

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

April 1, 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 and Shelly Steadman. Joe Johnson was absent.

OTHERS PRESENT: Kent Hixson, J.T. Klaus, Patty Gerwick, Mike Robinson, Ray Fleming, Chris Young, Kendra Walls, Dave Williams, Officer Brit Robertson and K-9 Rex, Paula Carr-Knox, Jim Carr, Tree Board Members Leanna Yohe, Ann Ford, Jerry Quigley, Faye Oxley, Janis Hellard with SCEDC and members of Boy Scout Troop 888.

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

APPROVAL OF REGULAR MINUTES DATED 3-18-13: MOTION by Hatfield, second by Richardson to approve the Regular minutes dated 3-18-13. MOTION approved unanimously.

CORRESPONDENCE: None at this time.

REVIEW AND CLOSING OF THE AGENDA: Mayor Ford declared the agenda closed.

APPOINTMENTS, AWARDS AND CITATIONS: Public Safety Director Dave Williams introduced Police Officer Brit Robertson and the City's new drug dog Rex.

OLD BUSINESS

1. CARR PROPERTY DRAINAGE – PAULA CARR-KNOX: Mrs. Knox presented the Council with information in regards to the drainage easement and a request for what they would like the City to do to alleviate the drainage problems on their property. Mayor Ford thanked her for the information.
2. EMS SUBSTATION SITE – LEASE AMENDMENT: Attorney Klaus explained that a First Lease Amendment to the original 99 year Lease Agreement has been prepared and reviewed which gives the City the right to access the City Parcel and U.S. Hwy. 81 over and across the Kansas Star Planned Unit Development for the purpose of accessing the sanitary sewer injection station and the proposed Fire/EMS facility. Without this Amendment, the construction of major "box culvert" access to U.S. Hwy. 81 would be required. MOTION by Richardson, second by Steadman to approve and authorize the Mayor to execute and deliver the First Amendment to Lease by and between the City and Kansas Star Casino, LLC. MOTION approved unanimously.

3. EMS SUBSTATION – REVIEW CONSTRUCTION BID: Dave Williams, Public Safety Director reviewed the bids with the low bidder being Walz Harmon Huffman Construction with a bid of \$1,392,718.00. The AIA contract document has been reviewed and agreed to by all parties. MOTION by Hatfield, second by Keck to award the construction contract to build the new MES Building #2 to Walz Harmon Huffman Construction Co. in the amount of \$1,392,718.00 which includes allowances to the contract sum in the amount of \$30,118.00 and to authorize the Mayor to execute the construction contract. MOTION approved unanimously.
4. DOWNTOWN AREA LANDSCAPING – DISCUSSION: The Council discussed the options of trees, shrubs, hanging baskets on decorative poles, etc. Councilmember Steadman reported on a survey she did with the downtown business owners. Councilmember Richardson made a Motion to look at the recommendations from the County Extension Office. The Motion died for the lack of a second. MOTION by Hatfield, second by Steadman to look at the flowering shrubs (Rose of Sharon). The vote was 2 Yea (Steadman, Hatfield) 2 Nay (Richardson, Keck). Mayor Ford voted Nay to break the tie. MOTION by Keck, second by Richardson to go with one type of tree, Aristocrat Pear. The vote was 2 Yea (Keck, Richardson) 2 Nay (Steadman, Hatfield). Mayor Ford voted Yea to break the tie. MOTION approved.

NEW BUSINESS

1. SUMNER COUNTY ECONOMIC DEVELOPMENT COMMISSION – 2014 DUES – DISCUSSION: Hixson explained that the SCEDC board is asking the City for additional funding, in addition to the annual dues, for 2014 to help offset the gap in their 2014 budget. MOTION by Richardson, second by Hatfield to support the SCEDC board's appeal for a one time contribution of \$15,000 in addition to our annual dues (\$2,592.57) in 2014. MOTION approved unanimously.
2. KANSAS MUNICIPAL UTILITIES – APPOINT VOTING DELEGATES TO ANNUAL CONFERENCE: MOTION by Keck, second by Richardson to appoint Kent Hixson as the Voting Delegate and Joe Johnson as the Alternate Voting Delegate. MOTION approved unanimously.

RESOLUTIONS AND ORDINANCES

None at this time.

ENGINEER'S REPORT

Nothing at this time.

CITY CLERK

Nothing at this time.

CITY ADMINISTRATOR

Nothing at this time.

CITY ATTORNEY

City Attorney J.T. Klaus requested an executive session. MOTION by Richardson, second by Steadman to recess at 8:30 p.m. for a period not to exceed 20 minutes for an executive session to discuss matters under attorney-client privilege with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously.

MOTION by Richardson, second by Hatfield to return to open session. MOTION approved unanimously. Mayor Ford announced that no binding decisions or agreements were made during the executive session.

MOTION by Richardson, second by Hatfield to recess at 8:55 p.m. for a period not to exceed 15 minutes for an executive session to discuss matters under attorney-client privilege with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously.

MOTION by Hatfield, second by Richardson to return to open session. MOTION approved unanimously. Mayor Ford announced that no binding decisions or agreements were made during the executive session.

MOTION by Richardson, second by Hatfield to recess at 9:10 p.m. for a period not to exceed 20 minutes for an executive session to discuss matters under attorney-client privilege with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously.

MOTION by Hatfield, second by Richardson, to return to open session. MOTION approved unanimously. Mayor Ford announced that no binding decisions or agreements were made during the executive session.

MOTION by Richardson, second by Keck to have the City Engineer determine what it would cost to clean out the existing easement on the Carr property. MOTION approved unanimously.

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

1. Employee Payroll dated 3-29-13 (\$161,596.06)
- MOTION approved unanimously.

ANNOUNCEMENTS AND NEXT AGENDA ITEMS:

- 4-4-13 – Chamber of Commerce Board meeting – Train Museum – 11:30 a.m.
- 4-8-13 – Downtown Business Owners meeting – City Hall – 11:30 a.m.
- 4-13-13 – Sedg. Co. Assoc. of Cities meeting in Valley Center – 8:30 a.m.
- 4-15-13 - Library Planning Committee – City Hall – 8:00 a.m.

ADJOURNMENT: MOTION by Richardson, second by Keck to adjourn at 9:32 p.m. MOTION approved unanimously.

Patty Gerwick, City Clerk