

**AGENDA
WORK SESSION**

**BASEHOR CITY COUNCIL
October 5, 2009
7:00 p.m.
Basehor City Hall**

1. Kevin Robinson, People Wise – Presentation regarding Personnel audit and policies.
2. Joe McAfee, MHS Engineering – Update regarding 150th Street project - Craig to Parallel
3. Aaron Hale, MKEC Engineering – Update regarding Wolf Creek Parkway project.
4. Review bids for sewer line relocation in Wolf Creek Junction
5. Brett Napier, Level 4 Engineering – Update regarding Basehor Town Center Project
6. Review quotes for demolition of two foundations in Pinehurst Subdivision.
7. Discuss Glenwood Estates sewer line update.

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**Minutes
Work Session**

**BASEHOR CITY COUNCIL
October 5, 2009
7:00 p.m.
Basehor City Hall**

Official Presiding: Mayor Terry Hill

**Members Present: David Breuer, Irish Dysart, Dennis Mertz, Bill Moyer
Members Absent: Pres. Jim Washington**

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

Newspaper: Kaitlyn Syring, *Basehor Sentinel*

The work session was called to order at 7:00 p.m. with all members present with the exception of President Washington. The city attorney was in attendance.

Minutes

City Administrator Mark Loughry reported there are no requirements for work session minutes to have formal approval; therefore in the future, all work session minutes would be provided for council review only and may be amended upon request.

1. Kevin Robinson, People Wise – Presentation regarding Personnel audit and policies.

Mr. Robinson reported at the instruction of Mayor Hill, his company People Wise of Missouri performed an audit on the City's human resource department and personnel policy manual. He noted for an operation of less than 50 employees, he found that the city clerk performed an adequate job as human resources being her secondary job and found that mitigated risks were minimal. The current personnel manual was drafted from the League of Kansas Municipalities personnel policies and appeared to be outdated. Due to sensitive contents of the report, he did not go into detail.

Councilmember Mertz asked the city administrator what needed to occur next. Mr.

Loughry stated he would prepare an RFP to receive proposals from several consulting firms prior to making a decision.

Mayor Hill reported he ordered the audit as part of his job as mayor. He wanted to make sure everything was in order. The audit found there to be a lot of boiler plate policies in the existing personnel policy manual such as the “at-will” policy.

Mr. Robinson expressed concern that the grievance policy overrode the “at-will” policy, the second chance form should not be included in the substance abuse manual, and some job descriptions should be revised. New laws have been passed and should be imported.

2. Joe McAfee, MHS Engineering – Update regarding 150th Street project - Craig to Parallel

In the absence of Joe McAfee, Matt Henderson, project engineer gave a PowerPoint update on the 150th Street project:

Recently Completed Tasks:

- Asphalt base completed on 9/28
- Storm Sewer system 97% complete
- Driveway Pavement removals are complete
- Change Order work on failing subbase at north end of project completed on 9/10

Upcoming Tasks:

- Concrete driveway replacements will be ongoing through 10/9
- Modular block wall construction will be ongoing through 10/14
- Sidewalk construction should begin week of 10/12, 1 week ahead of schedule
- Right-of-way grading should be completed by 10/23
- As of 9/15/09 the project was 49.19% complete and \$327,042.52 has been spent

Pay Requests:

- Pay Estimate No. 2 in the amount of \$87,756.26 was processed on Sept. 3
- Pay Estimate No. 3 in the amount of \$115,521.67 was processed on Oct. 2
- Pay Estimate No. 4 will be submitted to the city engineer on Oct. 15 for review

Change Orders:

- Change Order No. 1 – removal of unsuitable base material at Sta. 47+70, and the installation of under drain to alleviate the moisture problems beneath the road. Payment in the amount of \$6,520.53 was made with Pay Estimate No. 3

- Change Order No. 2 – involved modification to a storm drainage structure at Sta. 30+75. Payment in the amount of \$1,570 was made with Pay Estimate No. 3.

Budget Notes:

Preliminary engineering, right-of-way acquisition, and utility relocation phases are complete. The combined phases were \$62,432 under the original budget.

Construction phase is currently \$8,091 above the Larkin Excavating contract, but substantially below the original phase budget.

Construction Engineering/Inspection phase is projected to be \$4,452 under budget due to the contractor being ahead of the scheduled completion date.

Mr. Loughry referenced the change order noting the contractor had no way of knowing there was a drainage issue. The original design for the [Norman] Guy retaining wall was not feasible so MHS Engineering and the city superintendent worked with the property owner to come up with a better design. The design change would cost approximately \$7,000. Another change in the project was to install concrete rather than asphalt driveway approaches, which would be nicer for homeowners and was more eye appealing.

Mr. Henderson reported he had a meeting with Westar Energy regarding a pole that was located in the wrong place. Westar Energy has agreed to move the pole as long as the City agreed to pay for the trenching.

