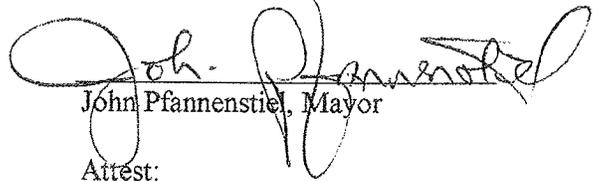
(a) Nothing in this ordinance shall affect or impair the rights of the city under the provisions of Chapter 2, Article 13 of the Kansas Statutes Annotated, relating to the control and eradication of certain noxious weeds.

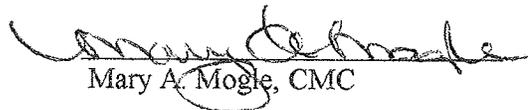
(b) For the purpose of this section, the term noxious weeds shall mean kudzu (*Pueraria lobata*), field bindweed (*Convolvulus arvensis*), Russian knapweed (*Centaurea picris*), hoary cress (*Lepidium draba*), Canada thistle (*Cirsium arvense*), quackgrass (*Agropyron repens*), leafy spurge (*Euphorbia esula*), burragweed (*Franseria tomentosa* and *discolor*), pignut (*Hoffmannseggia densiflora*), musk (nodding) thistle (*Carduus nutans* L.), and Johnson grass (*Sorghum halepense*).

Section 8. That Ordinance No. 230, Chapter VIII, Article 4 of the City of Basehor, Kansas is hereby repealed.

Section 9. This Ordinance shall be in full force and effect from and after its adoption and publication in the official city newspaper.

ADOPTED AND APPROVED by the Governing body, this 21st day of July, 1997.


John Pfannenstiel, Mayor
Attest:


Mary A. Mogle, CMC

CITY OF BASEHOR

Agenda Item Cover Sheet

Council Agenda Item No. 5 Meeting Date: 1/25/2010

TOPIC: Property Annexation Request

ACTION REQUESTED: Consider adoption of Resolution 2010-01 requesting the Board of County Commissioners of Leavenworth County, Kansas, to make certain findings regarding the annexation of property owned by Brooke-Lynne Development, LLC as presented.

NARRATIVE: A request has been made by Brooke-Lynne Development, LLC. to annex 60 +/- acres located in Section 13, Township 10, Range 22 East of Leavenworth County, Kansas (a/k/a 14210 Fairmount Rd). The annexation would be considered an island annexation and, if approved by Council, a resolution would need to be adopted requesting formal approval from Leavenworth Board of County Commissioners authorizing annexation.

The subdivision is currently connected to the City of Basehor sanitary sewer system.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mark Loughry, City Administrator

ADMINISTRATION RECOMMENDATION:

At this time staff does not feel the benefits of annexing this subdivision are sufficient to merit proceeding with annexation.

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS:

Resolution 2010-01
Agenda Cover Sheet dated 12/21/09
Memo dated 12/01/09
Memo dated 10/27/09
Memo dated 12/04/06
Application Form
Affidavit

PROJECTOR NEEDED FOR THIS ITEM? No

(a/k/a Theno Estates, Brooke-Lynne Development, LLC)

RESOLUTION NO. 2010-01

A RESOLUTION OF THE CITY OF BASEHOR, KANSAS, REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, TO MAKE CERTAIN FINDINGS REGARDING THE ANNEXATION OF PROPERTY.

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

SECTION 1. The Governing Body of the City of Basehor, Kansas, hereby finds that a request for annexation of the following described land has been presented to it by Brooke-Lynne Development, LLC:

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 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 1, 3, 9, 18, 20, 44, and 50 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.

The Governing Body further finds that the above described property does not adjoin land within the boundaries of the City of Basehor. The Governing Body further finds that such annexation, at the request of the property owner, is advisable, desirable, beneficial, and in the interest of the public.

SECTION 2. The City of Basehor, Kansas, hereby respectfully requests that the Board of County Commissioners of Leavenworth County, Kansas, find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Leavenworth County, Kansas, all as provided in K.S.A. 12-520c.

ADOPTED AND APPROVED by the Governing Body of the City of Basehor, Kansas, this 25th day of January, 2010.

Terry L. Hill, Mayor

ATTEST:

Mary Mogle – City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney

Memo

Date: 12/01/2009
To: Basehor City Council
Cc: Mayor, Terry Hill
From: Mark Loughry, City Administrator
RE: Theno Estates Annexation

Council we have a request from the developer of Theno Estates to annex into the city limits of Basehor. Before proceeding with the voluntary annexation procedure Council directed staff to do some preliminary research and report back. I am attaching the reports by staff along with a memo from 2006 when this property previously requested annexation.

The following are items that I feel are important to consider prior to granting or denying the request for annexation.

- A majority of the property in Theno Estates is undeveloped lots (approximately 102) with existing infrastructure in place to city standards.
- There are six property owners in the development currently of which two have agreed to voluntarily annex.
- The four property owners that have chosen not to annex are lots with homes already built and so would in effect freeload on city services.
- This would be an island annexation and as such we would not be able to force annexation on the four owners that have not chosen to voluntarily annex.
- The services the city would be extending to the area would be law enforcement, code enforcement and public works services (sewer, street maintenance, storm water...).
- The existing valuation of the annexed land would generate approximately \$4,638 in ad valorem taxes based on the 2010 mill levy.
- This property would not go on the tax rolls until 2011 at the earliest and more than likely not until 2012.
- This development is within the Urban Growth Boundary for Basehor and does touch an existing island annexation.
- More than likely this property would not be able to be added onto the City Neighborhood Revitalization Program which I believe is the driving factor behind the application for annexation.
- The County has expressed their desire to eliminate or at least limit island annexations.

There are other items that need to be considered before annexing but I believe these to be the most pressing.

Generally speaking I am opposed to island annexations that do not include 100% of the property owners because of the freeloading effect and the inequity this creates. At this time the only benefit I see for the city is the ability to voluntarily annex a large portion of the land while it is still under the ownership of a few individuals rather than trying to deal with multiple owners in the future. However I believe that the City of Basehor could require that all future property owners sign a consent to annex prior to connecting to the city sewer system. This would allow the City to annex them at such time we felt it was appropriate and would alleviate any benefit of annexing them prior to being in contact with our contiguous boundary.

At this time I do not feel the benefits of annexing this sub division are sufficient to merit proceeding with the annexation.

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

CITY OF BASEHOR
Agenda Item Cover Sheet

COPY

Council Agenda Item No. 10

Meeting Date: 12/21/2009

TOPIC: Property Annexation Request

ACTION REQUESTED: Consider request to annex property owned by Brooke-Lynne Development, LLC as presented.

NARRATIVE: A request has been made by Brooke-Lynne Development, LLC. to annex 60 +/- acres located in Section 13, Township 10, Range 22 East of Leavenworth County, Kansas (a/k/a 14210 Fairmount Rd). The annexation would be considered an island annexation and, if approved by Council, a resolution would need to be adopted requesting formal approval from Leavenworth Board of County Commissioners authorizing annexation.

The subdivision is currently connected to the City of Basehor sanitary sewer system.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mark Loughry, City Administrator

ADMINISTRATION RECOMMENDATION:

At this time staff does not feel the benefits of annexing this subdivision are sufficient to merit proceeding with annexation.

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS:

Memo dated 12/01/09
Memo dated 10/27/09
Memo dated 12/04/06
Application Form
Affidavit

PROJECTOR NEEDED FOR THIS ITEM? No

MEMO

October 27, 2009

To: Mark Loughry, City Administrator

Subject: Theno Estates Infrastructure Condition

From: Gene Myracle Jr., City Superintendent

An inspection of the infrastructure in the Theno Estates Subdivision was conducted to determine condition prior to the possibilities of annexation of said development.

All streets, storm boxes, curbs and islands were inspected with the following report.

Storm boxes

All storm boxes have joints mortared with no signs of significant infiltration. Gutter buddies are still installed which are starting to divert flow away from inlets that may cause problems if developer prolongs removal. The development has established over 70% of vegetation on site so no additional silt fence or gutter stops are required.

End of Road Markers

At the end of 140th street and 140th Terrace, installation of road markers should be installed showing street ends. Single stop reflectors or barricades with reflectors should be installed.

Curbs & Islands

Inspecting the curbs throughout the subdivision did not show failure due to poor sub grade of curbs nor was there any signs of neglect while installation.

Entrance islands (2) are in far condition with landscaping placed and maintained to a minimal by homeowners or developer.

Street

The areas listed below are by station numbers per approved construction plans with Leavenworth County. All areas listed cover joints, cracks, or sub base failure.

- Station 12+75 shows a depressed area in the street. Possible sub base issue.
- Station 11+00 to 14+00 center line crack in surface asphalt.
- Station 16+50 to 17+50 asphalt pushing with cracks and gouges caused by heavy equipment driving on street.
- Station 18+00 center line crack in surface asphalt east side roadway.
- Station 19+00 center line crack in surface asphalt west side roadway.
- Station 28+50 east-west crack in asphalt curb to curb.
- Station 34+75 to 33+00 center line crack in surface asphalt.
- Station 20+00 to 22+50 center line crack in surface asphalt.

The overall evaluation of this development with the exception of some minor cracks that could be resolved by crack sealing or possibly surface overlaying with asphalt is very good.

With little to no maintenance ever taking place in this subdivision, I feel it has held up very well.

Sanitary sewer

The internal sewer system was not reviewed during this inspection due to the ownership by the City of Basehor. All sewer infrastructures were inspected at time of installation by a resident inspector from the city, and all testing reports are on file at the public works department.

This development operates with a lift station that pumps to the Falcon Lakes development which is maintained by the City of Basehor public works.

MEMORANDUM

TO: Carl Slaugh, City Administrator
FROM: Dustin Smith, Planning Director
DATE: December 4, 2006

Re: Advantages and Disadvantages of Annexation

What are the pros and cons?

Unfortunately, the pros and cons of annexation are somewhat subjective and there is often no clear advantage or disadvantage to annexing land into a city. In many cases, annexation is politically motivated for tax purposes and seems to be driven by the prospect of an increase in tax revenue that will occur for the annexing jurisdiction. However, although the short-term revenues can be realized, the long-term costs are often overlooked in large part because the short-term increase in tax revenue is a tangible benefit, but the long-term costs are often intangible.

Advantage to Annexing Now

1. The city will be able to begin collecting property tax revenue from the property within the annexed area at a time when the maintenance levels on the internal streets are relatively low. This should allow the city to accumulate funds during the first few years of low maintenance, whereas if we wait several years to annex, it is likely that the maintenance level will be higher with less funds accumulated to pay the maintenance costs.
2. Establishment of our growth area – The Comprehensive Plan indicates the city's growth area extending up to Fairmount Road. The annexation of Victory Crest will further establish the city's intended growth boundary.
3. The City will capture the revenues from the building permits for the rest of the homes built within the subdivision (approximately 102). In this case, since Victory Crest is already on our sewer and paying the connection fees associated therewith, the increase in revenues for the building permit would be \$2,000-\$3,000 per unit. Therefore,

$$\begin{array}{r} 102 \text{ units remaining} \\ \times \$2,000 \\ \hline = \$204,000 \text{ in building permit revenues} \end{array}$$

This number will depend largely on how the city chooses to apply the street excise tax and park fees.

Disadvantages of Annexation

1. Most of the disadvantages are related to the extension of public services to the annexed area, which are discussed below.

What impact does it have on the city?

The impact of annexation on the city can depend largely on what type of development will occur in the area to be annexed. I am largely of the opinion that residential development does not pay for itself, which means that a purely residential city will lose money in the long-term, unless they have very high tax rates to off-set the costs. The reasoning behind this is that, in general, the costs of providing services to residential areas outweighs the benefits of their tax revenue and in order for a city to be viable, it must have a balance of residential and non-residential tax base. Therefore, if one is to believe that residential development does not pay for itself, the annexation would not be advised.

Police Protection

The annexed area will require the Basehor Police Department to begin providing police service to the area in terms of patrols, call response, etc. However, the Police Chief indicated that the annexation will not have a significant impact on the Police Department in terms of workload.

Public Works – Street Maintenance

Victory Crest includes approximately 6,000 lineal feet of streets, which will become the responsibility of the city maintenance crews upon annexation. Most likely, that portion of Fairmount Road adjacent to the subdivision will also become the responsibility of the city for maintenance purposes. Additional fuel costs and travel time will occur due to the distance of Victory Crest from the existing city limits.

The streets in Phase I of the subdivision are already constructed to the city's current design standards, according to Joe McAfee, the design engineer. Phase II will also be built to the current standard. Therefore, the city will not be taking in substandard streets. The sewer system is also designed to current city standards.

What advantages does annexation offer to residents on the perimeter?

1. In a case where the subdivision is connected to a city facility (i.e. sewer), the homeowner's within the subdivision have no representation by the elected officials that preside over the public facility. They also have no voting rights within the city. Therefore, the residents in Victory Crest, by being annexed, will have political representation within the city that controls their public sewer system.

2. The residents within the annexed area will also pay a lower sewer rate than if they remain in the County. Currently, sewer users in the unincorporated areas of the County pay a rate of 125% of what a city resident pays for sewer service. If annexation occurs, the residents in the annexed area will then pay the same rate as all other city residents.
3. The annexation area will have a higher level of public service than what they receive from the County. This should be especially realized in terms of police protection/response times.

Does the city receive any additional revenue by annexing property?

Short-Term

The city portion of the property taxes on a \$200,000 home are approximately \$525.61 per year, which is approximately 24% more than the same home that is located in the unincorporated County. Most of the homes in the Victory Crest will be in the \$200,000-\$250,000 range and there are a total of 106 lots in the subdivision. Therefore, the tax revenue resulting from the annexation of the entire subdivision at build-out will be approximately \$55,714.66 in today's dollar values. This will increase with the increase in any tax rates, mill levy rates, property valuations, etc.

Long-Term

The long-term costs of annexation are often overlooked. State statute requires that the annexing city have a plan for providing urban services for the annexed area as part of the annexation process. Usually these plans specify a time-period for when the city intends to extend urban services, including water, sewer, fire and police protection. In the case of Victory Crest, the city has already provided sanitary sewer service, fire protection is provided by Fairmount Township regardless of whether it is in the city or the county, and water is provided by a private firm. Therefore, the real costs associated with the annexation will come from the provision of street maintenance on Fairmount Road and internal streets and for providing police service. However, the specific costs associated with providing services to the annexed area are undetermined at this time.

What formula is used in planning to weigh the impact on city government?

To my knowledge there is no standard formula used to determine if annexation is an advantage.

Does it make any difference how far out a subdivision is, in terms of expense for public works to maintain the streets?

Yes! Obviously, the further away from the main part of the city the annexation area is, the higher the costs associated with providing services to that area. However, neither the Police Chief nor the City Superintendent expressed concern with the increase in costs to provide service for Victory Crest.

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



APPLICATION FORM

Project Name & Description Brooke-Lynne Development, LLC		Total Site Acreage 60 +/- acres	Present Zoning PUD
Legal Description (May be attached as separate sheet) (see attachment)			Proposed Zoning R-1
Project Address / General Location 14210 Fairmount Road Basehor, Kansas 66007			Presubmittal Date
Parcel ID Number (CAMA Number) 156-1300000016			Floor Area Classification NA
Property Owner Name Jeffrey Theno	Phone 913/207-5178	Fax	
Property Owner Address 15805 Fairmount Road	City Basehor	State Kansas	Zip 66007
Applicant's Name (if different from above)	Phone	Fax	
Applicant's Address	City	State	Zip
Applicant's mobile phone	Property Owner and/or Applicant's E-mail address		

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

PROJECT INFORMATION	
Existing Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input 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	Existing Floor Area	Existing Building Footprint	Open Space Area
No. of Buildings	Proposed Floor Area	Proposed Building Footprint	Pavement Coverage

COMPLETE THIS AREA IF SUBDIVIDING PROPERTY			
Proposed Number of Lots	Maximum Lot Size	Minimum Lot Size	Average Lot Size

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 Jeff Theno 7-29-09
 Signature Date

Office Use Only	
<input type="checkbox"/> Filing Fee \$ _____	<input type="checkbox"/> Received by _____ <input type="checkbox"/> # of Plans _____
<input type="checkbox"/> Attached Legal Description	<input type="checkbox"/> Property Ownership List

October 12, 2006

City of Basehor
Dustin Smith
Basehor KS 66007

Re: Brooke-Lynne Development, LLC
Victory Crest (formerly known as Theno Estates)

Dear Mr. Smith:

On behalf of Brooke-Lynne Development, LLC and Victory Crest (formerly known as Theno Estates), we are requesting that the City of Basehor voluntarily annex the subdivision at no additional cost to Brooke-Lynne Development LLC.

Please feel free to contact us for further discussion.

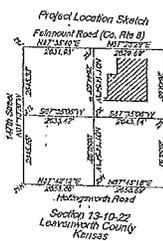
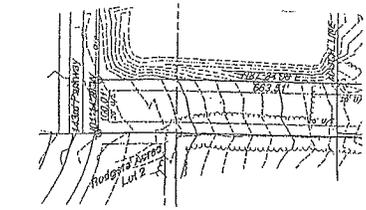
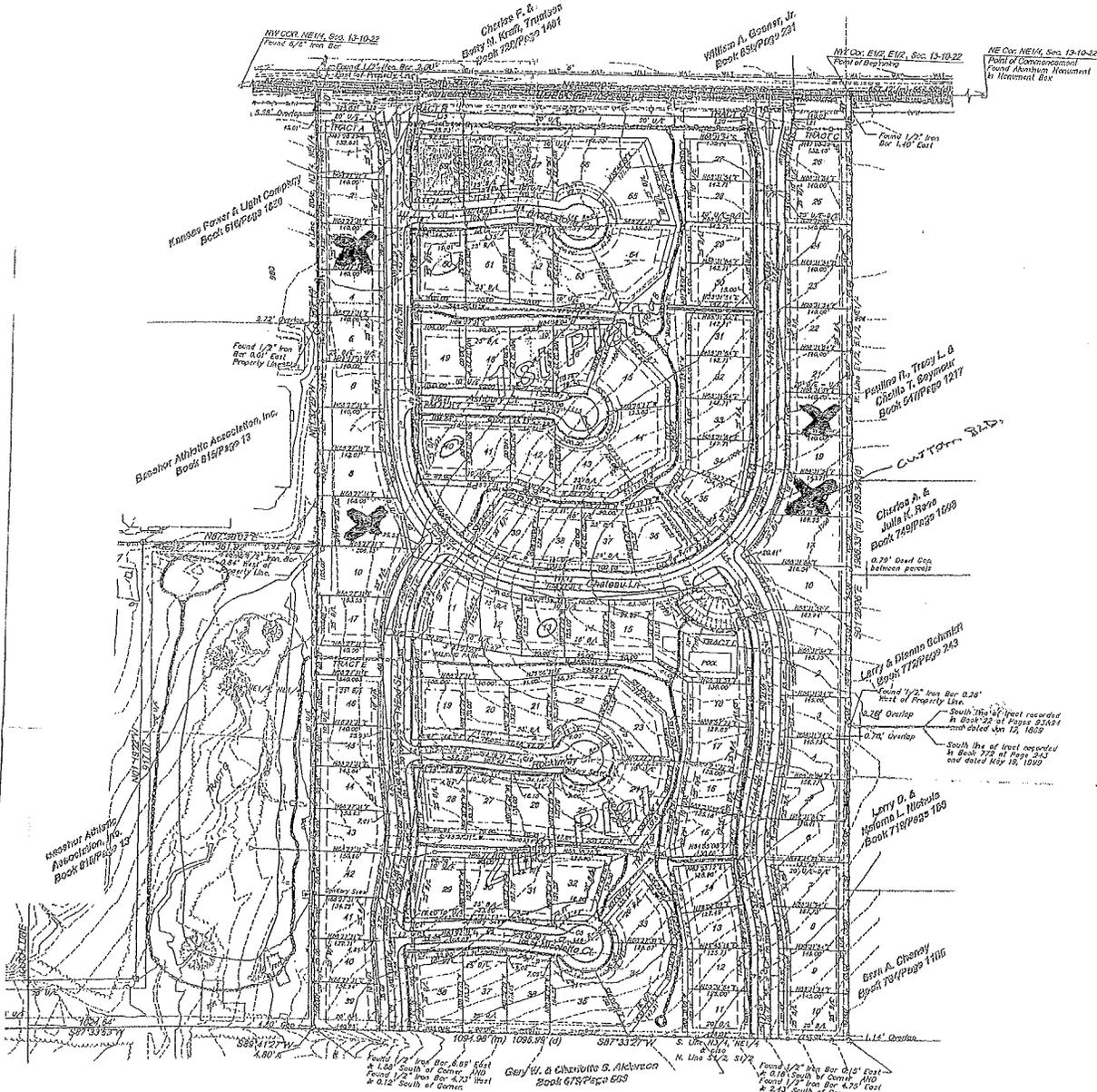
Sincerely,

Jeffrey Theno
Managing Member

A handwritten signature in cursive script that reads "Jeffrey Theno".

