

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

June 3, 2013

7:30 p.m.

The Mulvane City Council convened at the City Building at 211 N. Second at 7:30 p.m. Presiding was Mayor James P. Ford, who called the meeting to order.

COUNCIL MEMBERS PRESENT: Terry Richardson, Doug Hatfield, Jenean Keck, Joe Johnson and Shelly Steadman

OTHERS PRESENT: Kent Hixson, J.T. Klaus, Patty Gerwick, Mike Robinson, Chris Young, Brad Modlin, Galen Cummins, Deb Plew, Dave Williams, Willis Wilson and Tian Wang with AquaTech, Brian Meier with Burns & McDonnell and Courtney Klaus

All stood for the Pledge of Allegiance and Invocation led by Mayor Ford.

APPROVAL OF REGULAR MINUTES DATED 5-20-13: MOTION by Hatfield, second by Johnson to approve the Regular minutes dated 5-20-13. MOTION approved unanimously.

CORRESPONDENCE: None at this time.

REVIEW AND CLOSING OF THE AGENDA: Hixson asked to add the naming of the Community Garden as Item #1 under New Business. Mayor Ford then declared the agenda closed.

APPOINTMENTS, AWARDS AND CITATIONS: None at this time.

OLD BUSINESS

1. AUGUSTA-ROSE HILL-MULVANE WATER SUPPLY STUDY PRESENTATION – AQUATECH: Willis Wilson with AquaTech reviewed the water supply study. No action was taken.

NEW BUSINESS

1. NAMING OF COMMUNITY GARDEN: Hixson explained that a citizen made a request to name the Community Garden after Don Wells due to his dedication to the project. MOTION by Richardson, second by Keck to name the community Garden the “Don Wells Community Garden”. MOTION approved unanimously.

RESOLUTIONS AND ORDINANCES

1. ORDINANCE AMENDING THE “INDOOR” COMMERCIAL FIREWORKS APPLICATION FEE FOR EVENTS: Attorney Klaus explained that the outdoor commercial fireworks display fee of \$1,000 was considerably high for the smaller indoor pyrotechnic displays. This ordinance creates a new indoor commercial fee of \$100.

Councilmember Hatfield stated he was against revising the fees due to safety concerns at indoor firework displays. MOTION by Richardson, second by Keck to adopt and approve Ordinance No. 1415 amending and restating Title 1, Chapter 100, Article VII, Section 100.240 of the City's Municipal Code.

ORDINANCE NO. 1415

AN ORDINANCE AMENDING AND RESTATING A PORTION OF TITLE I, CHAPTER 100, ARTICLE VII ENTITLED MISCELLANEOUS FEES AND CHARGES, SECTION 100.240, OF THE MUNICIPAL CODE OF THE CITY OF MULVANE, KANSAS.

MOTION approved 4 Yea (Richardson, Keck, Johnson, Steadman) 1 Nay (Hatfield)

ENGINEER'S REPORT

Project Updates – Chris Young, City Engineer

- Advised the Council that the Water Tower project will be bid on June 26, 2013 with bids coming to the Council on July 1st for consideration.
- KLINK Project – survey completed, plans will be submitted to KDOT the week of June 17th.
- Water Treatment Plant – The Council selected Burns & McDonnell/CAS Construction and approved Task Order #1 to develop the Guaranteed Maximum Price (GMP) for the design-build of the Water Treatment Plant (WTP) at a cost of \$60,000. Per BM/CAS Statement of Qualifications, the possible range for the GMP was \$4.5 to \$6.9 million. Task Order #2 authorizes construction of the WTP at the GMP. BM/CAS has submitted Task Order #2 for the City's consideration to begin construction at the \$6.895 million GMP. This cost includes design & construction of the project. The Council approved a Resolution authorizing the issuance of Bonds in an amount not to exceed \$7 million for this project. Several significant items have been removed from the project and the GMP is still in the high cost range. Council member Johnson requested an Executive session. MOTION by Johnson, second by Hatfield to recess at 8:17 p.m. for a period not to exceed 15 minutes for an executive session to discuss matters of attorney-client privilege as it relates to the contract with Burns & McDonnell/CAS with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously. MOTION by Johnson, second by Richardson to return to open session at 8:32 p.m. MOTION approved unanimously. Mayor Ford announced that no binding decisions or agreements were made during the executive session. Brian Meier with Burns & McDonnell came before the Council to address questions from the Mayor and the Council concerning the cause of the significant difference in the GMP versus other cost quotes. Mr. Meier did not feel he was prepared with the detailed information that the Council was requesting. Council member Hatfield requested another executive session. MOTION by Hatfield, second by Richardson to recess at 8:45 p.m. for a period not to exceed 5 minutes for an executive session to discuss matters of attorney-client privilege as it relates to the contract with Burns & McDonnell/CAS with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously. MOTION by Johnson, second by Richardson to return to open session at 8:50 p.m. Mayor Ford announced that no binding decisions or agreements were made during the executive session. MOTION by Richardson, second by Hatfield to table Task Order #2 and not authorize any additional work by Burns & McDonnell/CAS on Task Order #2 until more information can be provided at the next Council meeting on July 1, 2013. MOTION approved 3 Yea (Richardson, Keck, Hatfield) 1 Nay (Johnson) 1 Abstention (Steadman).

2014 ANNUAL BUDGET – DEPT. HEAD PRESENTATIONS

- Inspection Dept. – Kent Hixson reviewed the 2014 Proposed Budget in Ray Fleming's absence.
- Planning Commission – Kent Hixson reviewed the 2014 Proposed Budget in Ray Fleming's absence.
- Municipal Court – Debbie Plew reviewed the 2014 Proposed Budget
- Emergency Services – Dave Williams reviewed the 2014 Proposed Budgets for the EMS Substation #1, EMS Substation #2, Fire Dept. and Fire District #12
- Police Department – Dave Williams reviewed the 2014 Proposed Budget

CITY CLERK

Nothing at this time.

CITY ADMINISTRATOR

Nothing at this time.

CITY ATTORNEY

Attorney Klaus requested a 15 minute Executive Session. MOTION by Richardson, second by Johnson to recess at 9:30 p.m., for a period not to exceed 15 minutes, to discuss land acquisition with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously. MOTION by Johnson, second by Keck to return to open session at 9:45 p.m. MOTION approved unanimously. Mayor Ford stated that no binding decisions or agreements were made during the executive session.

CONSENT AGENDA: MOTION by Richardson, second by Keck to approve the Consent Agenda Items as follows:

1. Employee Payroll dated 5-24-13 (\$163,984.80)
2. Outstanding Checks – write-off's
3. Park tractor repair (\$7,252.94)
4. Street Dept. – purchase asphalt for stockpile from APAC (\$30,000)
5. Utility Dept. – Streetlight charges for the first quarter of 2013 (\$43,941.00)

MOTION approved unanimously.

ANNOUNCEMENTS AND NEXT AGENDA ITEMS:

- 6-6-13 Chamber of Commerce Board meeting – RD's – 11:30 a.m.
- 6-6-13 Ballet in Main Street Park – 7:00 p.m.
- 6-6-13 Community Garden Dedication – 7:00 p.m.
- 6-10-13 Downtown Business Owners meeting – city hall – 11:30 a.m.
- 6-13-13 Historical Society – Ice Cream Social – Cobb Park 7:00 to 8:30 p.m.

ADJOURNMENT: MOTION by Richardson, second by Keck to adjourn at 9:48 p.m. MOTION approved unanimously.

Patty Gerwick
City Clerk