Councilmember Breuer thanked Mr. Henderson for the written presentation noting it was easy to read and comprehend.

3. Aaron Hale, MKEC Engineering – Update regarding Wolf Creek Parkway project.

Mr. Hale reported the final check plans were submitted to KDOT for approval and anticipated the project to be bid in January 2010. The City will need to obtain right-of-way on both sides of 150th and 24/40 Hwy. KDOT will write the legal description and then land acquisition could commence. Councilmember Breuer asked if it was up to the City to acquire the right-of-way. Mr. Hale stated “yes”, the City would need to buy a 5 ft. right-of-way and a 5 ft. temporary construction right-of-way. The right-of-way would come up to the base of the dam but would not affect the spillways or overflow.

Mr. Hale reported the plans were submitted to KDOT in February 2009 and required Wolf Creek Parkway to shift 10 ft. This required the force main and water line to be relocated. Councilmember Mertz asked where Wolf Creek Parkway would tie into 150th Street. Mr. Hale reported the distance between the highway and 150th Street intersection is less than KDOT requires; however, KDOT has agreed to allow the road to remain as submitted. A change order for an additional 250 ft. of road will be submitted for Council approval next month. Mr. Loughry reported the City was waiting on bids from Suburban

Water for relocation of the water line, and once obtained, Council could take formal action.

Council discussed the reasons for delay in the project. Mayor Hill reported a lot of time went by waiting for KDOT approval.

Mr. Loughry reported there were more issues than moving water lines; the balance in the loan funding would not cover necessary change orders. Councilmember Moyer stated mistakes were made early in the project and now the City would have to absorb the costs.

Mr. Flower reminded Council that discussion took place earlier in the year to use the \$500,000 [24/40 Corridor grant] toward the project if necessary.

Mr. Hale reported the final plans were completed in March for Wolf Creek Parkway; however, the street needed to be moved 20 ft. Mr. Henderson reported the developer would have to pay for the landscaping and rock walls around the ponds. Changes were necessary since the road had to shift south in order to work in all the utilities.

Councilmember Moyer felt the citizens deserved a reason why the road had not been completed and suggested putting an article in the newspaper and City website.

Councilmember Mertz asked if it would be necessary to approve the change order prior to the next regular meeting. Mr. Loughry reported the change order would need approval; however, it would not speed up the process and would most likely go over budget. He estimated the overage to be \$50,000 or less.

Councilmember Mertz asked why the change orders were for two different amounts. Mr. Loughry reported the changes were made in quantities.

4. Review bids for sewer line relocation in Wolf Creek Junction

Bids were not ready for review at this time.

Councilmember Mertz questioned why engineering fees on the Wolf Creek project were 20% over budget, how MKEC Engineering justified the cost, and if the additional cost would show up as a change order. Project Engineer Aaron Hale stated he thought the additional expenses had been submitted and would look into it.

Matt Henderson, MHS Engineering, reported that MHS Engineering was asked not to get involved in the project other than to review plans, construction and observation, and recently requested by the city administrator to make a presentation. The sewer line relocation would be paid from the TR 0125 loan.

Councilmember Moyer asked who was in charge of overseeing the project. The city administrator stated that was a good question. MHS has stepped in to help out recently and was not responsible for the project budget. Councilmember Mertz questioned why

certain payments were not on the vendor report and questioned if certain payments were still pending per his request at a previous meeting. Mr. Loughry reported the new purchasing policy allowed bills to be paid without council action since they were approved projects and that he would have the treasurer research the records to see which bills were held up. Mr. Flower stated the budget overage had just come about within the last 72 hours. Mr. Loughry stated he would check with KDOT to see if the City would need an extension from KDOT since the construction end date would change.

Councilmember Moyer suggested at the end of the project the city administrator provide a report that would include three things, (1) find out what happened; (2) why did it happen; and (3) what could be done to make it better. He felt the major issue in this particular project was to the fact that there was not a designated project manager. Councilmember Breuer stated that no one took ownership of the project and the project lingered and that caused some confusion.

5. Brett Napier, Level 4 Engineering – Update regarding Basehor Town Center Project

Mr. Napier reported the Basehor Town Center project was about 90% complete and the 155th Street project was about 44% complete. He anticipated both projects being complete in approximately 3-4 weeks. Currently contractors are installing signs, street lights, gates, trees and sod on Wolf Creek Parkway project. The east side of the 155th Street project was complete and the west side of 155th Street should be completed within the next couple of weeks.

Councilmember Mertz asked questioned what would happen to the property owners on the west side of 155th Street if the LLC folded. The city attorney reported anyone who benefited from the improvements must be included in the benefit district. Mr. Napier reported the project was on schedule and under budget.