Final Development Plan of Theno Estates PUD

Leavenworth County, Kansas
Section 13, Township 10, Range 22 East



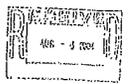
- Symbol Legend**
- Set 1/2" x 24" Iron Bar w/ASCE 1323
 - ⊙ Set 1/2" x 24" Iron Bar w/ASCE 1373
 - Cap in Irregular Concrete Base
 - Found 1/2" Iron Bar (width noted)
 - U/E Utility Easement
 - D/E Driveway Easement
 - B/S Building Setback Line
 - L/E Landscape easement
 - F/F Fire Hydrant
 - Proposed Meter
 - Proposed Underground Electric
 - Utility Pole
 - Proposed Wrought Iron Fence

X - EXCLUDED OR SOLD



1" = 100'

Base of Standard: NAD83, SP02, Kansas North Zone, 1825 Adjustment.
Project Benchmark: L160, L160 Control System, November 01, 2002.



Owner/Developer
BROOK-LAWN DEVELOPMENT
JEFF THENO, PROJECT
1500 FAIRMOUNT ROAD
BASEMENT, KANSAS 66007
(913)281-2176

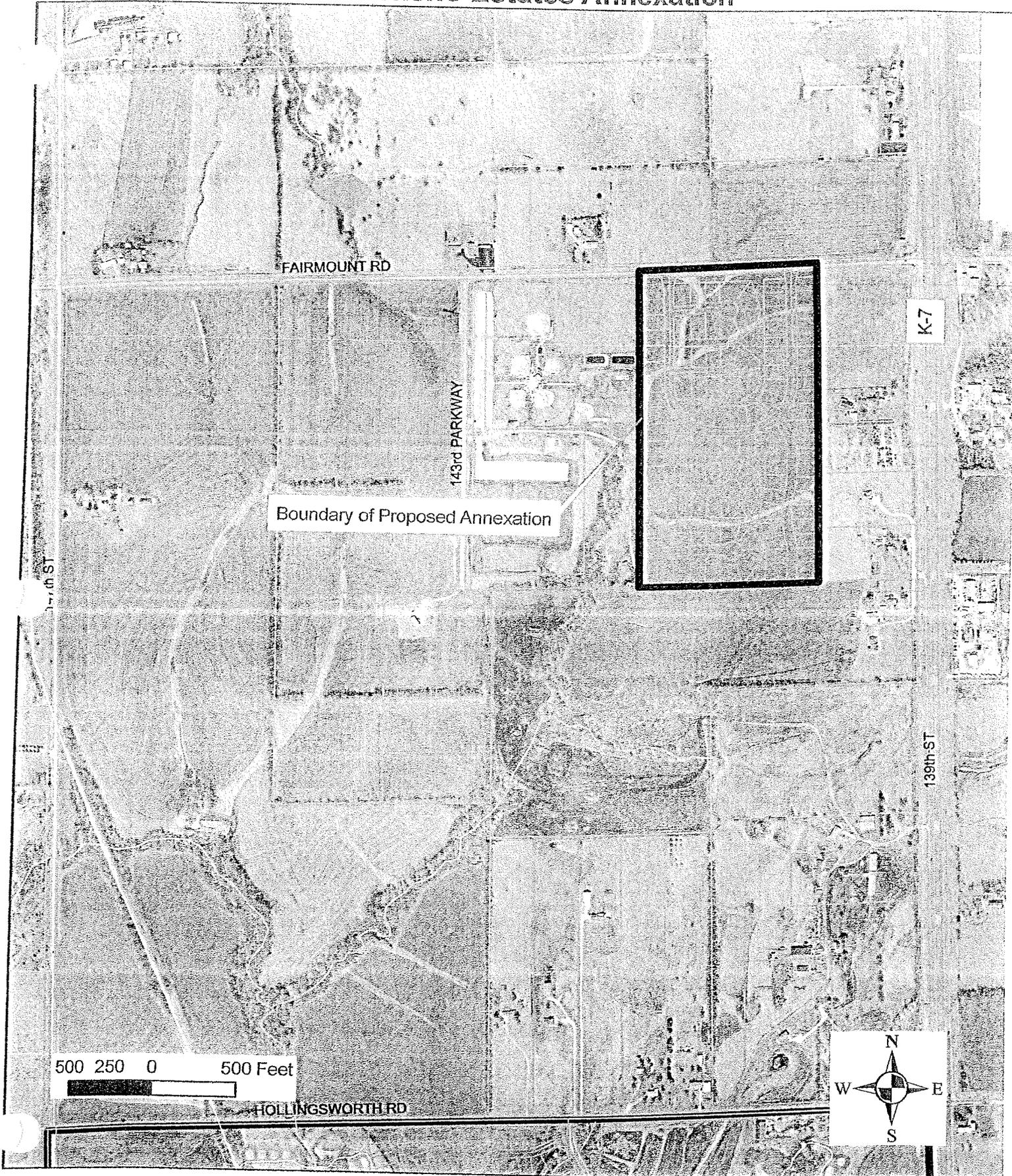
PREPARED BY



McAFFEE, HENDERSON & STRICK, INC.
Civil Engineering & Land Surveying
30 South Leavenworth, 130001
PO BOX 1010 Leavenworth, KS 66041
PHONE: (913) 281-2176 FAX: (913) 281-2176

Sheet 1 of 2

Theno Estates Annexation



CITY OF BASEHOR

Agenda Item Cover Sheet

Council Agenda Item No. 6 Meeting Date: 1/25/2010

TOPIC: Property Annexation Request

ACTION REQUESTED: Consider adoption of Resolution 2010-02 requesting the Board of County Commissioners of Leavenworth County, Kansas, to make certain findings regarding the annexation of property owned by Howard Theno & Son Builders, Inc. as presented.

NARRATIVE: A request has been made by Brooke-Lynne Development, LLC. to annex 60 +/- acres located in Section 13, Township 10, Range 22 East of Leavenworth County, Kansas (a/k/a 14210 Fairmount Rd). The annexation would be considered an island annexation and, if approved by Council, a resolution would need to be adopted requesting formal approval from Leavenworth Board of County Commissioners authorizing annexation.

The subdivision is currently connected to the City of Basehor sanitary sewer system.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mark Loughry, City Administrator

ADMINISTRATION RECOMMENDATION:

At this time staff does not feel the benefits of annexing this subdivision are sufficient to merit proceeding with annexation.

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS:

Resolution 2010-02
Agenda Cover Sheet dated 12/21/09
Memo dated 12/01/09
Memo dated 10/27/09
Memo dated 12/04/06
Application Form
Affidavit

PROJECTOR NEEDED FOR THIS ITEM? No

(a/k/a Theno Estates, Howard & Sons Builders, Inc.)

RESOLUTION NO. 2010-02

A RESOLUTION OF THE CITY OF BASEHOR, KANSAS, REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF LEAVENWORTH COUNTY, KANSAS, TO MAKE CERTAIN FINDINGS REGARDING THE ANNEXATION OF PROPERTY.

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

SECTION 1. The Governing Body of the City of Basehor, Kansas, hereby finds that a request for annexation of the following described land has been presented to it by Brooke-Lynne Development, LLC:

Lots 1, 44, and 50 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.

The Governing Body further finds that the above described property does not adjoin land within the boundaries of the City of Basehor. The Governing Body further finds that such annexation, at the request of the property owner, is advisable, desirable, beneficial, and in the interest of the public.

SECTION 2. The City of Basehor, Kansas, hereby respectfully requests that the Board of County Commissioners of Leavenworth County, Kansas, find and determine that the annexation of such land will not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Leavenworth County, Kansas, all as provided in K.S.A. 12-520c.

ADOPTED AND APPROVED by the Governing Body of the City of Basehor, Kansas, this 25th day of January, 2010.

Terry L. Hill, Mayor

ATTEST:

Mary Mogle – City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney

CITY OF BASEHOR
Agenda Item Cover Sheet

COPY

Council Agenda Item No. 9

Meeting Date: 12/21/2009

TOPIC: Property Annexation Request

ACTION REQUESTED: Consider request to annex property owned by Howard Theno & Son Builders, Inc. as presented.

NARRATIVE: A request has been made by Howard Theno & Son Builders, Inc. to annex Lots 1, 44, and 50 located in Section 13, Township 10, Range 22 East of Leavenworth County, Kansas (a/k/a 14210 Fairmount Rd). The annexation would be considered an island annexation and, if approved by Council, a resolution would need to be adopted requesting formal approval from Leavenworth Board of County Commissioners authorizing annexation.

The subdivision is currently connected to the City of Basehor sanitary sewer system.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mark Loughry, City Administrator

ADMINISTRATION RECOMMENDATION:

At this time staff does not feel the benefits of annexing this subdivision are sufficient to merit proceeding with annexation.

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS:

Memo dated 12/01/09
Memo dated 10/27/09
Memo dated 12/04/06
Application Form
Affidavit

PROJECTOR NEEDED FOR THIS ITEM? No

Memo

Date: 12/01/2009
To: Basehor City Council
Cc: Mayor, Terry Hill
From: Mark Loughry, City Administrator
RE: Theno Estates Annexation

Council we have a request from the developer of Theno Estates to annex into the city limits of Basehor. Before proceeding with the voluntary annexation procedure Council directed staff to do some preliminary research and report back. I am attaching the reports by staff along with a memo from 2006 when this property previously requested annexation.

The following are items that I feel are important to consider prior to granting or denying the request for annexation.

- A majority of the property in Theno Estates is undeveloped lots (approximately 102) with existing infrastructure in place to city standards.
- There are six property owners in the development currently of which two have agreed to voluntarily annex.
- The four property owners that have chosen not to annex are lots with homes already built and so would in effect freeload on city services.
- This would be an island annexation and as such we would not be able to force annexation on the four owners that have not chosen to voluntarily annex.
- The services the city would be extending to the area would be law enforcement, code enforcement and public works services (sewer, street maintenance, storm water...).
- The existing valuation of the annexed land would generate approximately \$4,638 in ad valorem taxes based on the 2010 mill levy.
- This property would not go on the tax rolls until 2011 at the earliest and more than likely not until 2012.
- This development is within the Urban Growth Boundary for Basehor and does touch an existing island annexation.
- More than likely this property would not be able to be added onto the City Neighborhood Revitalization Program which I believe is the driving factor behind the application for annexation.
- The County has expressed their desire to eliminate or at least limit island annexations.

There are other items that need to be considered before annexing but I believe these to be the most pressing.

Memo

Generally speaking I am opposed to island annexations that do not include 100% of the property owners because of the freeloading effect and the inequity this creates. At this time the only benefit I see for the city is the ability to voluntarily annex a large portion of the land while it is still under the ownership of a few individuals rather than trying to deal with multiple owners in the future. However I believe that the City of Basehor could require that all future property owners sign a consent to annex prior to connecting to the city sewer system. This would allow the City to annex them at such time we felt it was appropriate and would alleviate any benefit of annexing them prior to being in contact with our contiguous boundary.

At this time I do not feel the benefits of annexing this sub division are sufficient to merit proceeding with the annexation.

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

MEMO

October 27, 2009

To: Mark Loughry, City Administrator

Subject: Theno Estates Infrastructure Condition

From: Gene Myracle Jr., City Superintendent

An inspection of the infrastructure in the Theno Estates Subdivision was conducted to determine condition prior to the possibilities of annexation of said development.

All streets, storm boxes, curbs and islands were inspected with the following report.

Storm boxes

All storm boxes have joints mortared with no signs of significant infiltration. Gutter buddies are still installed which are starting to divert flow away from inlets that may cause problems if developer prolongs removal. The development has established over 70% of vegetation on site so no additional silt fence or gutter stops are required.

End of Road Markers

At the end of 140th street and 140th Terrace, installation of road markers should be installed showing street ends. Single stop reflectors or barricades with reflectors should be installed.

Curbs & Islands

Inspecting the curbs throughout the subdivision did not show failure due to poor sub grade of curbs nor was there any signs of neglect while installation.

Entrance islands (2) are in far condition with landscaping placed and maintained to a minimal by homeowners or developer.

Street

The areas listed below are by station numbers per approved construction plans with Leavenworth County. All areas listed cover joints, cracks, or sub base failure.

- Station 12+75 shows a depressed area in the street. Possible sub base issue.
- Station 11+00 to 14+00 center line crack in surface asphalt.
- Station 16+50 to 17+50 asphalt pushing with cracks and gouges caused by heavy equipment driving on street.
- Station 18+00 center line crack in surface asphalt east side roadway.
- Station 19+00 center line crack in surface asphalt west side roadway.
- Station 28+50 east-west crack in asphalt curb to curb.
- Station 34+75 to 33+00 center line crack in surface asphalt.
- Station 20+00 to 22+50 center line crack in surface asphalt.

The overall evaluation of this development with the exception of some minor cracks that could be resolved by crack sealing or possibly surface overlaying with asphalt is very good.

With little to no maintenance ever taking place in this subdivision, I feel it has held up very well.

Sanitary sewer

The internal sewer system was not reviewed during this inspection due to the ownership by the City of Basehor. All sewer infrastructures were inspected at time of installation by a resident inspector from the city, and all testing reports are on file at the public works department.

This development operates with a lift station that pumps to the Falcon Lakes development which is maintained by the City of Basehor public works.

MEMORANDUM

TO: Carl Slauch, City Administrator
FROM: Dustin Smith, Planning Director
DATE: December 4, 2006

Re: Advantages and Disadvantages of Annexation

What are the pros and cons?

Unfortunately, the pros and cons of annexation are somewhat subjective and there is often no clear advantage or disadvantage to annexing land into a city. In many cases, annexation is politically motivated for tax purposes and seems to be driven by the prospect of an increase in tax revenue that will occur for the annexing jurisdiction. However, although the short-term revenues can be realized, the long-term costs are often overlooked in large part because the short-term increase in tax revenue is a tangible benefit, but the long-term costs are often intangible.

Advantage to Annexing Now

1. The city will be able to begin collecting property tax revenue from the property within the annexed area at a time when the maintenance levels on the internal streets are relatively low. This should allow the city to accumulate funds during the first few years of low maintenance, whereas if we wait several years to annex, it is likely that the maintenance level will be higher with less funds accumulated to pay the maintenance costs.
2. Establishment of our growth area – The Comprehensive Plan indicates the city's growth area extending up to Fairmount Road. The annexation of Victory Crest will further establish the city's intended growth boundary.
3. The City will capture the revenues from the building permits for the rest of the homes built within the subdivision (approximately 102). In this case, since Victory Crest is already on our sewer and paying the connection fees associated therewith, the increase in revenues for the building permit would be \$2,000-\$3,000 per unit. Therefore,

$$\begin{array}{r} 102 \text{ units remaining} \\ \times \$2,000 \\ \hline = \$204,000 \text{ in building permit revenues} \end{array}$$

This number will depend largely on how the city chooses to apply the street excise tax and park fees.

Disadvantages of Annexation

1. Most of the disadvantages are related to the extension of public services to the annexed area, which are discussed below.

What impact does it have on the city?

The impact of annexation on the city can depend largely on what type of development will occur in the area to be annexed. I am largely of the opinion that residential development does not pay for itself, which means that a purely residential city will lose money in the long-term, unless they have very high tax rates to off-set the costs. The reasoning behind this is that, in general, the costs of providing services to residential areas outweighs the benefits of their tax revenue and in order for a city to be viable, it must have a balance of residential and non-residential tax base. Therefore, if one is to believe that residential development does not pay for itself, the annexation would not be advised.

Police Protection

The annexed area will require the Basehor Police Department to begin providing police service to the area in terms of patrols, call response, etc. However, the Police Chief indicated that the annexation will not have a significant impact on the Police Department in terms of workload.

Public Works – Street Maintenance

Victory Crest includes approximately 6,000 lineal feet of streets, which will become the responsibility of the city maintenance crews upon annexation. Most likely, that portion of Fairmount Road adjacent to the subdivision will also become the responsibility of the city for maintenance purposes. Additional fuel costs and travel time will occur due to the distance of Victory Crest from the existing city limits.

The streets in Phase I of the subdivision are already constructed to the city's current design standards, according to Joe McAfee, the design engineer. Phase II will also be built to the current standard. Therefore, the city will not be taking in substandard streets. The sewer system is also designed to current city standards.

What advantages does annexation offer to residents on the perimeter?

1. In a case where the subdivision is connected to a city facility (i.e. sewer), the homeowner's within the subdivision have no representation by the elected officials that preside over the public facility. They also have no voting rights within the city. Therefore, the residents in Victory Crest, by being annexed, will have political representation within the city that controls their public sewer system.

2. The residents within the annexed area will also pay a lower sewer rate than if they remain in the County. Currently, sewer users in the unincorporated areas of the County pay a rate of 125% of what a city resident pays for sewer service. If annexation occurs, the residents in the annexed area will then pay the same rate as all other city residents.
3. The annexation area will have a higher level of public service than what they receive from the County. This should be especially realized in terms of police protection/response times.

Does the city receive any additional revenue by annexing property?

Short-Term

The city portion of the property taxes on a \$200,000 home are approximately \$525.61 per year, which is approximately 24% more than the same home that is located in the unincorporated County. Most of the homes in the Victory Crest will be in the \$200,000-\$250,000 range and there are a total of 106 lots in the subdivision. Therefore, the tax revenue resulting from the annexation of the entire subdivision at build-out will be approximately \$55,714.66 in today's dollar values. This will increase with the increase in any tax rates, mill levy rates, property valuations, etc.

Long-Term

The long-term costs of annexation are often overlooked. State statute requires that the annexing city have a plan for providing urban services for the annexed area as part of the annexation process. Usually these plans specify a time-period for when the city intends to extend urban services, including water, sewer, fire and police protection. In the case of Victory Crest, the city has already provided sanitary sewer service, fire protection is provided by Fairmount Township regardless of whether it is in the city or the county, and water is provided by a private firm. Therefore, the real costs associated with the annexation will come from the provision of street maintenance on Fairmount Road and internal streets and for providing police service. However, the specific costs associated with providing services to the annexed area are undetermined at this time.

What formula is used in planning to weigh the impact on city government?

To my knowledge there is no standard formula used to determine if annexation is an advantage.

Does it make any difference how far out a subdivision is, in terms of expense for public works to maintain the streets?

Yes! Obviously, the further away from the main part of the city the annexation area is, the higher the costs associated with providing services to that area. However, neither the Police Chief nor the City Superintendent expressed concern with the increase in costs to provide service for Victory Crest.

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



APPLICATION FORM

Project Name & Description Howard Theno & Son Builders, Inc.		Total Site Acreage Lots 1, 44, 50	Present Zoning PUD
Legal Description (May be attached as separate sheet) <i>See attachments</i>			Proposed Zoning R-1
Project Address / General Location 14210 Fairmount Road Basehor, Kansas 66007			Presubmittal Date
Parcel ID Number (CAMA Number) 156-1300000016			Floor Area Classification NA
Property Owner Name Howard Theno & Son Builders, Inc.	Phone 913/207-5178	Fax	
Property Owner Address 15805 Fairmount Road	City Basehor	State Kansas	Zip 66007
Applicant's Name (if different from above)	Phone	Fax	
Applicant's Address	City	State	Zip
Applicant's mobile phone	Property Owner and/or Applicant's E-mail address		

APPLICATION TYPE

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

PROJECT INFORMATION

Existing Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input 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	Existing Floor Area	Existing Building Footprint	Open Space Area
No. of Buildings	Proposed Floor Area	Proposed Building Footprint	Pavement Coverage

COMPLETE THIS AREA IF SUBDIVIDING PROPERTY

Proposed Number of Lots	Maximum Lot Size	Minimum Lot Size	Average Lot Size
-------------------------	------------------	------------------	------------------

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 *Jeff Theno* *7/31/09*
 Signature Date

Office Use Only

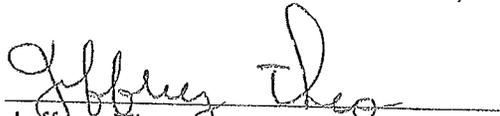
Filing Fee \$ _____ Received by _____ # of Plans _____
 Attached Legal Description Property Ownership List

July 31, 2009

TO: City of Basehor, Kansas
RE: Re-zoning and Annexation

I am the owner of three parcels in Theno Estates. Those parcels are Lots 1, 44, and 50. These lots are located at 14210 Fairmount Road, Basehor, Kansas, 66007. I am aware these properties are currently zoned PUD (Planned Unit Development) and would approve a rezoning and annexation of them as Residential Development.

Howard Theno & Son Builders, Inc.


Jeffrey Theno


Notary Public



My Commission Expires _____
(stamp)

CITY OF BASEHOR

Agenda Item Cover Sheet

Council Agenda Item No. 7

Meeting Date: January 25, 2010

TOPIC: Worker's Compensation Premium - 2010

ACTION REQUESTED: Consider payment of \$27,986 to Kansas Municipal Insurance Trust (KMIT) for Worker's Compensation premium for year 2010.

NARRATIVE: The City has contracted with Kansas Municipal Insurance Trust pool since April 1, 1996 for Worker's Compensation insurance. Compensation insurance coverage. The City is limited on insurance providers since there are very few insurance companies that will insure municipalities. By staff conducting safety meetings and filing minimal claims, the City has qualified for a 10% discount for year 2010 that resulted in a \$3,087 savings. The City has qualified for discounts over the last eight years.

The premium is calculated from estimated wages for 2010, number of claims in 2009, KMIT Experience Modifier for the pool, and the NCCI Experience Modifier.

The premium for 2010 is \$27,986 and paid from the General Fund (01-001-779).

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mark Loughry, City Administrator
Mary Mogle, City Clerk

ADMINISTRATION RECOMMENDATION:

Staff recommends renewal of contract with KMIT for 2010 Worker's Compensation insurance.

COMMITTEE RECOMMENDATION(S):

None

ATTACHMENTS:

Memo from January 4, 2010 and supporting documents

OBJECTOR NEEDED FOR THIS ITEM? No

MEMO

To: Mayor & Council
From: Mary Mogle, City Clerk
cc: Mark Loughry, City Administrator
Date: January 4, 2009
Re: Worker's Compensation Renewal

Over the last several years, the City has utilized Kansas Municipal Insurance Trust pool for Worker's Compensation insurance coverage. The City is limited on insurance providers since there are very few insurance companies that will insure municipalities. By staff conducting safety meetings and filing minimal claims, the City has qualified for a 10% discount for year 2010 that resulted in a \$3,087 savings. The City has qualified for discounts over the last eight years.

The premium is calculated from estimated wages for 2010, number of claims in 2009, KMIT Experience Modifier for the pool, and the NCCI Experience Modifier.

The premium for 2010 is \$27,986 and paid from the General Fund (01-001-779).



300 SW 8th Avenue
Topeka, KS 66603
Telephone: (785) 354-9565
Fax: (785) 354-4186

December 4, 2009

**Kansas Municipal
Insurance Trust**

Board of Trustees

Sharon Brown
President
Clay Center

Steve Archer
Vice-President
Arkansas City

Bobby Busch
Treasurer
Neodesha

Lana McPherson
De Soto

Herb Llewellyn
El Dorado

Mac Manning
Peabody

Daron Hall
Ulysses

Toby Dougherty
Hays

Doug Gerber
Goodland

Larry Paine
Hillsboro

Sasha Stiles
Andover

Don Moler
Executive Director
Ex-Officio

Don Osenbaugh
Pool Administrator

City of Basehor
Attention: Mary Mogle
City Clerk
PO Box 406
Basehor, KS 66007-

Subject: Workers Compensation Insurance Renewal (2010)

Dear Mary,

Please find enclosed your KMIT workers compensation insurance renewal quote and invoice for 2010 (for coverage starting at 12:01 AM on January 1, 2010).

Your work comp premium for 2010 is \$27986. Your premium payment is due, and payable-in-full, on or before January 31, 2010.

For 2010, KMIT's internal rate (Loss Cost Multiplier, or 'LCM'—the official rate all companies and pools must file with the Kansas Insurance Department) remains constant, at 1.38.

The state-set rates for the individual class codes for 2010 went up and down, as usual, while showing an 'overall' decrease of 6.6%. Within the KMIT ('city' jobs) pool, *some examples* of often-used class-code rate changes include:

Police...no change
Clerical...down 14%
Waterworks...up 7%
Wastewater...up 9%
Streets...down 2%

The other two variables used to determine your city's work comp premiums are **payroll** and **experience modifier** ('mod'). Most cities' payrolls go up each year, and the amount they go up does affect the work comp cost. The 'mod' is determined by each city's 'frequency' (number) of claims and 'severity' (cost) of claims over the most recently-completed three-year period (in this case, 2006-2008).

Page 2 -

Please contact KMIT if you have any question(s) about your KMIT work comp quote or invoice, or any other question about KMIT processes or services.

One last, but very important, thing...please DO NOT send your check to the KMIT (League) office, but, rather, mail it directly to a special lock box at KMIT's bank:

Kansas Municipal Insurance Trust

C/O UMB Bank

ATTN: Annette

P.O. Box 5228

Topeka, KS 66605

Thank you for your continued membership in the KMIT Workers Compensation Pool. We sincerely appreciate having Basehor as a member of KMIT.



Don Osenbaugh
Pool Administrator

Kansas Municipal Insurance Trust

C/O UMB Bank
 Attn: Annette
 P.O. Box 5228
 Topeka, KS 66605

Due Date	Date	Invoice #
12/25/2009	11/25/2009	09-462

Bill To

City of Basehor
 2620 N. 155th
 P.O. Box 406
 Basehor, KS 66007

Please check box if address is incorrect or has changed, and indicate change(s) on reverse side.
 New e-mail address? Enter here: _____

Balance Due	\$27,986.00
--------------------	--------------------

PLEASE DETACH AND RETURN TOP PORTION WITH YOUR PAYMENT.

Kansas Municipal Insurance Trust

Item	Description	Amount
10 Premium	Deposit on 2010 Workers' Compensation Insurance	27,986.00
Total		\$27,986.00
Payments/Credits		\$0.00
Balance Due		\$27,986.00

City of Basehor
KMIT - Workers Compensation Quote for 2010
 DRAFT - Based upon Estimated 2010 Payroll

<u>Classification</u>	<u>Class Code</u>	<u>Payroll</u>	<u>Modified Rate</u>	<u>Premium</u>
Street or Road Construction: Paving or Repaving & Drivers	5506	\$97,064	5.93	\$5,760
Sewage Disposal Plant Operation & Drivers	7580	\$82,009	3.12	\$2,558
Police Officers & Drivers	7720	\$442,206	3.66	\$16,171
Salespersons, Collections or Messengers - Outside	8742	\$75,815	0.46	\$345
Clerical Office Employees NOC	8810	\$360,979	0.25	\$897
City Council Members & Mayor	8810	\$42,000	0.25	\$104
Park NOC: Employees & Drivers	9102	\$3,058	3.56	\$109
Totals:		\$1,103,131		\$25,944

Make Checks Payable To:
 KANSAS MUNICIPAL INSURANCE TRUST

Send Payment To:
 Kansas Municipal Insurance Trust
 c/o UMB Bank
 Attn: Annette
 PO Box 5228
 Topeka, KS 66605

ExperienceMod:	1.19
Standard Premium:	\$30,873
Discount:	10%
Discounted Premium:	\$27,786
Expense Constant:	\$200
Annual Contribution:	\$27,986



300 SW 8th Avenue
Topeka, KS 66603
Telephone: (785) 354-9565
Fax: (785) 354-4186

November 13, 2009

**Kansas Municipal
Insurance Trust**

Board of Trustees

Sharon Brown
President
Clay Center

Steve Archer
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Bobby Busch
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El Dorado

Doug Gerber
Goodland

Mac Manning
Peabody

Don Moler
Executive Director
Ex Officio

Don Osenbaugh
Pool Administrator

Mary Mogle
City of Basehor
PO Box 406
Basehor, KS 66007-

Dear Mary:

Enclosed you will find workers' compensation claims reports for the City of Basehor. These reports are through Sept 30, 2009.

If you have any questions or concerns regarding these reports, please contact Marla, at 1-800-288-6732 ext. 6277 or kmitclaims@imacorp.com.

Sincerely,

Deanna Myers
KMIT Office Administrator/Agent

Enc.

Open / Closed Summary by City, Policy Year

Valued as of: 09/30/2009

Policies from 01/01/1994 to 12/31/2009

City Of Basehor

Policy Year	Open				Closed		Total		
	Cnt	Net Paid	OS Reserve	Net Incurred	Cnt	Closed	Cnt	Net Incurred	Net Paid
2000	0	0.00	0.00	0.00	1	258.88	1	258.88	258.88
2001	0	0.00	0.00	0.00	1	2,291.76	1	2,291.76	2,291.76
2002	0	0.00	0.00	0.00	1	2,991.53	1	2,991.53	2,991.53
2003	0	0.00	0.00	0.00	2	2,691.95	2	2,691.95	2,691.95
2004	0	0.00	0.00	0.00	2	3,725.96	2	3,725.96	3,725.96
2006	0	0.00	0.00	0.00	2	11,755.43	2	11,755.43	11,755.43
2007	0	0.00	0.00	0.00	1	18,951.35	1	18,951.35	18,951.35
2008	0	0.00	0.00	0.00	2	2,869.83	2	2,869.83	2,869.83
2009	0	0.00	0.00	0.00	1	0.00	1	0.00	0.00
	0	0.00	0.00	0.00	13	45,536.69	13	45,536.69	45,536.69



Important Information About Your Workers Compensation Insurance

Dear Policyholder:

The National Council on Compensation Insurance, Inc. (NCCI), headquartered in Boca Raton, Florida, is the nation's largest information company serving the workers compensation marketplace. We provide information services to state funds, self-insureds, independent bureaus, insurance agents, regulatory authorities, insurance companies, and employers like you.

A copy of your current experience rating worksheet is enclosed. NCCI calculates your rating annually on behalf of the insurance industry. The experience rating modifier, detailed on this worksheet, is one of the factors used to calculate your workers compensation insurance premium. A copy of your worksheet will be sent to you each year as part of NCCI's continuing efforts to increase employer awareness of safety in the workplace and its impact not only on your employees, but on your bottom line. Please remember, SAFETY in the workplace is one of the best ways to reduce workers compensation insurance costs.

Your experience rating factor can be found in the bottom right corner of the summary. A factor higher than 1.00 means your premium will be higher than that of the average company in your category. For example, a factor of 1.10 means your base premium will be surcharged 10 percent. A factor of .90 means you have earned a 10 percent credit on your base premium.

Many items impact your final experience factor, including your payroll classification(s), your payroll, the frequency of injuries to your employees, and the dollar value of those injuries (the amount of medical and lost wage benefits paid to your injured employees as well as the amount of money held in reserve to pay continuing benefits). This information is reported to NCCI annually by your insurer.

If you have any questions regarding your experience rating, you should contact your insurance agent or insurance company for assistance. It is also recommended that you retain this worksheet for your files and for comparison to future annual calculations.

WORKERS COMPENSATION EXPERIENCE RATING



Risk Name: BASEHOR CITY OF

Risk ID: 150451523

Rating Effective Date: 01/01/2010

Production Date: 11/12/2009

State: KANSAS

15-KANSAS

Firm ID:

Firm Name: BASEHOR CITY OF

Carrier: 32875

Policy No. 112BAS

Eff Date: 01/01/2006

Exp Date: 01/01/2007

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	U OF	Act Inc Losses	Act Prim Losses
5506	2.13	.15	73,660	1,569	235	06027431	6 F	58	58
7580	1.34	.16	65,692	880	141	06027397	9 F	9,201	5,000
7720	1.55	.16	267,399	4,145	663				
8810	.11	.20	203,866	224	45				
8831	1.15	.20	11,476	132	26				
9102	1.62	.20	1,560	25	5				
9410	2.19	.20	33,549	735	147				
Policy Total:			657,202	Subject Premium:	17,204	Total Act Inc Losses:		9,259	

15-KANSAS

Firm ID:

Firm Name: BASEHOR CITY OF

Carrier: 32875

Policy No. 112BAS

Eff Date: 01/01/2007

Exp Date: 01/01/2008

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	U OF	Act Inc Losses	Act Prim Losses
5506	2.13	.15	88,634	1,888	283	07032273	9 F	45,335	5,000
7580	1.34	.16	72,547	972	156				
7720	1.55	.16	369,376	5,725	916				
8810	.11	.20	274,638	302	60				
8831	1.15	.20	14,423	166	33				
9102	1.62	.20	1,370	22	4				
9410	2.19	.20	34,385	753	151				
Policy Total:			855,373	Subject Premium:	23,372	Total Act Inc Losses:		45,335	

15-KANSAS

Firm ID:

Firm Name: BASEHOR CITY OF

Carrier: 32875

Policy No. 112BAS

Eff Date: 01/01/2008

Exp Date: 01/01/2009

Code	ELR	D-Ratio	Payroll	Expected Losses	Exp Prim Losses	Claim Data	U OF	Act Inc Losses	Act Prim Losses
0106	5.76	.15	1,417	82	12	08035441	6 F	1,217	1,217
5506	2.13	.15	103,247	2,199	330	08036370	6 F	1,552	1,552
7580	1.34	.16	82,076	1,100	176				
7720	1.55	.16	382,418	5,927	948				
8810	.11	.20	343,969	378	76				
8831	1.15	.20	15,577	179	36				
9102	1.62	.20	7,370	119	24				
9410	2.19	.20	0	0	0				
Policy Total:			936,074	Subject Premium:	25,263	Total Act Inc Losses:		2,769	

Copyright 1993-2009. All rights reserved. This experience modification factor is comprised of compilations and information which are the proprietary and exclusive property of the National Council on Compensation Insurance, Inc (NCCI). No further use, dissemination, sale, transfer, assignment or disposition of this experience rating modification factor or any part thereof may be used without the written consent of NCCI. NCCI makes no representation or warranty, expressed or implied, as to any matter whatsoever including but not limited to the accuracy of any information, product or service furnished hereunder and, as to NCCI, recipient of this experience rating modification factor subscribes to and utilizes the information service "as is"

* Total by Policy Year of all cases \$2000 or less
C Catastrophic Loss

D Disease Loss
E Employers Liability Loss

X Ex-Medical Coverage
Limited Loss

U USL&HW

**Part I****Introduction**

- ▶ Why Overcharges Occur
- ▶ Payroll
- ▶ Classifications
- ▶ Experience Modification
- ▶ Typical Client

Part II**What You Need to Know**

- ▶ Warning Signs
- ▶ Prepare for the Audit
- ▶ How we are Paid
- ▶ Industries Overcharged

Part III**Getting Started**

- ▶ Self Insurer Needs
- ▶ Required Paperwork
- ▶ Expert Witness
- ▶ Links
- ▶ Temp Agencies
- ▶ Order Manuals
- ▶ Contact us

Classifications - The Good, the Bad, and the Ugly

Question:

What is the most common error that is made by insurance companies

Answer:

From our experience, the most common insurance company mistake is the addition of one or more new classifications to the payroll audit. This procedure, routinely employed by many auditors, violates the Workers Compensation policy Basic Manual, The Experience Rating Manual, and the standard workers compensation policy's own wording.

With very few exceptions, insurance premium auditors are not permitted to change a firm's classifications. Of course, if the classifications assigned to an employee don't fit the employer, the insurance carrier may endorse a change - but this must occur long before the premium audit and only after certain often ignored procedures are completed.

If your classes were changed by an auditor, then drop us a line at contact@zapcomp.com.

We will be glad to help

Narrative

Classifications are the insurance industry's way of lumping together employers with a similar likelihood of claims. The rate that is assigned to each classification anticipates those claims, plus insurance company overhead and profit.

Since rates anticipate future claims, they must come from a base large enough to provide statistically valid conclusions. If that base is too small, then the rates will not closely match claims. The only way to insure a large enough rate base is to limit the number of classifications that are available. This is the underlying rationale for the workers compensation classification system.

Since no two business are identical, all employers are funneled into one or more of the approximately 600 available classes. By definition, the classes that are assigned to an employer can only approximate the operations of that business. Further refinements, such as the experience modification, adjust the final premium to match the policyholder's anticipated claims.

The general rule is to group employers with the same risk into similar classifications. Subject to several exceptions, the overall business of the employer within a state is classified and not the individual duties or operations of employees. The primary classification assigned to an employer is called the governing classification and usually (but not always) is the classification that contains the most payroll.

Because some workplace duties are common to all businesses, four exceptions to the governing class are permitted. Called Standard Exceptions, these include; 1) Clerical office employees (#8810) and clerical telecommuter employees (#8871), 2) Drafting (#8810) and telecommuter drafting (#8871), 3) Drivers (#7380), and 4) Salespersons (#8742).

The governing classification is assigned to a policy by state and by entity. If two or more entities are covered under a policy, then each is entitled to its own governing classification. (This is a loophole that, with a little bit of planning, can save some companies significant money.) Further, if a business operates in two or more states, each state is assigned its own governing class (another overlooked loophole.)

There are several exceptions to the governing class rule. Special rules apply for construction, employee leasing and temporary labor contractors, and farm operations. These businesses are not assigned a governing classification. Instead, employees are classified based on their specific jobs and duties.

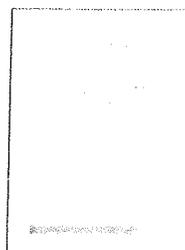
Some businesses may not have a classification that exactly describes their operations. For them, a classification is assigned that most closely describes the business.

A recent new rule, called the Interchange of Labor Rule, allows for the division of an employee's payroll between two or more classifications, subject to three conditions;

- All classifications that are used are appropriate to the jobs performed
- Payroll records exist that allocate wages between the different classes
- Division of payroll is not available with the standard exception classes (except drivers)

[Home](#) ◀

This section has provided a brief overview of the Workers Compensation classification system. For a more in-depth discussion of this and other Workers Compensation subjects, I suggest that you order a copy of [PRA's Premium Cost Cutting System](#). For more information, just click on the cover.



[Back](#)

[Next](#)

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CITY OF BASEHOR
P.O. BOX 406
BASEHOR, KS 66007
(913) 724-1370

Vendor: Kansas Municipal Insurance Trust Voucher: 09-022
 c/o UMB Bank Dated: 01/15/09
 P.O. Box 5228 Fund: General Admin
 Topeka, KS 66605 01-001-779 \$24,742.00

Invoice #	Description	Amount
	2009 Deposit on Workers' Compensation Insurance	\$24,742.00

APPROVED CITY COUNCIL MEETING 01/05/09

TOTAL CHECK AMOUNT **\$24,742.00**

Journal Entry # _____

Check # _____

CITY OF BASEHOR

Agenda Item Cover Sheet

Council Agenda Item No. 8

Meeting Date: 1.25.10

TOPIC: Conditional Use Permit Request

ACTION REQUESTED: Consider request to approve of a conditional use permit for Consolidated Rural Water District #1.

NARRATIVE: A request has been made by Consolidated Rural Water District #1 to approve a conditional use permit to replace the existing water tower located near 155th Street and 24/40 Highway. Consolidated Rural Water District #1 wants to build a 1,000,000 gallon elevated tank to replace the existing 100,000 gallon elevated tank located on the existing site.

January 5, 2010 the planning commission approved the conditional use permit with five conditions. Conditions:

1. This conditional use permit shall be valid for a period of thirty (30) years with review periods every ten (10) years to reassure compliance from the date of publication.
2. The water storage facility shall be built per the site plans submitted.
3. There shall be no additional uses on or of the tower unless expressly authorized by the city.
4. The city shall have the final authorization of the color scheme and any wordage placed upon the water storage facility.
5. The water storage facility shall be constructed as either a composite or steel fluted tower as submitted by Consolidated Rural Water District #1.

Since the approved conditional use permit by the planning commission, the planning staff has recognized that the property of the proposed elevated water tank is located is not platted. The planning department recommends that the property of the proposed water storage facility shall be platted. This will clean up an unplatted property within the city limits.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mitch Pleak, City Engineer

ADMINISTRATION RECOMMENDATION:

Approve the conditional use permit with the approved conditions by the planning commission and the additional condition that the property of the proposed elevated water tank shall be platted.

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS:

Memo dated 1/15/10

Application Form

Staff Report

Site Plans

Sample Pictures

PROJECTOR NEEDED FOR THIS ITEM? NO

Revised 1-25-10

Ordinance No. 567

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT FOR REPLACEMENT AND ENLARGEMENT OF A WATER STORAGE FACILITY AT 1310 N. 155th STREET, CITY OF BASEHOR, KANSAS, FOR CONSOLIDATED RURAL WATER DISTRICT #1.