Councilmember Dysart was concerned about drainage issues in the low lying areas located on the Mussett property. Mr. Napier reported the contractor would dump dirt and grade the area in an effort to minimize rainwater runoff. The city superintendent reported storm water inlets had also been installed on the west side of 155th Street to assist with drainage issues.

6. Review quotes for demolition of two foundations in Pinehurst Subdivision.

Four bids were received for demolition and cleanup of two properties located in the Pinehurst Subdivision. The city administrator reported since this was not a budgeted item, he would bring back to Council for formal action.

Council agreed that cleanup should not wait any longer since the code violation had been going on for almost two years and instructed the city administrator to move forward with the low bidder since it was within his spending authority.

The property owner (601 154th Circle) stated she and the neighbors were sick of the unsightly property and asked that the city move forward with demolition as soon as possible.

The city attorney reminded the city clerk to bill the property owner and then, if not paid within 30 days, place the cost on the tax rolls.

7. Discuss Glenwood Estates sewer line update.

Mr. Loughry informed the Governing Body that he was advised this week that the County had scheduled a public hearing for Tuesday, October 1st with Sewer District No. 3 residents. The agenda stated the City was to make a presentation; however, he had not been contacted by the County regarding the matter.

Councilmember Dysart questioned why the “Crabtree property” was show on the map as part of Sewer District No. 3. Mr. Loughry stated the property was connected to the system. He explained there were 91 properties in Glenwood; however, 97 properties were included in Sewer District No. 3. Annexation was a concern since it was not contiguous to the City. The City would have additional streets to maintain and the police department would have additional area to cover.

Mr. Loughry presented a spreadsheet that showed if annexed, the City would receive annually approximately \$76,000 in property taxes (current mill levy), \$48,000 in sewer maintenance fees, and \$311,000 in sewer connection fees. He reported the County would assess Sewer District No. 3 residents \$400 for sewer services; however, once the District connected to the City’s sanitary sewer system, the County would only reduce the individual resident’s assessment by \$50.00. The property owners are currently paying a 7.5% road impact fee; however, if annexed this fee would go away. Mr. Loughry did not feel the reduction in the sewer fee (\$50) and 7.5% road impact fee would be enough to offset annexation and did not think that all 97 properties would be willing to voluntarily annex into the City of Basehor. The County has expressed unwillingness to allow an island annexation unless all properties were annexed.

Commission John Flower stated under island annexation regulations, properties cannot be forced to annex. The County would not have a problem with the island annexation; however, it was not a favorable situation to have “holes” within the District. He went on to explain the sewer district and County agreed to loan the sewer district \$200,000 toward the project which could be recouped at a later date through upsize fees.

Councilmember Mertz suggested tabling action to allow the city administrator more time to work on the details.

Commissioner Flower reported at the public hearing on October 1, Sewer District No. 3 Board would approve moving forward with vacant land allocation. The Board of County Commissioners agreed to loan \$200,000 to Sewer District No. 3 to start engineering design and then recoup the money from the KDHE loan, turn around and reinvest for

easements. The anticipated cost of the project would be around \$1.8 million. Mayor Hill stated annexation was secondary to engineering and felt the design work should take precedents in order to keep the project moving forward.

Councilmember Dysart stated she was surprised at the last public hearing held in February that Glenwood residents were asked to leave and hoped that did not occur at the October 1 meeting.

The city attorney informed Council they had the authority to place a condition that annexation must take place prior to connection to the City's sanitary sewer system. Councilmember Moyer suggested making an agreement to lower connection fees contingent on all 97 properties agreeing to voluntarily annex.

It was the opinion of Councilmember Dysart that properties adjoining the proposed sewer line would not develop for 50 years or more; therefore, the City would not recoup the \$200,000 any time soon.

Other topics discussed:

- KMIT Award – Mayor Hill reported the City received a “Gold” rating on their workers compensation program this year. He commended staff for their efforts. The city administrator noted the high rating allowed the City to receive a significant discount in their workers compensation insurance premium.
- 150th Street Project, Craig to Parallel – Resident Jeff Scherer reported the speed limit signs on 150th Street are 35 mph and should be 30 mph and asked if all approached on 150th Street would be concrete rather than asphalt. Mr. Loughry stated the approached would be concreted 10 ft. back from the street.

Mr. Scherer explained his driveway along with two other property owners, were originally flat; now they are at an incline. He also reported the corner property located on the west side of 150th St. and Parallel now has an issue with the ditch being deeper than the road and could not be mowed by the property owner. The road does not appear to be on a section line as well. Mr. Henderson stated he would look at a copy of the design.

Mr. Loughry stated the City might be able to work on a resolution for the driveways; however, he did not feel changes could be made to the ditch this late in the project.

Work Session adjourned at 9:25 p.m.

Submitted for Council review on the 2nd day of November, 2009.

Mary A. Mogle, City Clerk