WHEREAS, under the Zoning Ordinance of the City of Basehor, Kansas, as amended, the Governing Body of the City of Basehor, Kansas, has the power to locate conditional uses in each zoning district by ordinance; and

WHEREAS, the City Planning Commission , after fully complying with the requirements of the ordinances of the City of Basehor, Kansas, held a public hearing on the 5th day of January, 2010 in the Basehor City Hall, Basehor, Kansas, the official date was published in the Basehor Sentinel; and

WHEREAS, the City Planning Commission, made findings that the proposed conditional use complies with all the applicable provisions of the City Ordinance, the proposed conditional use at the specified location will contribute to and promote the economic development, welfare, and convenience of the community; that the conditional use will not cause substantial injuries to the value of other property in the neighborhood in which it is located; and, that the conditional use will not dominate the neighborhood or be of such nature as to significantly impact other development in the neighborhood; and

WHEREAS, upon a motion made, duly seconded, and passed, the Planning Commission recommended that the City Governing Body issue a permit as a conditional use, on the property hereinafter described in accordance with the provisions of the Zoning Ordinance of the City of Basehor, Kansas;

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1: That, after considering the criteria for issuance of Conditional Use Permits set forth in the City's Zoning Regulations and as required by Kansas law, the recommendation by the City Planning Commission is adopted, and a conditional use permit shall be issued to permit the replacement and enlargement of a water storage facility for Consolidated Rural Water District #1 on the following described property:

A tract of land in the Southwest Quarter of Section 2 Township 11 South, Range 22 East, in the City of Basehor, Leavenworth County, Kansas, more fully described as follows: Beginning at a point 3030.4 feet South and (S89*50'29" W) 446.0 feet West from a point where the centerline of Highway #72 (24/40, State Avenue) intersects the North line of said Section 2, the point of beginning. Thence (S89*50'29"W) 208.0 feet, thence South 208.0 feet, thence (N89*50'29"E) 208.0 feet, thence North 208.0 feet to the point of beginning. Containing 1 acre, more or less;

Or more commonly known as 1310 N. 155th Street, Basehor, Ks.

Section 2: That the replacement and enlargement of the water storage facility shall be maintained in accordance with the provisions of the Zoning Ordinance of the City of Basehor, Kansas as well as all State and Federal rules and regulations and shall be subject to the following conditions:

1. This conditional use permit shall be valid for a period of thirty (30) years with review periods every ten (10) years, from the date of publication of this ordinance from the date of publication of this ordinance, to ensure compliance with the terms and conditions of the permit; and
2. The water storage facility shall be built per the site plans submitted.
3. There shall be no additional uses on or of the tower unless expressly authorized by the city.
4. The city shall have the final authorization of the color scheme and any other graphics, messages and/or wording placed upon the water storage facility.
5. The water storage facility shall be constructed as either a composite or steel fluted tower as submitted by Consolidated Rural Water District #1.

6. Land must be platted before construction commences.
Section 3: That this ordinance shall take effect and be in force from and after it's passage, approval, and publication in the official newspaper of the City of Basehor, Kansas as provided by law.

Passed by the Governing Body of the City of Basehor, Kansas this 25th day of January, 2010.

Terry Hill, Mayor

ATTEST:

MARY MOGLE, City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney

Memorandum

To: Mark Loughry
CC: Mary Mogle, Mr. Mayor and City Council
From: Mitch Pleak
Date: 1-15-10
Re: Consolidated Rural Water District #1 Conditional Use Permit

History

In 2003 Consolidated Rural Water District #1 (CRWD#1) began their planning process to replace the existing water tower, built in 1975, located near 155th Street and 24/40 Highway. CRWD#1 is planning to build a water tower with a capacity of 1,000,000 gallons and will replace the existing 100,000 gallon elevated tank located on the existing site.

11.24.09 Application for the conditional use permit

CRWD#1 submitted the application form for a conditional use permit to replace the existing 100,000 gallon elevated tank with a 1,000,000 gallon elevated tank. Due to the nature of the structure and use, the CRWD#1 also requested a permanent conditional use permit with no expiration date.

12.01.09 Planning Commission Meeting

The planning commission discussed the CRWD#1's conditional use permit for a 1,000,000 gallon water tower replacing the existing 100,000 gallon elevated water tower and scheduled a public hearing to be held on January 5, 2010. At this time the CRWD#1 had submitted the application form, legal description of property, and the site plan mandated by the planning and zoning department.

It was asked of the CRWD#1 to write a letter to the five communication entities near the proposed project to get written verification that there should not be any interference with the proposed property to the there own communications

The submitted plan consisted of 3 different water tower styles and the location of the structure. The three styles of tanks consist of concrete column composite, steel fluted column, and steel legged. The CRWD#1 asked the planning commissioners about their opinions on the three designs of the water towers. Stated in the minutes from Dec. 1 planning commission meeting. The preferred tower was the concrete column composite followed by the steel fluted column and then the steel legged.

Prior to the Planning Commission Meeting scheduled 1.5.10

The planning staff had requested more detailed information pertaining to the exact tank being proposed for the conditional use permit from the CRWD#1.

1.5.10 Planning Commission Meeting and Public Hearing

4 out of the 5 communication carriers on the cell tower confirmed no effect concerning coverage with the proposed water tower.

The planning department did not receive additional information pertaining to the exact tank being proposed. According to the CRWD#1's Engineer, the CRWD#1 had submitted all appropriate information for the conditional permit.

The staff recommended to the planning commission to table the conditional use permit to the next planning commission meeting in February due to the lack of requested information from the CRWD#1 prior to the January 5, 2010 planning commission meeting. This would allow time to establish conditions to the conditional use permit.

The planning commission had asked CRWD#1 why an exact tank was not proposed in the site plan. The CRWD#1's engineer concluded by bidding the 3 different water towers would enable more competitive bidding to the project. Once the bidding process was completed the CRWD#1's board would choose the most viable water tower for the project. The key factors selecting the type of water tower includes overall construction cost and economical life cycle cost.

The planning commission asked the planning staff to describe such conditions that might be implemented to the permit. The planning staff response:

- Exact type of tower proposed
- Exact location on the property where the tank will be placed
- The city must approve all colors and schemes associated with the tank
- All communication devices added to the tower must be approved by the City.

The planning commission discussed and passed the conditional use permit with five conditions.

1. This conditional use permit shall be valid for a period of thirty (30) years with review periods every ten (10) years to reassure compliance from the date of publication.
2. The water storage facility shall be built per the site plans submitted.
3. There shall be no additional uses on or of the tower unless expressly authorized by the city.
4. The city shall have the final authorization of the color scheme and any wordage placed upon the water storage facility.
5. The water storage facility shall be constructed as either a composite or steel fluted tower as submitted by Consolidated Rural Water District #1.

Recommendations

Since the January 5, 2010 planning commission, the planning staff has discovered an additional item for consideration on the conditional use permit. In addition to the planning commission's conditions, I propose to add the following condition to the permit: The property of the proposed water storage facility shall be platted. This will clean up an unplatted property that is within the city limits.

It is my recommendation to approve the conditional use permit for Consolidated Rural Water District #1 with the approved conditions by the planning commission and the additional condition presented in this memo.

Respectfully,

Mitch Pleak

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



APPLICATION FORM

Project Name & Description Elevated Water Storage Tank		Total Site Acreage 1.0 Acres	Present Zoning CP-2-Special Use
Legal Description (May be attached as separate sheet) See Attached		Proposed Zoning CP-2-Conditional Use	
Project Address / General Location 1310 N 155th Street/ 446' West of 155th Street and 3,030 South of Parallel		Presubmittal Date	
Parcel ID Number (CAMA Number) 1810200000019000		Floor Area Classification	
Property Owner Name Consolidated Rural Water District No. 1 Leavenworth County	Phone 913-724-7000	Fax 913-724-1310	
Property Owner Address 15520 Crestwood Dr., PO Box 419	City Basehor	State KS	Zip 66007
Applicant's Name (if different from above) Mike Fulkerson, Manager	Phone	Fax	
Applicant's Address	City	State	Zip
Applicant's mobile phone 913-208-6656	Property Owner and/or Applicant's E-mail address mfulkerson@crwd1.com		

APPLICATION TYPE	
<input type="checkbox"/> Annexation	<input type="checkbox"/> Preliminary Development Plan (Submit Sheet A)
<input type="checkbox"/> Rezoning (Submit Sheet A)	<input type="checkbox"/> Final Development Plan (Submit Sheet A)
<input checked="" 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 type="checkbox"/> Final Plat / Replat

PROJECT INFORMATION	
Existing Use <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input type="checkbox"/> Vacant <input checked="" type="checkbox"/> Other	100,000 Gallon Elevated Tank
Proposed Use <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Office <input type="checkbox"/> Agriculture <input checked="" type="checkbox"/> Other	1,000,000 Gallon Elevated Tank

COMPLETE THIS AREA IF APPLYING FOR SITE PLAN, CONDITIONAL USE PERMIT, AND PRELIMINARY OR FINAL DEVELOPMENT PLANS (in acres)			
Total Site Area 1.0 Acres	Existing Floor Area N/A	Existing Building Footprint Tank Legs - 50' diameter	Open Space Area Total Site Less Tank Footprint
No. of Buildings N/A	Proposed Floor Area N/A	Proposed Building Footprint Composite 36' dia. Fluted column 44' dia., Legged-75' dia	Pavement Coverage N/A

COMPLETE THIS AREA IF SUBDIVIDING PROPERTY			
Proposed Number of Lots N/A	Maximum Lot Size	Minimum Lot Size	Average Lot Size

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>Mike Fulkerson</u> Signature	<u>11-24-09</u> Date	Office Use Only <input type="checkbox"/> Filing Fee \$ _____ <input type="checkbox"/> Received by _____ <input type="checkbox"/> Attached Legal Description <input type="checkbox"/> Property Ownership List
--------------------------------------	-------------------------	--

STAFF REPORT

Date: December 1, 2009

Subject: Conditional Use Permit for Consolidated Rural Water District #1 replacement and upsizing of water storage facility and related equipment, located at 1310 N. 155th Street (approximately 1,425 feet north of the centerline of Highway 24/40 and 528 feet west of the centerline of 155th Street), Currently zoned "CP-2"- General Business.

File No: CUP-01-09

GENERAL INFORMATION

Applicant: Consolidated Rural Water District #1
Address: 15520 Crestwood Drive
P.O. Box 419
Basehor, KS 66007
Phone: 913-724-7000
Owner: Same as Above

SITE INFORMATION

Location: 1310 N. 155th Street (existing tower)
Zoning: "CP-2" General Business
Future Land Use Map: Commercial

STAFF ANALYSIS

Site Characteristics:

The site is approximately 1 acre in size located approximately 1,425 feet north of the centerline of Highway 24/40 and 528 feet west of the centerline of 155th Street. The property is currently in use as a water storage facility by Consolidated Rural Water District #1.

Character of Neighborhood:

The subject property is currently in use as a water storage facility. The surrounding property is generally undeveloped. The property to the north includes the Baptist Church zoned "R-O". Located directly east of the tower is B&B Garage zoned "CP-2". Located directly south of the tower is Suburban Water District Office zoned "CP-2". Land to the west is currently vacant but zoned as PR (Planned Residential). Properties in the area are currently accessed using 155th Street.

Conditional Use Permit CUP-1-09
Consolidated Rural Water District #1
Expansion of Water Storage Facility

Adjacent Property Zoning:

	<u>Zoning</u>	<u>Use</u>
North:	R-O	First Baptist Church
South:	CP-2	Office
East:	CP-2	B&B Garage
West:	PR	Future Tomahawk Valley Development

Conformance with the Comprehensive Plan:

Chapter 9 of the Comprehensive Plan addresses future development within the City. The plan states that "CP-2"-General Business zoning classification is identified as High Intensity use designed to accommodate larger anchor businesses and several smaller retail and services businesses. These commercial areas should be located at major intersections of collector and arterial streets.

Section 9- Building Design Criteria of the Commercial Development Guidelines states: Non-residential buildings should be designed to be architecturally integrated into any adjacent residential area and shall incorporate human scale design. Such design is proportioned to reflect pedestrian scale and movement, and to encourage interest at street level.

The proposed use is substantially in conformance with the Comprehensive Plan. Based on Appendix A of the Zoning Regulations, the proposed Water Storage facility is considered a Conditionally Permitted Use in the "CP-2" zoning district. However it may not be in conformance with the approved Commercial Development Guidelines in reference to building design criteria and building materials criteria as these guidelines are usually set forth by the storage facility manufacturers.

Conformance with the Future Land Use Map:

The Future Land Use Map outlines this area as a "Commercial District". The CP-2 zoning district is identified as a High Intensity use and Water Storage Facilities are a Conditionally Permitted Use in the "CP-2" zoning district. **The purposed Conditional Use Permit is in conformance with the Future Land Use Map.**

Traffic Impact:

The subject property is currently accessed from 155th Street. 155th Street is designed as an arterial in the Comprehensive Plan but is not improved to current arterial standards. This proposal would not generate any additional traffic onto 155th Street after construction is complete. **The Conditional Use Permit will have minimal effect on the existing street network.**

Drainage Impact:

The existing site drains to the north and northeast. There is no detention provided. The proposed Conditional Use Permit will have minimal impact on the run-off of storm water on this tract.

STAFF COMMENTS

The "CP-2" General Business zoning district allows water storage facilities as a Conditionally Permitted Use (see Appendix A of the Zoning Regulations). The proposed use is in substantial conformance with the Comprehensive Plan, the Future Land Use Map and the Zoning Regulations. However, a Conditional Use Permit application was submitted due to the fact that the site is located within the Commercial Development Corridor, which regulates the appearance of nonresidential buildings (see page 18 of the Commercial Development Guidelines).

Article 8-Supplementary District Regulations states:

1. LOT SIZE AND BULK REQUIREMENTS FOR PUBLIC UTILITY FACILITIES:

- A. Notwithstanding any other provision of these regulations, none of the following public utility or public service uses shall be required to comply with lot size requirements and bulk regulations of the Zoning District in which they are located:
- a. Electric and telephone substations and distribution systems
 - b. Gas regulator stations
 - c. Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves or other similar equipment for the transmission of electricity, gas, or water.
 - d. Pumping stations.
 - e. Radio, television and micro-wave transmitting or relay stations and towers.
 - f. Transformer stations.
 - g. **Water towers and standpipes.**

Conditional Use Permits are issued for a period of five (5) years. The existing tower has been in place for 34 years (since 1975) and is an integral part of Consolidated Rural Water District #1's water supply services to the residents of the City of Basehor. Staff recommends that the proposed C.U.P. be issued for

length of time extending beyond the limits imposed by the Zoning Regulations as this provides a key function in the water distribution system of CWD #1 and the residents of Basehor. The length of time needs to become part of the motion if the commission wishes to approve the request.

Section 11 of the Zoning Regulations states: A Conditional Use Permit shall not be granted unless specific written findings of fact directly based upon the particular evidence presented support the following conclusions.

1. the proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations, unless specifically exempted by the provisions elsewhere in these regulations. **The proposed use is a replacement and enlarging of the existing tower. It is in compliance with the Comprehensive Plan, the Future Land Use Map and the Zoning Regulations under conditionally permitted uses. It may not be in compliance with the Commercial Development Guidelines dependant on the type of storage facility chosen by CWD#1.**
2. The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public. **The proposed use is the replacement and enlarging of the existing tower. The additional storage capacity and related equipment will promote the convenience of better services provided by CWD#1 and to the residents within the City and surrounding areas.**
3. The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located. **The proposed use is the replacement and enlarging of the existing tower. The replacement and enlargement of the storage facility will not cause substantial injury to the value of the property in the neighborhood.**
4. The location and size of the conditional use, the nature and intensity of the operation involved or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will dominate the immediate neighborhood so as to prevent development and use of neighboring properties in accordance with the applicable zoning district regulations. In determining whether the special use will not dominate the immediate neighborhood, consideration shall be given to:
 - a. The location, nature and height of buildings, structure, wall and fences on the site. **An existing 6' chain link fence surrounds the existing tower and any additional equipment.**
 - b. The nature and extent of landscaping and screening on the site. **The Comprehensive Plan recommends a buffer between developments of different densities and uses. The addition of a landscape buffer may prove to be ineffective due to the**

height of the storage facility and an unnecessary cost to
CWD#1

- c. The number of employees and traffic generated by the proposed use. **The proposed plan will not create any additional traffic or require any permanent on site employees once construction is complete.**
- d. Off-Street parking and loading areas will be provided in accordance with the standards set forth in the regulations, and such areas shall be screened from adjoining residential uses and located as to protect such residential uses from any injurious effect. **No parking shall be required at the facility and no vehicles should access the facility except for regular maintenance and on site inspections. Parking shall be located inside the fenced location.**
- e. Adequate utility, drainage and other such necessary facilities have been or will be provided. **Adequate utilities, drainage and other facilities are located on the existing site.**
- f. Adequate access roads or entrance and exit drives will be provided and shall be so designated to prevent traffic hazards and to minimize traffic congestion in public streets and alleys. **There is an existing access road to the facility, but when the Tomahawk Valley Subdivision develops a new access from Garden Parkway will need to be included in the road construction plans.**

COMMISSION OPTIONS

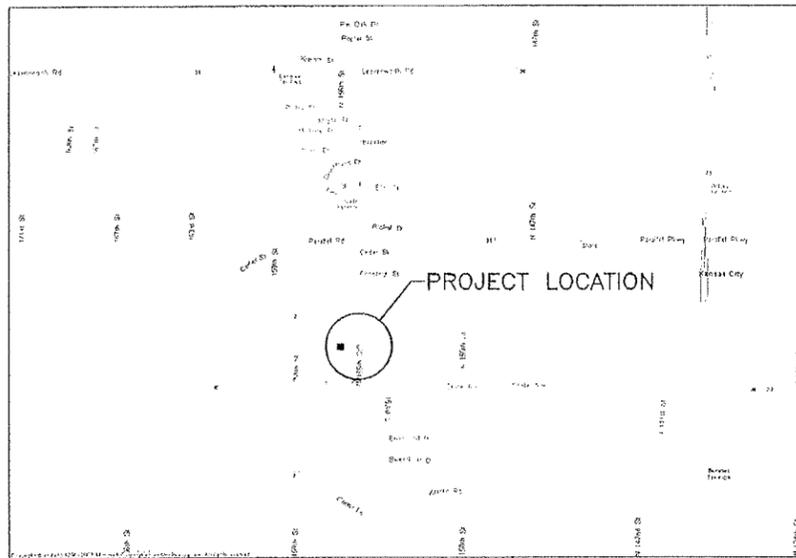
1. **Recommend approval to the City Council, with or without conditions.**
Approval was recommended to the City Council with 5 conditions.
2. **Recommend denial to the City Council.**
3. **Continue the Public Hearing to another date, time and/or place.**

CONSOLIDATED RURAL WATER DISTRICT NO. 1 DISTRICT NO. 1

LEAVENWORTH COUNTY, KANSAS ELEVATED WATER STORAGE TANK

DRAWING INDEX

- COVER SHEET
- 1 SITE PLAN
- 2 TANK ELEVATION DISPLAY



LOCATION MAP
N.T.S.

2009

CONSOLIDATED RURAL WATER DISTRICT NO. 1
LEAVENWORTH COUNTY, KANSAS

ELEVATED WATER STORAGE TANK

COVER SHEET

PONZER-YOUNGQUIST, P.A.
Consulting Engineers & Land Surveyors
227 E. Dennis Avenue
Olathe, Kansas 66061

Phone: (913)-782-0541
Fax: (913)-782-0109
Email: py@pyengineers.com



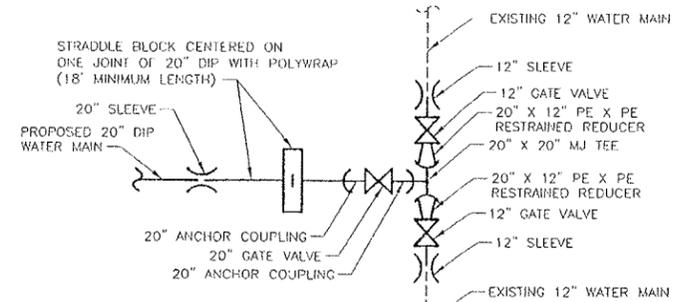
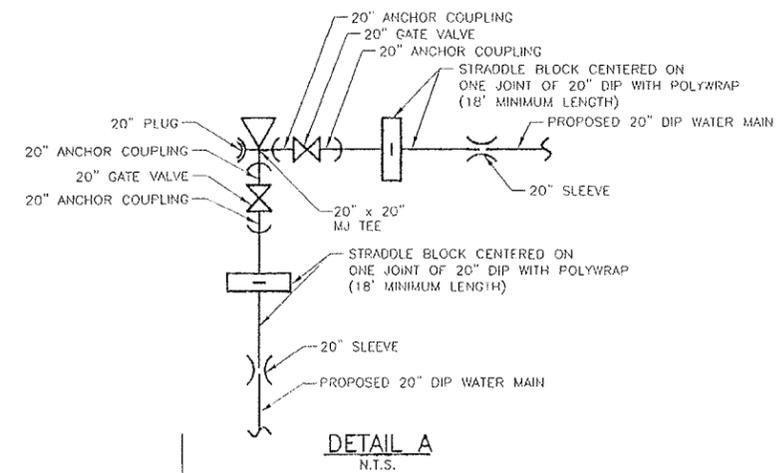
Designed By: JMC
Drawn By: MER
Checked By: JWB
Date: NOV/2009
Dwg File: COVER/COVER

By	Revision	Date



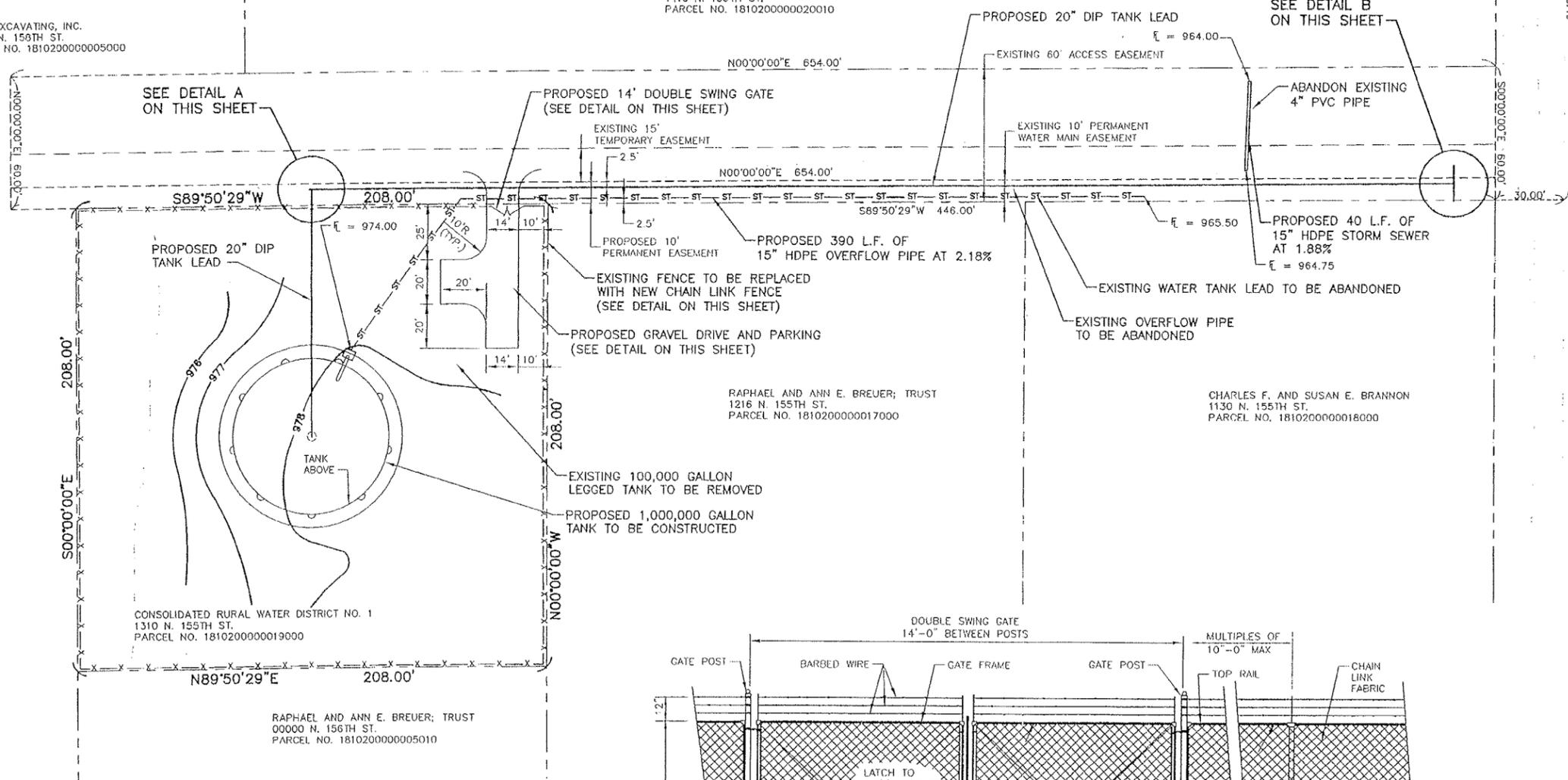
NORTH LINE, SECTION 2,
T11S, R 22E

SW COR., SW 1/4,
SEC. 35-T105-R22E



MILES EXCAVATING, INC.
00000 N. 158TH ST.
PARCEL NO. 1810200000005000

FIRST BAPTIST CHURCH
OF BASEHOR, INC.
1410 N. 155TH ST.
PARCEL NO. 1810200000020010



Legal Description
A tract of land in the Southwest 1/4 of Section 2, Township 11 South, Range 22 East in the City of Basehor, Leavenworth County, Kansas, more fully described as follows:

Beginning at a point 3,030.40 feet South and (S89°50'29"W) 446.00 feet from a point where the center line of Highway #72 intersects the North line of said Section 2, thence (S89°50'29"W) 208.00 feet; thence (South) 208.00 feet; thence (N89°50'29"E) 208.00 feet; thence (North) 208.00 feet to the point of beginning. Contains 1 acre more or less

AND also easement for construction, operation, and maintenance of water line, and access road to tower site above described, which easement is described as follows to wit:

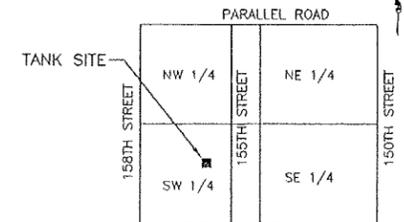
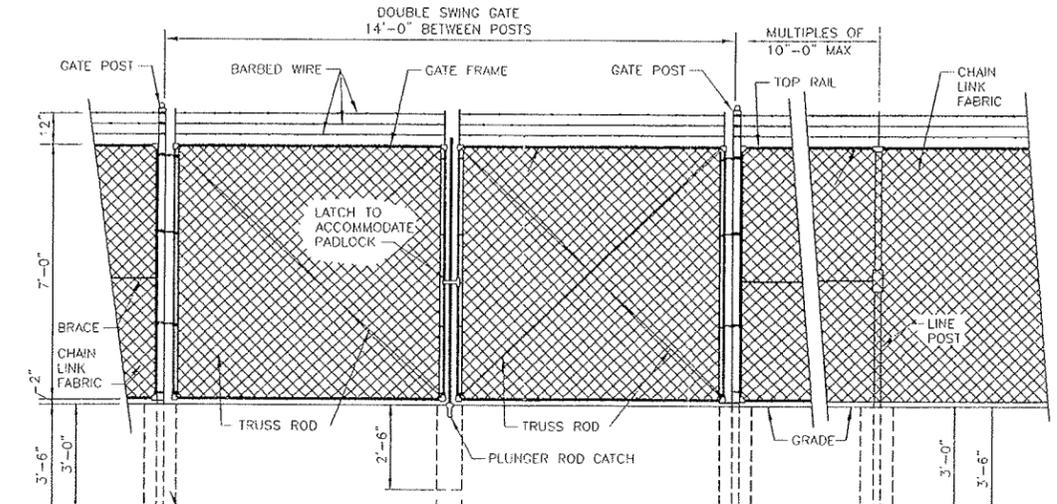
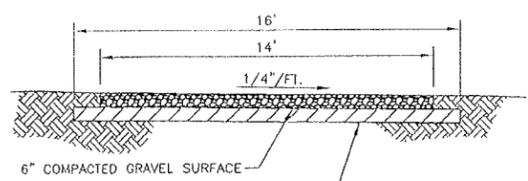
A tract of land in the Southwest Quarter of Section Two, Township Eleven South, Range Twenty-two East, described as follows:

Beginning at a point 3,030.40 feet South and 30.00 feet West from a point where the center line of Highway #72 (155th Street) intersects the North line of Section Two, this point also being the Southwest corner of the Southwest Quarter of Section Thirty-five, Township Ten South, Range Twenty-two East, the said point of beginning also being on the West right-of-way line of Highway #72; thence West 654 feet on the North line of properties conveyed to Robert Brock, Ray Breuer and Rural Water District No. 4, Leavenworth County, Kansas; thence North 60 feet; thence East 654 feet to West line of 155th Street, former Highway #72; thence South along the West line of said highway to place of beginning, together with right of ingress and egress over Grantors' adjacent lands for the purposes for which the above mentioned rights are granted. The easement hereby granted shall not exceed 60 feet in width, with water line construction restricted to the South 10 feet of above described permanent easement with an additional 15 feet adjacent thereto on the North side for temporary easement for construction of water line. Easement on North 50 feet shall terminate if the property is dedicated and becomes public street

OWNER
CONSOLIDATED RURAL WATER DISTRICT
NO. 1, LEAVENWORTH COUNTY
15520 CRESTWOOD DR
P.O. BOX 419
BASEHOR, KS. 66007
PHONE: (913) 724-7000
FAX: (913) 724-1310
MIKE FULKERSON - MANAGER

ENGINEER
PONZER-YOUNGQUIST, P.A.
CONSULTING ENGINEERS & LAND SURVEYORS
227 E. DENNIS AVE
OLATHE, KS. 66061
PHONE: (913) 782-0541
FAX: (913) 782-0108

- LEGEND**
- EXISTING PROPERTY LINE
 - EXISTING PERMANENT EASEMENT
 - EXISTING UNDERGROUND ELECTRIC
 - EXISTING POWER PEDESTAL
 - EXISTING GUY WIRE
 - EXISTING POWER POLE
 - EXISTING LIGHT POLE
 - EXISTING WATER VALVE
 - PROPOSED WATER VALVE
 - EXISTING WATER LINE
 - PROPOSED WATER MAIN
 - EXISTING FENCE LINE
 - X --- PROPOSED FENCE LINE
 - EXISTING TELEPHONE PEDESTAL
 - EXISTING TELEPHONE LINE
 - EXISTING MINOR CONTOUR
 - EXISTING MAJOR CONTOUR
 - 976 --- PROPOSED MINOR CONTOUR
 - ST --- ST --- ST --- ST --- PROPOSED STORM SEWER



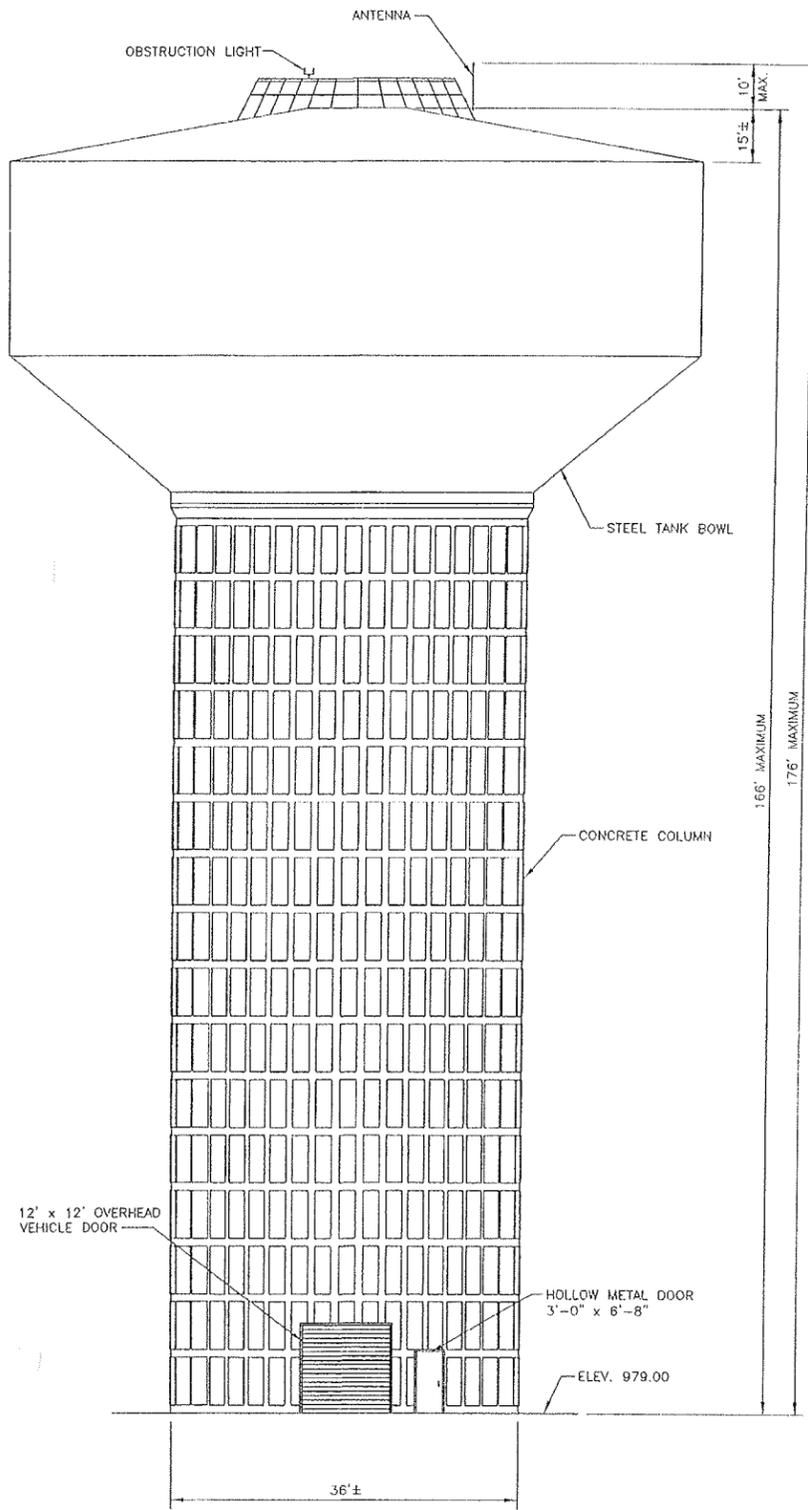
CONSOLIDATED RURAL WATER DISTRICT NO. 1
LEAVENWORTH COUNTY, KANSAS
ELEVATED WATER STORAGE TANK
SITE PLAN

PONZER-YOUNGQUIST, P.A.
Consulting Engineers & Land Surveyors
227 E. Dennis Avenue
Olathe, Kansas 66061
Phone: (913)-782-0541
Fax: (913)-782-0108
Email: py@youngquist.com

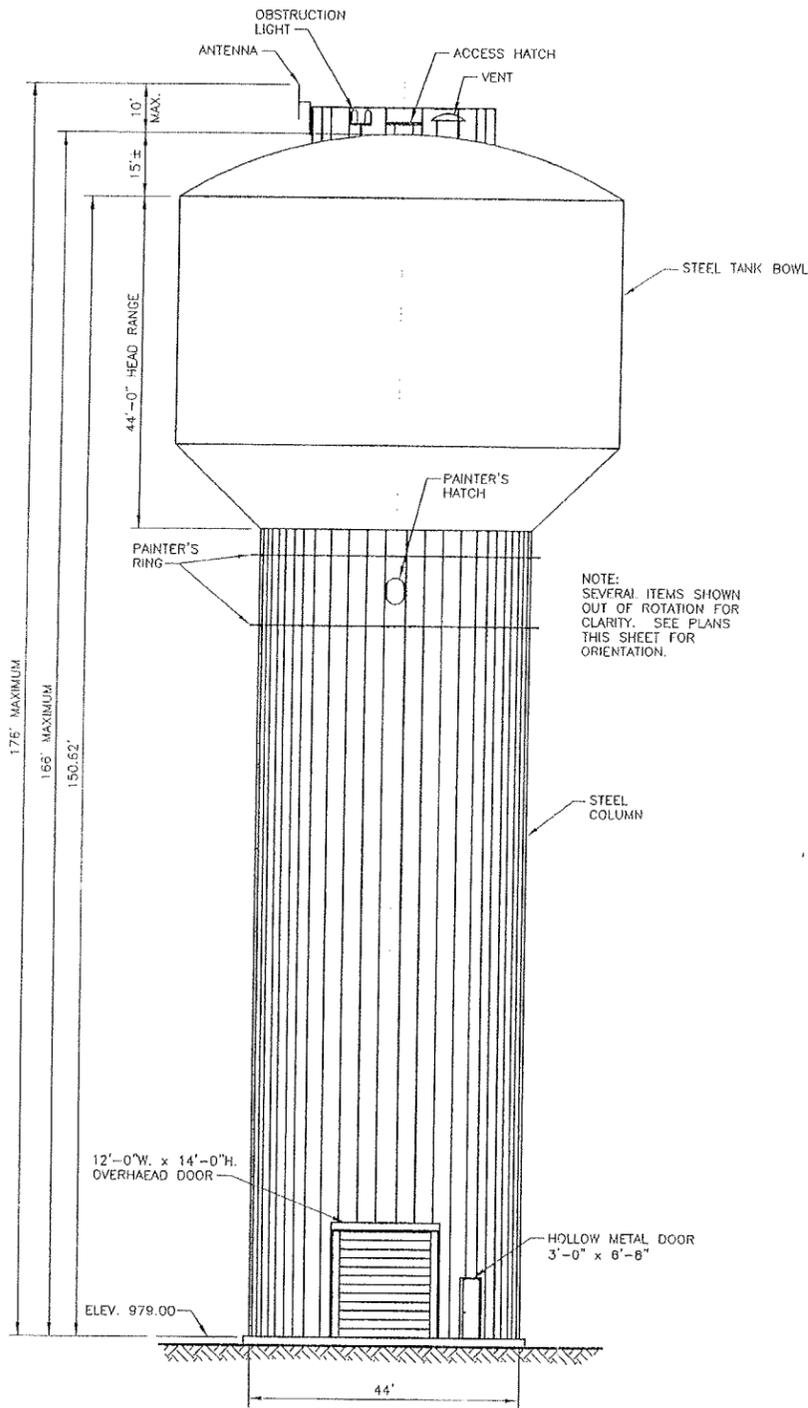
DESIGNED BY: JVB
DRAWN BY: MFR
CHECKED BY: JVC
DATE: NOV/2009
DWG FILE: TANK SITE/CC PLAN

Revised: _____
Date: _____

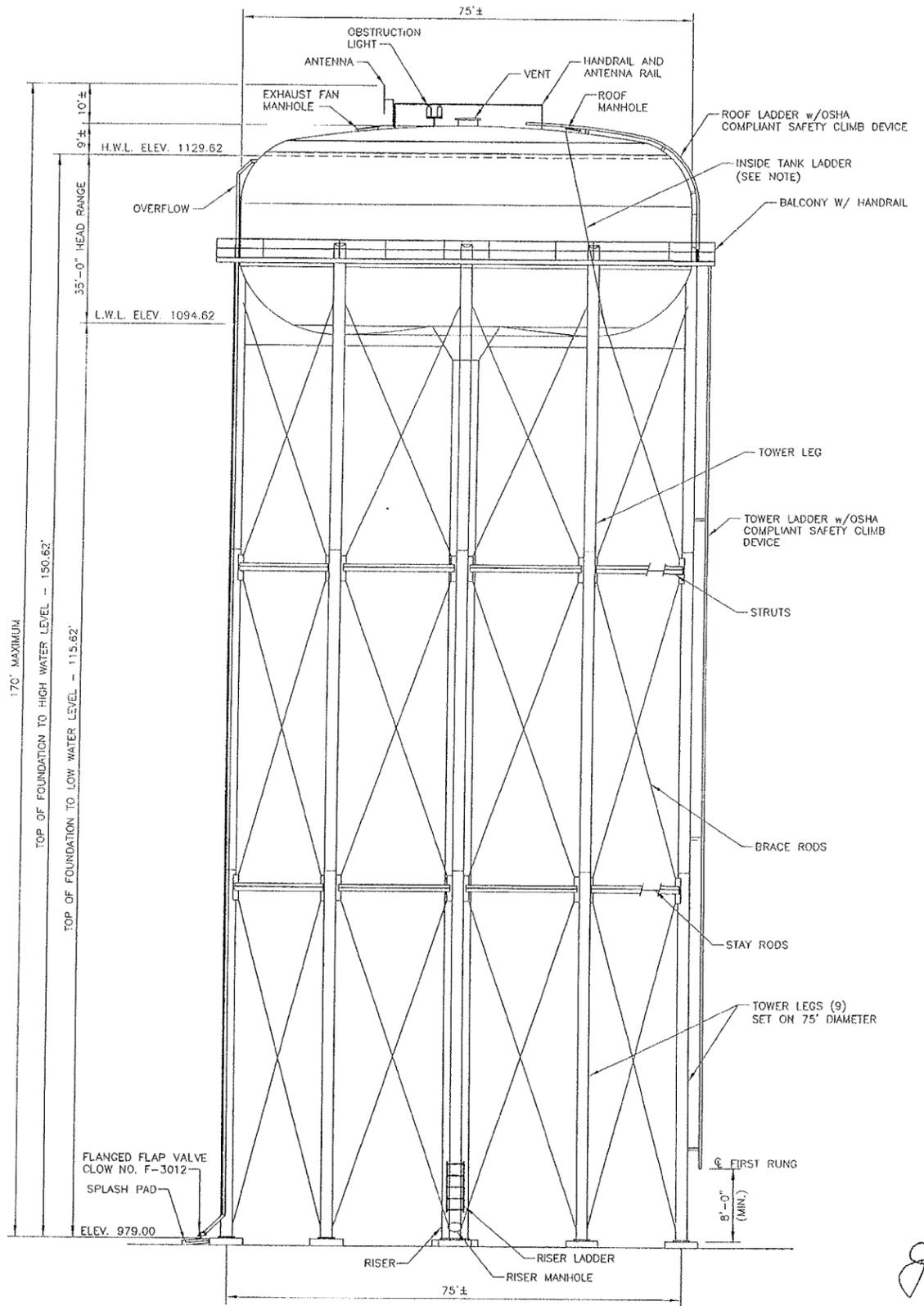
No. _____
Professional Engineer
KANSAS
8312



COMPOSITE TANK



STEEL FILTER COLUMN TANK



CONSOLIDATED RURAL WATER DISTRICT NO. 1
LEAVENWORTH COUNTY, KANSAS
ELEVATED WATER STORAGE TANK
TANK ELEVATION DISPLAY

PONZER-YOUNGQUIST, P.A.
Consulting Engineers & Land Surveyors
227 E. Dennis Avenue
Olathe, Kansas 66061
Phone: (913)-782-0541
Fax: (913)-82-0109
Email: py@pyengineers.com

py

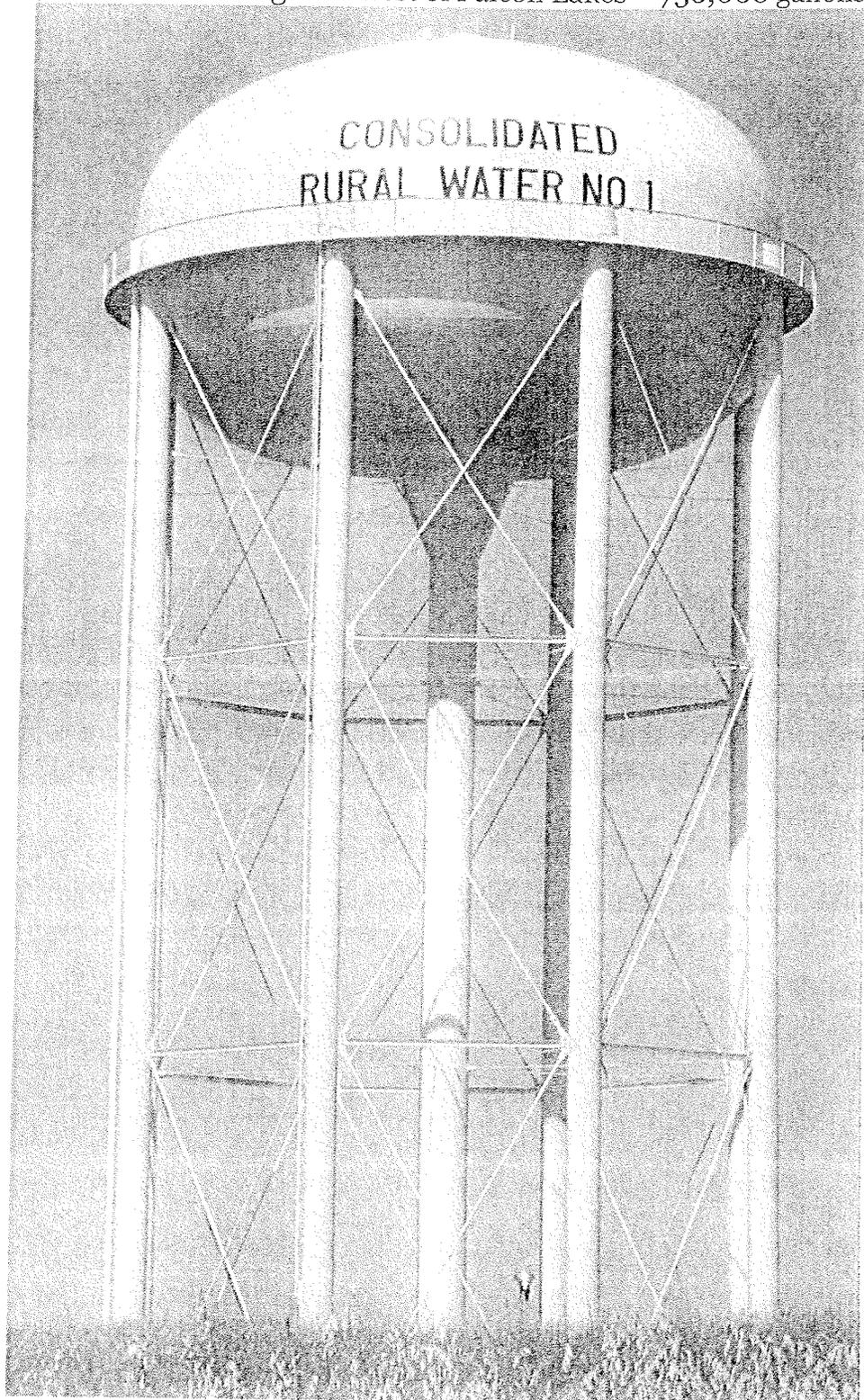
Designed By:	JWC
Drawn By:	MER
Checked By:	JWB
Date:	NOV. 2009

By: _____
Revision: _____
Date: _____
No: _____

Professional Engineer
KANSAS
8312

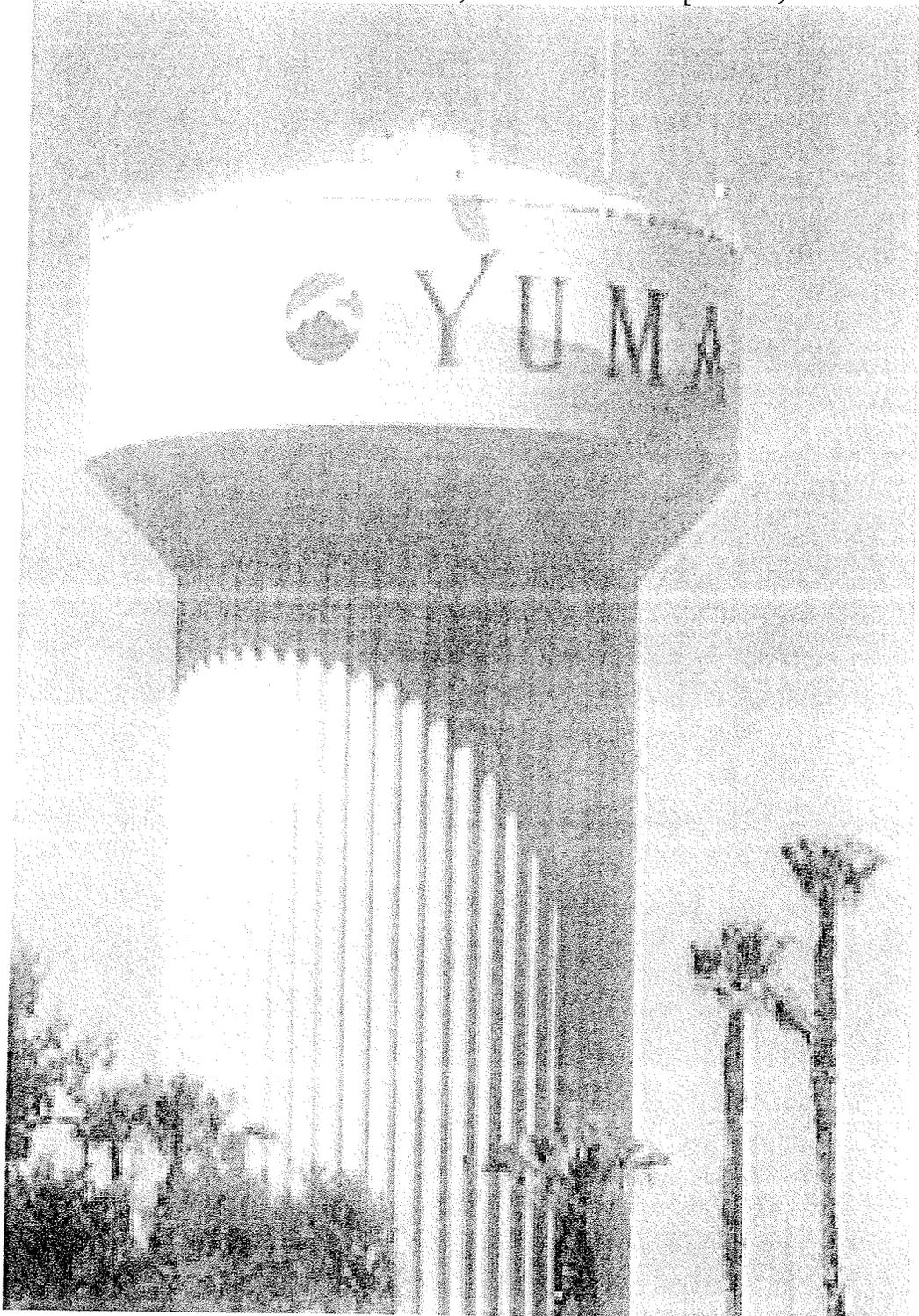
Legged Tank

(This is the existing tank west of Falcon Lakes – 750,000 gallons)

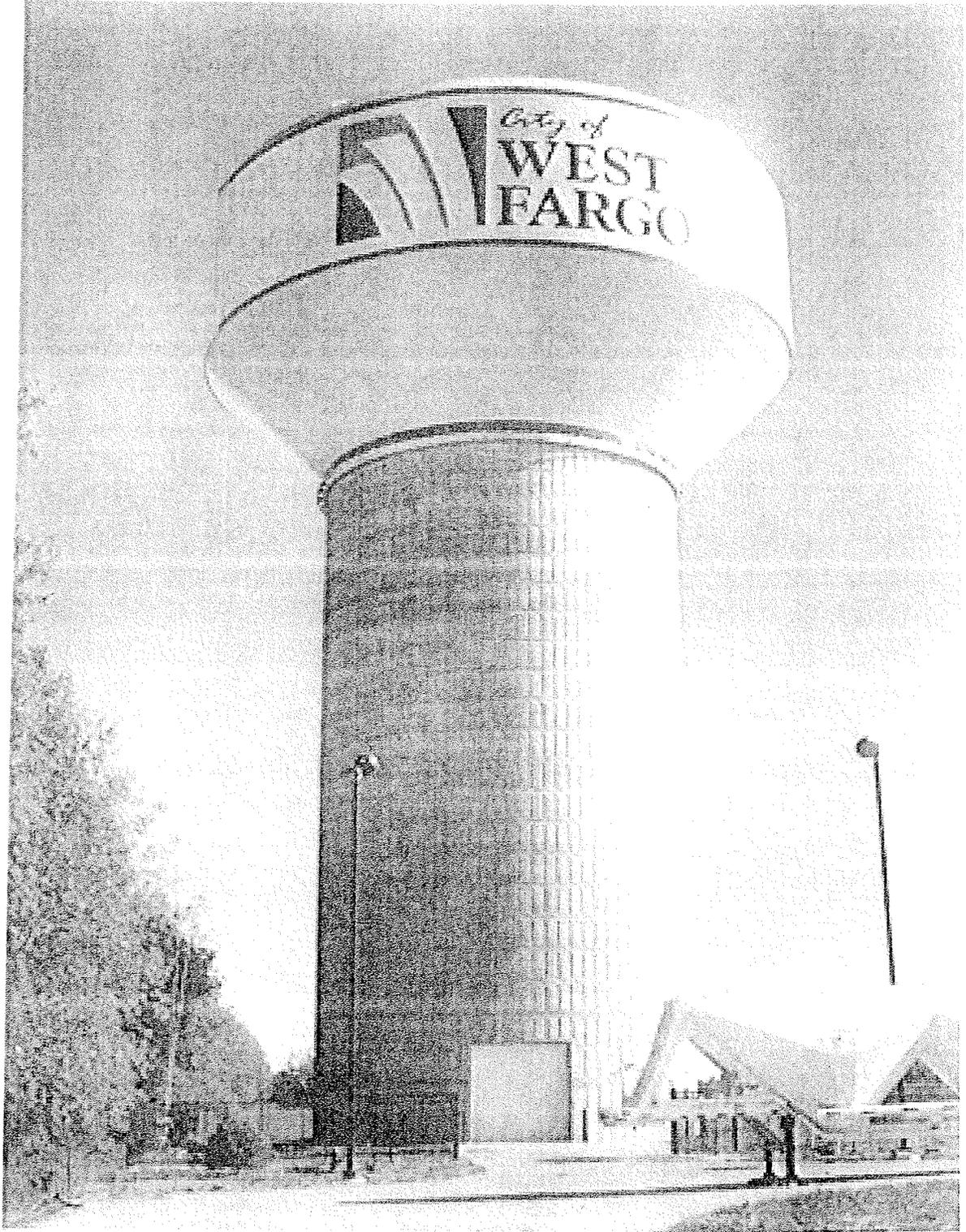


HydroPillar

(All Steel Construction, entire surface is painted)



Composite Tank
(Concrete Base with a Steel Bowl on Top)



CITY OF BASEHOR

Agenda Item Cover Sheet

Council Agenda Item No. 9

Meeting Date: 1/25/2010

TOPIC: Letter of Support, South Side Village Apartments

ACTION REQUESTED: Consider letter of support for developer to apply for Affordable Housing tax credits to construct apartments located at 155th and Pinehurst Drive.

NARRATIVE:

Garrison Development Company would like to construct a planned affordable family housing project located on four acres at 155th & Pinehurst Drive. They are requesting the City of Basehor provide a Letter of Support so they can apply for State Tax Credits.

PERSON/STAFF MEMBER(S) MAKING PRESENTATION:

Mark Loughry, City Administrator

ADMINISTRATION RECOMMENDATION:

Staff recommends providing Letter of Support

COMMITTEE RECOMMENDATION(S):

ATTACHMENTS:

Project Narrative, Map, Brochure

PROJECTOR NEEDED FOR THIS ITEM? No

EXHIBIT C

RESOLUTION

WHEREAS, the City of Basehor, Kansas has been informed by Garrison Development Company that a housing tax credit application will be filed with the Kansas Housing Resources Corporation for the development of affordable rental housing to be located at 155th Street and Pinehurst Drive, Basehor, Kansas with a legal description as follows:

Insert Legal Desc.

WHEREAS, this housing development will contain 48 units;

WHEREAS, the units will be targeted to families;

WHEREAS, the development will be new construction;

WHEREAS, the property will have the following amenities: On-site laundry, community room, surface parking, green area with picnic tables and BBQ grill, bike rack and playground with equipment. All units have a range, dishwasher, refrigerator, air conditioning and washer/dryer hookups.

NOW, THEREFORE, BE IT RESOLVED by the City of Basehor's Governing Body that we support and approve the development of the aforesaid housing in our community, subject to city ordinances and the building permit process. This resolution is effective until January 22, 2012. In the event that any of the characteristics mentioned above should change prior to the issuance of a building permit, this resolution is null and void.

ADOPTED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR, this _____ day of _____, 20 __.

, Mayor

ATTEST:

, City Clerk

SEAL



South Side Village Apartments Project Narrative

The South Side Village Apartments is a planned affordable family housing project to be located on four acres at 155th and Pinehurst Drive in the County of Leavenworth, City of Basehor, Kansas. The development will be new construction.

The two-story garden style apartments consist of 48 apartments. There will be 8 one-bedroom apartments, 24 two-bedroom, and 16 three-bedroom apartments. Amenities include on-site laundry, community room, surface parking, green area with picnic tables and BBQ grill, bike rack and playground with equipment. All units have a range, dishwasher, refrigerator, air conditioning and washer/dryer hookups.

The rents will cater to residents making 60% of the area's median income. The project will provide all-electric utilities. The landlord will pay for sewer, water and trash. The units will be offered at approximate rental rates as follows:

	<u>60% AMI</u>
1BR:	\$530
2BR:	\$615
3BR:	\$675

The market study and area comparisons indicate this project will be a success due to demand, a strong amenity package, and extremely affordable rents. Project costs will total approximately \$7.6 million, to be made possible by equity generated from the sale of Low-Income Housing Tax Credits and a construction/perm loan from a private lender. The project currently has a financing gap to fill based on low syndicator pricing. It is anticipated that this gap will be filled with future stimulus dollars, or increased pricing in the near future. The project owner is Basehor Housing Partners, L.P. and the General Partner is Basehor Housing Corporation, Garrison L. Hassenflu, President. Mr. Hassenflu is President of Garrison Development and Garrison Management. He has over twenty years experience in development and has a portfolio of seventeen projects totaling 1,100 apartment units that he has built and managed in the last twelve years.

Construction is expected to commence approximately August 2010 and be completed approximately June, 2011. Estimated lease-up time is 6 months.

DEVELOPMENT LAND

10-ACRES
FOR
SALE



GREAT LOCATION ACROSS FROM NEW WOLF CREEK MARKETPLACE

- Currently zoned for multi family, with ability to change
- Great visibility w/ over 25,000 cars passing by site daily
- Just across the street from new 44,000 SF grocery store
- Located in one of the fastest growing communities in Kansas
- Lot can be divided
- Motivated Seller

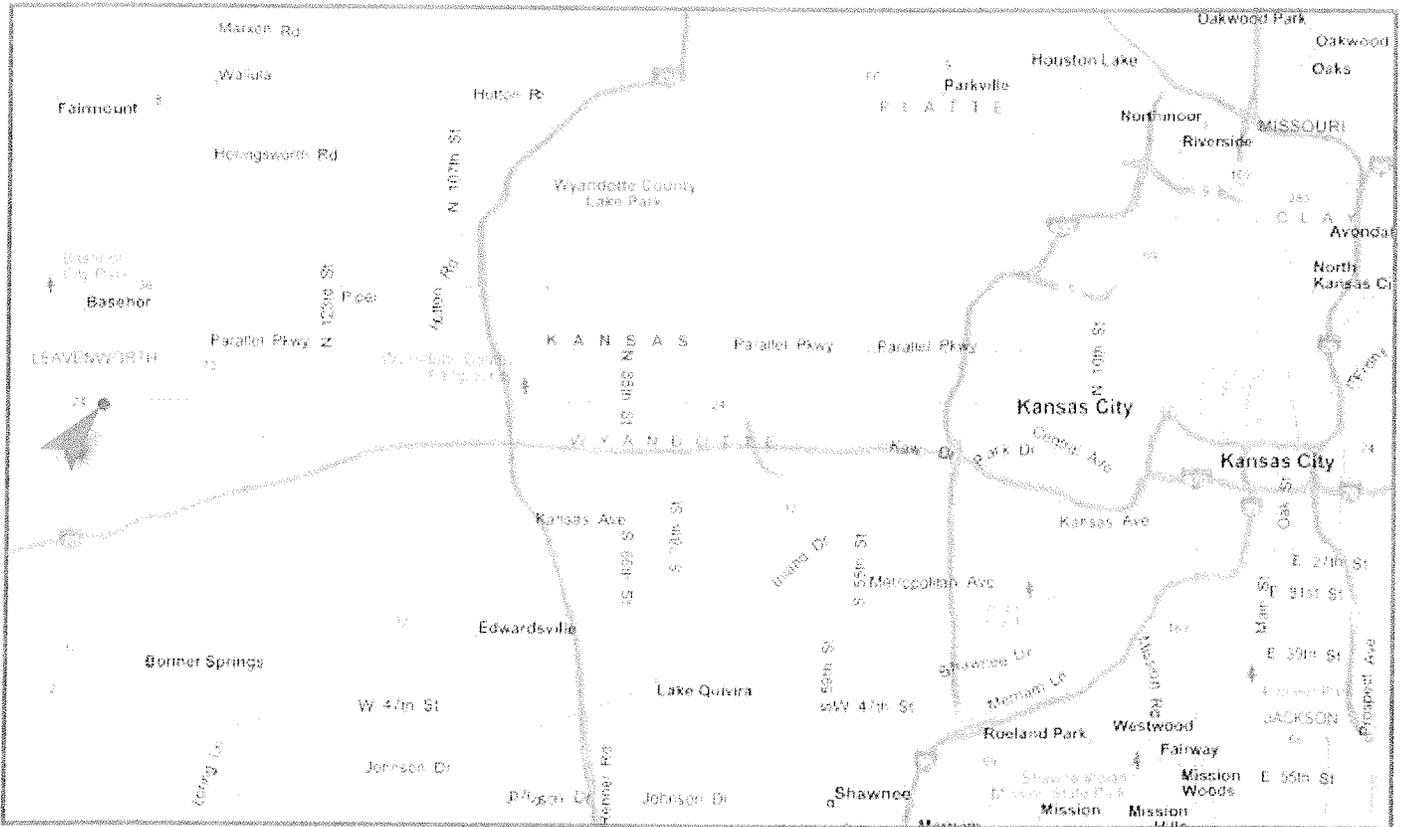
FOR MORE INFORMATION,
CONTACT:

Jared Frost

jfrost@pointcommercial.com

913.948.9222

**POINT**
COMMERCIAL



“Basehor can truly claim the best of several worlds, thanks to a rare combination of location and timing. With many areas developing within a short drive from downtown Kansas City, Basehor is in a position to benefit from its proximity to all parts of the metropolitan area. Significantly, the fifth-fastest growing community in the state has laid a foundation for what appears to be “its time.”

- Ingram's Destination Leavenworth County 2009-2010 Edition

ESTIMATED 2009 DEMOGRAPHICS

	POPULATION	HH INCOME
1 Mile	1,201	\$90,545
3 Mile	7,358	\$87,648
5 Mile	16,996	\$79,796

FOR MORE INFORMATION,

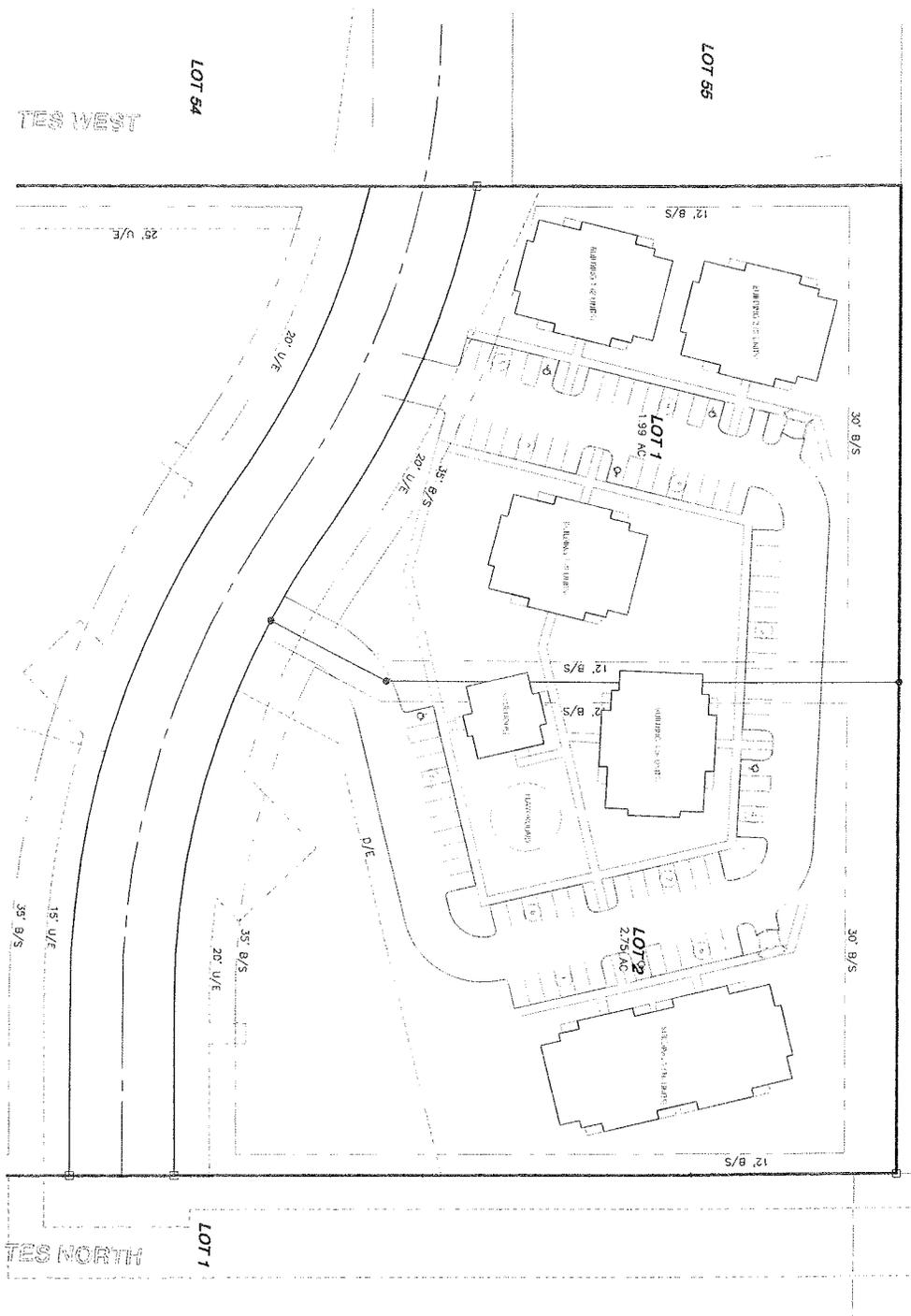
CONTACT:

Jared Frost

jfrost@pointcommercial.com

913.948.9222

1 SITE PLAN



PERFORMANCE STANDARDS
 1. All buildings shall be constructed in accordance with the applicable building code of the City of Basehor, Kansas.
 2. All buildings shall be constructed in accordance with the applicable fire code of the City of Basehor, Kansas.
 3. All buildings shall be constructed in accordance with the applicable health code of the City of Basehor, Kansas.
 4. All buildings shall be constructed in accordance with the applicable electrical code of the City of Basehor, Kansas.
 5. All buildings shall be constructed in accordance with the applicable plumbing code of the City of Basehor, Kansas.
 6. All buildings shall be constructed in accordance with the applicable mechanical code of the City of Basehor, Kansas.
 7. All buildings shall be constructed in accordance with the applicable energy code of the City of Basehor, Kansas.
 8. All buildings shall be constructed in accordance with the applicable accessibility code of the City of Basehor, Kansas.
 9. All buildings shall be constructed in accordance with the applicable safety code of the City of Basehor, Kansas.
 10. All buildings shall be constructed in accordance with the applicable environmental code of the City of Basehor, Kansas.

	PROJECT BASEHOR APARTMENTS 916 Hurst Drive Basehor, KS 66007
	PRELIMINARY DEVELOPMENT PLAN
CLIENT Garrison Development 1000 S. 10th Street Topeka, KS 66606 Phone: 785.326.1234 Fax: 785.326.1235	ARCHITECT Bersold - Ingerwood 1000 S. 10th Street Topeka, KS 66606 Phone: 785.326.1234 Fax: 785.326.1235
DATE 10/15/2010	SCALE 1" = 20'

Mary Mogle

From: Mark Loughry [cityadm@cityofbasehor.org]
Sent: Wednesday, January 20, 2010 1:03 PM
To: cityclerk@cityofbasehor.org
Subject: FW: Development
Attachments: Hassenflu, Gary (ghassenflu@garrisoncompanies.com).vcf

Mark Loughry, CPM
(913) 724-1370 ext 33
City Administrator
2620 N. 155th St.
P.O. Box 406
Basehor, KS 66007
cityadm@cityofbasehor.org
www.cityofbasehor.org

From: Gary Hassenflu [mailto:ghassenflu@garrisoncompanies.com]
Sent: Wednesday, January 13, 2010 1:20 PM
To: mayor@cityofbasehor.org
Cc: cityadm@cityofbasehor.org
Subject: Development

Mayor Hill,

I am a multi-family developer interested in a 50-unit workforce housing complex in the Wolf Creek area of your town. Please give me a call as soon as you can. I left you a vm a few minutes ago, but I hear you are out.

I have left a message with Mark Loughry, but I really wanted to get your take on my planned development. It would be a high-quality \$5MM investment in your community. I see where you have a tax rebate program, so I'd like to explore that incentive. I have built over \$120,000,000 worth of multi-family properties in the last 10 years. Feel free to review the below website. Since I have a state deadline for funding in three weeks, I'm very eager to hear back from you.

Garrison "Gary" Hassenflu
Garrison Development Company
Garrison Management Company
Garrison Construction Company
President
416 E. 3rd Street
Kansas City, MO 64106
direct. 816-474-4775
main. 816-474-4857
cell. 816-898-9285
fax. 816-474-4867
www.garrisoncompanies.com

Memo

Date: January 25, 2010

To: Mayor and City Council

From: Mark Loughry, City Administrator

Re: City Administrator's Report

Items included in the City Administrator's Report are as follows:

1. January 4, 2010 Work Session Minutes
2. January 5, 2010 Planning Commission Minutes
3. February 2010 Calendar of Events
 - a. February 15, 2010 regular meeting moved to Monday, February 22 due to the President's Day holiday.
4. Vendor Reports

Please feel free to contact me if you have any questions.

**Minutes
WORK SESSION**



**BASEHOR CITY COUNCIL
January 4, 2010
7:00 p.m.
Basehor City Hall**

Official Presiding: Mayor Terry Hill

Members Present: Pres. Jim Washington, David Breuer, Iris Dysart, Dennis Mertz,
Bill Moyer

Members Absent: None

Staff Present: Mark Loughry, Lloyd Martley, Mary Mogle, Gene Myracle, Mitch Pleak,
Patrick Reavey, Mark Lee

Newspaper Present: Kaitlyn Syring, *Basehor Sentinel*

The work session was called to order by Mayor Hill with all members present. The city attorney was in attendance.

1. Letter of Reference – Burns & McDonnell

Mr. Loughry submitted a letter of reference for Mayor and Council approval and asked if any changes needed to be made. Council recommended no changes.

2. Resolution pertaining to weed control on unplatted lots and water ways

Mr. Loughry advised he would begin to take a more proactive step to the weed control and asked Council for their input to remain with the current ordinance or adopt the proposed ordinance.

An acreage limit to the ordinance was suggested in reference to larger areas of land owned within the city limits. It was noted that the Miles property was harvesting hay and

was considered under the statute and that it is considered agricultural land. The Miles property is an example of a large unplatted property and is not a problem property. The current code is nuisance based and suggests the owner be required to mow a certain amount of ground around the property. It was questioned how the code shall be enforced for the unplatted lots.

The main concern for the mowing of unplatted lots was the lots neighboring residential areas. It was suggested to have conditions set to have the land owners mow a strip around the perimeter of large acreage areas if there is a neighboring residential property. Mr. Loughry stated that he believes it would be a good idea to mow the perimeters of the large unplatted lots to benefit the neighboring homes and to make the areas appear more appealing.

An example was made of the Historical society property at 158th and Parallel. The Historical society would have to mow twelve feet on Parallel and 158th street. A size limit of five acres or less was suggested for required cutting. It was advised to find out how many unplatted properties are in the city limits. It was suggested to take out the twelve feet and replace it with "right of way" for the ordinance.

The council will move forward with this item and propose a possible resolution to the current ordinance.

3. Request for reimbursement of fireworks permit fee.

In reference to the reimbursement of the fireworks permit for Basehor Baptist Church, it has been requested by the council that Basehor Baptist Church provide documentation proving that they are a 501 © non profit organization and that the profits from the sales did in fact go to the non for profit organization. Basehor Baptist Church did not apply for the permit in time to appear before the City Council prior to the issuance of the permit. The request currently held to go before the council is from Christina Millison.

Staff was directed to add this to the agenda only if documentation was provided.

4. Request from property owner at 14600 State Ave. to allow archery deer hunting.

Resident Joe Nick requested the council approve a special permit to allow archery hunting on his unplatted land located at 14600 State Avenue. Mr. Nick explained the deer were destroying his crops and causing accidents on 24/40 Hwy. Currently the City ordinance prohibits hunting in the city limits.

The council stated that if they were to allow archery hunting in the city it would be a city wide ordinance with specific regulations not just an ordinance pertaining to one residence.

Residents in the area have expressed concern and submitted a petition against the allowance of archery hunting in the city limits. The reasons behind the petition are that

they feel their safety and the safety of their neighbors are at risk. Mr. Maleta, a home owner on 150th Street whose land borders Joe Nick, was present at the work session and expressed a strong concern for the gun shots and the deer stands he has found in the areas surrounding his land.

Council requested expert testimony from the Kansas Game and Wildlife to possibly create a specific ordinance pertaining to archery hunting of deer in the city limits. A suggestion was made that if a specific ordinance were put into place that the owners of the property being hunted on shall make the property lines distinct as to show clearly where the property lines stop and start. It has been noted that certain surrounding cities do allow controlled hunting and have certain designated shooting zones and specific regulations regarding the ordinances.

Staff was directed to research programs and ordinances from Leavenworth, Shawnee, and other cities that allow hunting within their city limits and place on the next agenda for consideration.

5. Request from Prairie Gardens Homes Association to re-evaluate 24/40 Benefit District.

A request was made from Prairie Gardens Homes Association to adjust the way the special assessments are calculated for the 24/40 Sewer Interceptor.

Mr. Reavy stated that if the city were to move forward with this item it would be necessary to redo the entire benefit district. Mr. Loughry stated that any land currently not developable is being assessed. The Prairie Gardens land would not be the only properties affected. Mr. Loughry stated that it would be a substantial cost to the city to redo the benefit district. President Washington stated he does not believe it would be in the best interest of the city to redo the benefit district. He suggested Prairie Gardens HOA give the land back to the City since the property owners would still have to maintain the property to the center of the line.

The council will not move forward with this item.

6. Consolidated Rural Water District No. 1 – Conditional Use Permit

Consolidated Rural Water District No. 1 (CRWD) has requested a conditional use permit to upsize the current water tank located west of 155th Street and south of First Baptist Church of Basehor. The tank the CRWD wants to place is a 1,000,000 gallon tank as opposed to the current 100,000 gallon tank presently standing.

Mr. Loughry stated CRWD submitted three styles of towers with the planning commission choosing the concrete style water tower. Mr. Loughry stated some information was still lacking from CRWD to really consider every aspect of the tower. Mr. Loughry stated he is bringing this item up at this time to give the council an idea of what is going to be coming up in the future meetings. The CRWD still has to go before

the planning commission. At this time the CRWD does not have all the information together to bring this item before the planning commission.

Councilmember Breuer advised that the water districts have other options than putting up big towers above ground. Johnson County has an underground facility that is more eye appealing.

7. 2010 Worker's Compensation

The city administrator reported it was time to renew the City's Worker's Compensation insurance with KMIT for year 2010. Currently the city qualifies for a 10% discount for the 2010 year which has resulted in a \$3.087 savings. The premium for the insurance is calculated from estimated wages for 2010 and the number of claims in 2009. The premium for 2010 is \$27, 986 and is paid from the General Fund. Mr. Loughry stated that the City providing safety training assisted with receiving the discount. President Washington stated that the KMIT should be shown as part of the "Pie" at budget time.

The item will move to the next agenda for action.

8. Cedar Lakes Annexation Appeal

Mr. Reavey provided the council with an appeal response from the Cedar Lake Estates attorney. Once Mr. Reavey finalized his response, he will provide the documents to the Council.

Meeting adjourned 08:13 PM

Submitted for Council review this 1st day of February, 2010.

Mary A. Mogle, City Clerk

MINUTES
BASEHOR PLANNING COMMISSION
January 5, 2010
BASEHOR CITY HALL

NO WORKSESSION

PLANNING COMMISSION MEETING
7:00 P.M.

A. Call to Order

John Matthews, Chair, called the meeting to order at 7:00 p.m.

Pledge of Allegiance

B. Roll Call

Members Present: Commissioners Joe McArdle, Kevin Jones, Russell Jacobson, (arrived at 7:04 p.m.) John Matthews, Ed Bush, Jon Gallion, and Bob Harrison.

Staff Present: Mark Lee, Building Inspector/Code Officer, Mitch Pleak, City Engineer and Kathy Renn, Assistant City Clerk.

C. Approval of Minutes

A motion was made by Commissioner Jones and seconded by Commissioner Bush to approve the December 1, 2009 minutes. Chair Matthews asked for a vote. Motion passed, 6-0. Commissioner Jacobson was not present for vote.

D. Unfinished Business – None

E. New Business –

E1. Public Hearing – Conditional Use Permit, Consolidated Rural Water District No. 1, expanding current water storage tank from 100,000 gallons to 1,000,000 gallon storage capacity.

Chairman Matthews introduced the item and opened public hearing at 7:06 p.m.

Chairman Matthews asked if the applicant wish to speak.

Mike Fulkerson- CRWD No. 1 Operations Manager, Basehor, KS- Mr. Fulkerson reviewed an overall update on the Water Board's plans with the Planning Commissioners since the last planning commission meeting.

Mr. Fulkerson explained that they have heard from four out of the five entities about the construction of the tower not interfering and not being an issue. However they have not heard from T-Mobile.

Mr. Fulkerson stated that the Water Board has not decided on which design they have chosen due to the bidding process. They would like to wait to say which tower they will decide on so that they may receive a really good bid on the tower's construction.

Jim Challis- Ponzer & Younquist, Olathe, KS(Engineer Firm working with CRWD) – Explained to the Commissioners that the bidding process generally takes about three to four weeks. Mr. Challis asked Commissioners for favorable recommendation for City Council and so that it will not restrict the bidding process if the Commissioners recommended a certain style.

Mr. Lee goes over stipulations that could or could not be suggested. Commissioner Bush feels that the item should be tabled until the next Planning Commission meeting so that City staff and CRWD No. 1 could work together and agree on the conditions to be recommended and have the actual conditions brought back to the Commissioners at the next meeting.

Chairman Matthews asked if anyone wish to speak in favor of the item.

Mark S. Grube – 1410 N. 155th Street – Read a letter in favor of the expansion of the water Storage facility from the congregants of First Baptist Church of Basehor. The congregants stated that overall were in favor of a steel fluted column tank or a composite tank and eliminate the option of a legged storage tank. The congregants believed that the benefits of a more modern esthetically and architecturally pleasing facility as the neighbor of the Church would outweigh any potential increase in cost.

Chair Matthews asked if there was anyone to speak against the item. Hearing none Chair Matthews closed the public hearing at 7:45 p.m.

Planning Commissioners and Staff discussed conditions for the Conditional use permit to be included.

Mr. Lee suggested five conditions that should be required for the conditional use permit. These conditions include:

1. The tower is to be centered on the lot.
2. The length of time not to exceed fifteen years.
3. The City of Basehor would have any final say on color scheme or wording to be placed on the tower.
4. No additional uses on or of the tower unless expressly approved by the City.
5. The water facility shall be constructed as either a composite or steel fluted tower as submitted by Consolidated Rural Water District #1.

Commissioner's then had discussion about the conditions for the length of time to be included on the conditional use permit with the years in which it should be brought up for review.

Commissioner Harrison made the motion that the conditional use permit be granted with the following conditions:

1. The conditional use permit shall be valid for a period of thirty (30) years with the review periods every ten (10) years, from the date of submission of the permit.
2. The water storage facility shall be built per the site plans submitted.
3. There shall be no additional uses on or of the tower unless expressly authorized by the City.
4. The City shall have the final authorization of the color scheme and/or wording placed upon the water storage facility.
5. The water storage facility shall be constructed as either a composite or steel fluted tower as submitted by Consolidated Rural Water District #1.

Commissioner Bush seconded the motion. Chair Matthews asked for a vote. Motion carried 5-2 with Commissioners Jones and Commissioner Gallion voting no.

F. Open Agenda – None

G. Reports from Special Committees – None

H. Notices and Communications – Introduction of newly hired City Engineer/Planning Director – Mitch Pleak.

Mr. Pleak introduced himself and expressed how much he looked forward to working with fellow Planning Commissioners and with the City of Basehor.

I. Adjournment –

Commissioner McArdle made the motion to adjourn and Commissioner Jacobson seconded. There being no further discussion, the meeting was adjourned at 8:05 p.m. from Chair Matthews.

Submitted for approval with/**without** additions or corrections this 2nd day of February, 2010.

John Matthews, Chairperson

Katherine Renn, Planning Secretary

Check Register Report

Date: 12/18/2009

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
17310	12/18/2009	BLACKTOP P 11421	BLACKTOP PAVING & CONSTRUCTION 19-000-849	WOLF CREEK PKWY STREET CONST	231,190.24
				Check Amount	<u>231,190.24</u>
17311	12/18/2009	EFTPS 11422	EFTPS 01-000-202	FIT/SS/MEDI WITHHOLDING PYMT	3,655.06
			11422 01-000-205		1,157.10
			11422 01-000-204		4,947.58
				Check Amount	<u>9,759.74</u>
17312	12/18/2009	GRIFFIN/WI 11423	WILLIAM GRIFFIN 01-000-858	PAYROLL DIRECTED DEDUCTION	200.00
				Check Amount	<u>200.00</u>
17313	12/18/2009	KS DOR WTH 11424	KANSAS DEPARTMENT OF REVENUE 01-000-206	KS STATE WITHHOLDING PYMT	1,618.86
				Check Amount	<u>1,618.86</u>
17314	12/18/2009	KANSAS PAY 11425	KANSAS PAYMENT CENTER 01-000-858	PAYROLL DIRECTED DEDUCTION	379.50
				Check Amount	<u>379.50</u>
17315	12/18/2009	KPF EFT 11426	KPF EFT PROGRAM 01-000-208	KPF RETIREMENT WITHHOLDING	3,704.63
			11426 01-000-211		7.45
				Check Amount	<u>3,712.08</u>
17316	12/18/2009	LARKIN EXC 11427	LARKIN EXCAVATING INC 10-000-849	150TH STREET PROJECT	165,478.44
				Check Amount	<u>165,478.44</u>
17320	12/18/2009	NEXTEL 11428	NEXTEL COMMUNICATIONS 05-009-758	CELL PHONE SERVICES	125.81
			11428 01-017-758		20.93
			11428 01-004-758		443.13
			11428 01-002-758		114.37
				Check Amount	<u>704.24</u>
17321	12/18/2009	WESTAR GRP 11429	WESTAR ENERGY 01-002-787	UTILITIES	19.18
			11429 01-008-753		97.29
			11429 01-005-753		188.38
			11429 05-009-753		5,844.03
				Check Amount	<u>6,148.88</u>
				Grand Total:	<u>419,191.98</u>

Note: Checks 17317;17318;17319 did not print correctly and were voided

Mark Loughry 12-18-09
 Mark Loughry Date
 City Administrator

Susan Adams 12/18/09
 Susan Adams Date
 Treasurer

Check Register Report

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Date: 12/23/2009 Amount
17322	12/23/2009	ADVANCE IN 11430	ADVANCE INSURANCE COMPANY 01-000-209	EMPL AD&D/LIFE INS PREMIUM	105.60 Check Amount 105.60
17323	12/23/2009	ADVANCE PE 11431 11431	ADVANCE PEST CONTROL 01-008-799 05-009-799	PEST CONTROL PARK/WTF	27.50 94.30 Check Amount 121.80
17324	12/23/2009	BASEHOR AW 11432	BASEHOR AWARDS & TROPHIES 01-017-803	NAME PLATES - PLANNING COMMISS	8.50 Check Amount 8.50
17325	12/23/2009	BASEHOR CH 11435	BASEHOR CHAMBER OF COMMERCE 01-001-783	ANNUAL MEMBERSHIP	100.00 Check Amount 100.00
17326	12/23/2009	BASEHOR PA 11433	BASEHOR SENTINAL 01-001-807	PAPER SUBSCRIPTION	37.00 Check Amount 37.00
17327	12/23/2009	BASEHOR VF 11467	BASEHOR VFW POST 11499 01-001-781	HOLIDAY OPEN HOUSE 2009	375.00 Check Amount 375.00
17328	12/23/2009	BLUE CROSS 11434	BLUE CROSS & BLUE SHIELD OF KS 01-000-209	MEDICAL INS WITHHOLDING PYMT	12,145.22 Check Amount 12,145.22
17329	12/23/2009	BRASWELL 11446	LOUETTE BRASWELL 01-000-421	COURT FINES REFUND	2.35 Check Amount 2.35
17330	12/23/2009	CARROLL PA 11436	CARROLL PARTS 01-008-792	WATTAGE BOARDS FOR HEATERS	82.16 Check Amount 82.16
17331	12/23/2009	CINTAS 11437	CINTAS 05-009-799	WEEKLY SERVICES/SUPPLIES	158.76 Check Amount 158.76
17332	12/23/2009	CUELLAR 11438	ABLE CUELLAR 01-000-421	FINES CITATION REFUND	5.00 Check Amount 5.00
17333	12/23/2009	DATAMAX 11439	DATAMAX 01-004-799	MONTHLY RATE-POLICE	112.00 Check Amount 112.00
17334	12/23/2009	E. EDWARDS 11440	E. EDWARDS WORK WEAR 01-011-813	WORK JEANS/BOOTS	215.18 Check Amount 215.18
17335	12/23/2009	FALCON 11441	FALCON LAKES 01-001-781	CHRISTMAS PARTY	1,417.00 Check Amount 1,417.00

Check Register Report

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Date: 12/23/2009 Amount
17336	12/23/2009	FELDMANS 11442	FELDMANS 05-009-803	50 FT EXTENSION CORD PWD	36.99
				Check Amount	<u>36.99</u>
17337	12/23/2009	GIBBENS 11443	GIBBENS, SUTTON, & SONNTAG LLC 01-004-780	COURT APPOINTED ATTORNEY	3,600.00
				Check Amount	<u>3,600.00</u>
17338	12/23/2009	GONZALES 11444	DANIEL GONZALES 01-000-213	COURT FINES REFUND	5.00
				Check Amount	<u>5.00</u>
17339	12/23/2009	GRAINGER 11445	GRAINGER 05-009-814	PLASTIC FILM FOR PRESS DUMPSTE	320.00
				Check Amount	<u>320.00</u>
17340	12/23/2009	HAYNES EQU 11447	HAYNES EQUIPMENT CO 07-000-799	GRINDER PUMP REPAIR-CEDAR	892.08
				Check Amount	<u>892.08</u>
17341	12/23/2009	JOHNSON CL 11448	JOHNSON COUNTY GOVERNMENT 05-009-790	FLOW SAMPLING	297.25
				Check Amount	<u>297.25</u>
17342	12/23/2009	KS DOR ALC 11449	KANSAS DEPARTMENT OF REVENUE 01-001-799	2010 LICENSES-CASEY'S/WC MARKE	50.00
				Check Amount	<u>50.00</u>
17343	12/23/2009	LAWRENCE 11452	LAWRENCE JOURNAL WORLD 01-001-760	PUBLISH ORDINANCES	252.00
				Check Amount	<u>252.00</u>
17344	12/23/2009	LCDC 11473	LCDC 01-003-803	BOARD MEETING REGISTRATION	14.00
				Check Amount	<u>14.00</u>
17345	12/23/2009	LEAV COOP 11450	LEAVENWORTH COUNTY CO-OP 01-002-804	248.6 GALLONS DIESEL FUEL	323.80
					323.80
				Check Amount	<u>647.60</u>
17346	12/23/2009	LV SHERIFF 11451	LEAVENWORTH COUNTY SHERIFF 01-004-764	BOARDING PRISIONERS NOV 2009	35.00
				Check Amount	<u>35.00</u>
17347	12/23/2009	LEAV TIMES 11453	LEAVENWORTH TIMES 01-001-760	YEARLY SUBSCRIPTION	121.51
				Check Amount	<u>121.51</u>
17348	12/23/2009	LOCKWOOD 11454	LOCKWOOD COMPANY, INC 01-001-803	LICENSES	23.31
				Check Amount	<u>23.31</u>
17349	12/23/2009	MCAFEE HEN 11455	MCAFEE HENDERSON SOLUTIONS 01-000-856	ENGINEERING SERVICES	410.00
					7,297.50
					2,270.00
					11,141.65
					<u>1,732.50</u>
				Check Amount	<u>22,851.65</u>

Check Register Report

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Date: 12/23/2009 Amount
17350	12/23/2009	MICROFLEX 11456	MICROFLEX 05-009-814	6 CASES RUBBER GLOVES WWTF	524.40
				Check Amount	<u>524.40</u>
17351	12/23/2009	MILLER 11457	MILLER SIGN SHOPPE 01-003-803	DECALS VEHICLE	350.00
				Check Amount	<u>350.00</u>
17352	12/23/2009	MISSION CO 11458	MISSION COMMUNICATIONS 05-009-789	RENEWAL SERVICES-ALARMS LIFT S	579.00
				Check Amount	<u>579.00</u>
17353	12/23/2009	PITNEY BOW 11459	PITNEY BOWES 01-001-808	METER RENTAL-3 MONTHS	35.92
			11459 05-009-808		35.92
			11459 01-017-808		35.92
			11459 01-004-808		35.92
				Check Amount	<u>143.68</u>
17354	12/23/2009	QUILL 11460	QUILL 01-004-801	OFFICES SUPPLIES	52.16
			11460 01-001-801		205.90
				Check Amount	<u>258.06</u>
17355	12/23/2009	REAVEY LAW 11461	REAVEY LAW LLC 01-001-751	LEGAL SERVICES	1,242.09
			11461 19-000-751		82.50
			11461 05-009-751		106.33
			11461 01-017-751		3,411.66
				Check Amount	<u>4,842.58</u>
17356	12/23/2009	RECORD NEW 11462	RECORD NEWS 01-001-801	RETURN ADDRESS ENVELOPES	91.00
				Check Amount	<u>91.00</u>
17357	12/23/2009	SELECT IMA 11475	SELECT IMAGING 01-001-799	FILEBOUND HOSTING	300.00
				Check Amount	<u>300.00</u>
17358	12/23/2009	SELECT SEC 11463	SELECT SECURITY SYSTEMS 01-005-799	SECURITY SERVICES CITY HALL/WT	60.00
				Check Amount	<u>60.00</u>
17359	12/23/2009	SPECTRA 11465	SPECTRA 05-009-803	6 CASES XHD BAGS-PWD & PARK	120.00
			11465 01-002-803		166.30
				Check Amount	<u>286.30</u>
17360	12/23/2009	TRAINING A 11464	TRAINING AT YOUR PLACE 01-004-799	INSTALL 2009 DMV CHANGES	85.00
				Check Amount	<u>85.00</u>

Check Register Report

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Date: 12/23/2009	Amount
17361	12/23/2009	ULREICH 11474	CURT ULREICH 05-000-084	REFUND SEWER ACCOUNT		10.20
				Check Amount		<u>10.20</u>
17362	12/23/2009	US POSTAL 11468	UNITED STATES POSTAL SERVICE 01-001-799	ANNUAL RENTAL PO BOX		110.00
				Check Amount		<u>110.00</u>
17363	12/23/2009	UV DOCTOR 11466	UV DOCTOR LAMPS LLC 05-009-814	12 UV BULBS FOR WWTF		1,870.90
				Check Amount		<u>1,870.90</u>
17364	12/23/2009	VERSENT 11472	VERSENT GROUP, LLC 01-005-797	TECHNOLOGY SUPPORT		4,150.00
						4,150.00
						-4,150.00
				Check Amount		<u>4,150.00</u>
17365	12/23/2009	WALMART MA 11469	WALMART 05-009-801	FACILITY/ANIMAL CONTROL/VEHICL		90.69
						158.73
						113.57
						69.97
						306.83
						90.69
				Check Amount		<u>830.48</u>
17366	12/23/2009	WRIGHT EX 11470	WRIGHT EXPRESS 01-004-804	GAS CITY VEHICLES DEC 2009		248.00
				Check Amount		<u>248.00</u>
17367	12/23/2009	ZEE MED 11471	ZEE MEDICAL SERVICE 05-009-810	MISC MEDICAL SUPPLIES - PWD		45.87
				Check Amount		<u>45.87</u>
17368	12/23/2009	KANSAS AN 11476	KANSAS ANIMAL HEALTH DEPT 01-004-759	KS ANIMAL SHELTER LICENSE		200.00
				Check Amount		<u>200.00</u>
				Grand Total:		<u>59,017.43</u>

Mark Loughry 12-29-09

 Mark Loughry Date
 City Administrator

Susan Adams 12/29/09

 Susan Adams Date
 Treasurer

Check Register Report
AS OF 12/31/09

Check Number	Check Date	Vendor# Ref#	Vendor Name GL Number	Check Description	Amount
39	12/31/2009	ADVANCE PE	ADVANCE PEST CONTROL	PEST CONTROL PARK/WTF	
		11477	01-008-799		27.50
		11477	05-009-799		94.30
				Check Amount	<u>121.80</u>
17370	12/31/2009	AFLAC	AFLAC	CAFETERIA PLAN WITHHOLDING PYM	
		11478	01-000-242		220.96
		11478	01-000-241		294.52
		11478	01-000-240		282.40
		11478	01-000-239		61.12
		11478	01-000-238		39.36
		11478	01-000-237		36.24
				Check Amount	<u>934.60</u>
17371	12/31/2009	BLAS	BASEHOR-LINWOOD ASSISTANCE SER	2009 FOOD DRIVE DONATION	
		11479	01-000-512		551.33
				Check Amount	<u>551.33</u>
17372	12/31/2009	BLACKTOP P	BLACKTOP PAVING & CONSTRUCTION	BTC/155TH ST IMPROVEMENTS	
		11480	18-000-893		64,696.05
				Check Amount	<u>64,696.05</u>
17373	12/31/2009	BRANDT TRK	BRANDT TRUCKING	HAULING SAND WINTER STORMS	
		11481	10-000-799		549.15
		11481	10-000-812		911.59
				Check Amount	<u>1,460.74</u>
17374	12/31/2009	CINTAS	CINTAS	WEEKLY SERVICES/SUPPLIES WTF	
		11482	05-009-799		114.48
				Check Amount	<u>114.48</u>
17375	12/31/2009	CONS WATER	CONS RURAL WATER DISTRICT #1	WATER SERVICES	
		11483	01-005-755		60.67
		11483	01-008-755		20.00
				Check Amount	<u>80.67</u>
17376	12/31/2009	DATAMAX	DATAMAX	LEASE/BASE/EXCESS COPIES	
		11484	01-004-799		254.95
		11484	01-001-799		258.12
				Check Amount	<u>513.07</u>
17377	12/31/2009	EFTPS	EFTPS	FIT/SS/MEDI WITHHOLDING PYMT	
		11485	01-000-202		5,187.89
		11485	01-000-205		1,446.76
		11485	01-000-204		6,186.10
				Check Amount	<u>12,820.75</u>
17378	12/31/2009	FREMONT IN	FREMONT INDUSTRIES	DRUM POLYMER FOR BELT PRESS	
		11486	05-009-814		1,301.80
				Check Amount	<u>1,301.80</u>
17379	12/31/2009	H. KENT HO	H. KENT HOLLINS	PAYROLL DIRECTED DEDUCTION	
		11487	01-000-858		403.55
				Check Amount	<u>403.55</u>
17380	12/31/2009	HEART TOW	HEARTLAND TOW INC	VEHICLE MAINTENANCE/REPAIR	
		11488	01-004-761		237.29
				Check Amount	<u>237.29</u>

17381	12/31/2009	HOJOCA 11489	HOJOCA CORPORATION 05-009-814	POLY-MAX POLYMER PUMP HEAD	177.79
				Check Amount	<u>177.79</u>
17382	12/31/2009	ING LIFE 11491	ING LIFE INSURANCE & ANNUITY 01-000-212	DEFERRED COMP DEC 2009	9,039.14
				Check Amount	<u>9,039.14</u>
17383	12/31/2009	IAPE 11490	INTERNATIONAL ASSOCIATION FOR 01-004-774	MEMBERSHIP-M.JOSLYN	50.00
				Check Amount	<u>50.00</u>
17384	12/31/2009	JOHNSON CL 11492	JOHNSON COUNTY GOVERNMENT 05-009-790	FLOW SAMPLING 12/17/09	174.00
				Check Amount	<u>174.00</u>
17385	12/31/2009	KS DOR WTH 11493	KANSAS DEPARTMENT OF REVENUE 01-000-206	KS STATE WITHHOLDING PYMT	2,123.00
				Check Amount	<u>2,123.00</u>
17386	12/31/2009	KS TREASUR 11494	KANSAS STATE TREASURER 01-004-767	STATE MANDATED COURT FEES	927.00
				Check Amount	<u>927.00</u>
17387	12/31/2009	KNAPHEIDE 11495	KNAPHEIDE TRUCK EQUIPMENT KC 01-002-803	MISC PLOW PARTS/WINTER EQUIP	296.26
				Check Amount	<u>296.26</u>
17388	12/31/2009	KPF EFT 11496	KPF EFT PROGRAM 01-000-208	KPF RETIREMENT WITHHOLDING	4,512.79
				Check Amount	<u>4,512.79</u>
17389	12/31/2009	LEAGUE KM 11498	LEAGUE OF KS MUNICIPALITIES 01-003-774	MEETING REGISTRATION 12/02-04	125.00
				Check Amount	<u>125.00</u>
17390	12/31/2009	LEAV COOP 11497 11497	LEAVENWORTH COUNTY CO-OP 01-002-804 05-009-804	258.6 GALLONS DIESEL FUEL	339.42 339.41
				Check Amount	<u>678.83</u>
17391	12/31/2009	MIDWEST PU 11499	MIDWEST PUBLIC RISK 01-000-203	DENTAL INS WITHHOLDING PYMT	1,145.00
				Check Amount	<u>1,145.00</u>
17392	12/31/2009	NAT SIGN 11501	NATIONAL SIGN COMPANY INC 01-002-803	3 SETS TIRE CHAINS-KENWORTH	566.75
				Check Amount	<u>566.75</u>
17393	12/31/2009	OMBPOLLENE 11500	OMB POLICE SUPPLY, INC 01-004-810	SAFETY VESTS-3 OFFICERS	2,471.99
				Check Amount	<u>2,471.99</u>
17394	12/31/2009	QUILL 11502	QUILL 01-004-803	MAT FOYER	24.45
				Check Amount	<u>24.45</u>
17395	12/31/2009	REDDI ROOT 11503	REDDI ROOT'R PLUMBING 05-009-789	JET/TELEWISE SEWER MAIN	1,256.00
				Check Amount	<u>1,256.00</u>
76	12/31/2009	RON WEERS 11506	RON WEERS CONSTRUCTION, INC. 18-000-892	BTC-SANITARY SEWER PROJECT	11,064.00
				Check Amount	<u>11,064.00</u>

17397	12/31/2009	SPECTRA	SPECTRA	MISC PWD SUPPLIES FOR REPAIRS	
		11504	01-002-811		278.50
				Check Amount	<u>278.50</u>
17398	12/31/2009	SUNFLOWER	SUNFLOWER BROADBAND	CABLE/INTERNET/PHONE SERVICES	
		11505	01-005-757		448.85
		11505	05-009-757		127.73
				Check Amount	<u>576.58</u>
17399	12/31/2009	TONGANOXIE	TONGANOXIE ROCKS & SALT COMPAN	ROCK SALT FOR WINTER WEATHER	
		11507	10-000-812		3,915.75
				Check Amount	<u>3,915.75</u>
17400	12/31/2009	TOTAL ELEC	TOTAL ELECTRIC CONSTRUCTION CO	TRAFFIC SIGNAL REPAIR	
		11508	10-000-799		513.88
				Check Amount	<u>513.88</u>
17401	12/31/2009	US POSTAL	UNITED STATES POSTAL SERVICE	REPLENISH POSTAL PERMIT #12	
		11509	05-009-808		500.00
		11509	09-010-808		500.00
				Check Amount	<u>1,000.00</u>
17402	12/31/2009	VAZCOM	VAZCOM	PHONE SUPPLIES-CITY ENGINEER	
		11510	01-017-758		101.98
				Check Amount	<u>101.98</u>
17403	12/31/2009	VISA	VISA	FOOD PURCHASE-	
		11511	05-009-789		164.40
		11511	01-011-813		60.28
		11511	01-004-808		12.03
		11511	01-004-774		99.00
		11511	01-003-803		195.28
		11511	01-003-774		105.63
		11511	01-001-781		550.00
		11511	01-000-512		1,090.67
				Check Amount	<u>2,277.29</u>
17404	12/31/2009	VISION SER	VISION SERVICES PLAN	VISION INSURANCE PYMT	
		11512	01-000-749		465.51
				Check Amount	<u>465.51</u>
17405	12/31/2009	WOLF CRE M	WOLF CREEK MARKETPLACE	PURCHASE FOOD-	
		11513	01-000-512		745.00
		11513	01-005-803		55.65
				Check Amount	<u>800.65</u>
				Grand Total:	<u>127,798.27</u>

Mark Loughry 1-7-10

 Mark Loughry Date
 City Administrator

Susan Adams 01/07/10

 Susan Adams Date
 Treasurer