MULVANE CITY COUNCIL

REGULAR MEETING MINUTES

November 17, 2014 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, Joe Johnson, Doug Hatfield, Jenean Keck. Shelly Steadman was absent.

OTHERS PRESENT: Kent Hixson, J.T. Klaus, Patty Gerwick, Mike Robinson, Chris Young, Galen Cummins, Cathy Walker, Megan Whitmore, James Wiggins, Bob and Sandy Blencoe

PLEDGE OF ALLEGIANCE & INVOCATION: All stood for the Pledge of Allegiance and Invocation led by Mayor Ford.

APPROVAL OF REGULAR MINUTES DATED 11-3-14: MOTION by Johnson, second by Hatfield to approve the Regular minutes dated 11-3-14. MOTION approved unanimously.

CORRESPONDENCE: None at this time.

REVIEW AND CLOSING OF THE AGENDA: City Attorney Klaus asked to add an Executive Session to discuss matters under attorney-client privilege as Item #3 under the City Attorney Section on the agenda. Mayor Ford then declared the agenda closed.

APPOINTMENTS, AWARDS AND CITATIONS: Mayor Ford presented the Employee of the Month Certificates to Officer James Wiggins and Dispatcher Megan Whitmore.

Mayor Ford presented the 2013 Certificate of Achievement in Financial Reporting to Cathy Walker.

**OLD BUSINESS**

1. MERLIN’S GLEN ADDITION – ACCEPT STORM SEWER PETITIONS: City Attorney Klaus explained the petitioning process for this project. He reviewed the petitions that were signed by the property owners and confirmed that the petition was valid with approximately 71% approval. MOTION by Hatfield, second by Richardson to accept the petition for the street drainage improvements necessary to serve the Merlin’s Glen at Hunter’s Pointe Addition. MOTION approved unanimously.

**NEW BUSINESS**

None at this time.

**RESOLUTIONS AND ORDINANCES**

1. MERLIN’S GLEN – APPROVAL/ADOPTION OF THE ADVISABILITY RESOLUTION AND WORK ORDINANCE: The Council formally accepted the petitions so in order to special assess the cost of the improvements to the benefitted properties the Council must approve the Resolution and Ordinance authorizing the street drainage improvements.

MOTION by Johnson, second by Richardson to adopt Resolution No. 2014-8, determining the advisability of making certain street drainage improvements consisting of the Merlin’s Glen Street Drainage Improvements in the Merlin’s Glen at Hunter’s Pointe Addition. MOTION approved unanimously.

**RESOLUTION NO. 2014-8**

**A RESOLUTION DETERMINING THE ADVISABILITY OF MAKING CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MULVANE, KANSAS; SETTING FORTH THE GENERAL NATURE OF THE IMPROVEMENTS, THE ESTIMATED OR PROBABLE COSTS THEREOF, THE EXTENT OF THE BENEFIT DISTRICT TO BE ASSESSED FOR THE COSTS THEREOF, THE METHOD OF ASSESSMENT AND THE APPORTIONMENT OF THE COSTS BETWEEN THE BENEFIT DISTRICT AND THE CITY AT LARGE; AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY; AND DIRECTING THE PUBLICATION AND RECORDING OF THIS RESOLUTION (MERLINS GLEN STREET DRAINAGE IMPROVEMENTS).**

MOTION by Richardson, second by Keck to adopt Ordinance No. 1441 authorizing the construction of the Merlin’s Glen Street Drainage Improvements in the Merlin’s Glen at Hunter’s Pointe Addition. MOTION approved unanimously.

**ORDINANCE NO. 1441**

**AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MULVANE, KANSAS, AS HERETOFORE DETERMINED ADVISABLE AND AUTHORIZED TO BE MADE BY RESOLUTION NO. 2014-\_\_ OF THE CITY, UNDER THE AUTHORITY OF K.S.A. 12-6a01 *ET SEQ.*, AS AMENDED AND SUPPLEMENTED; PROVIDING FOR THE PAYMENT OF THE COSTS OF SAID IMPROVEMENTS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION INTERNAL IMPROVEMENT BONDS FOR THE PAYMENT OF THE COSTS OF SAID IMPROVEMENTS AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY IMPROVEMENT NOTES FROM TIME TO TIME AS FUNDS ARE NEEDED FOR THE ORDERLY CONSTRUCTION OF SAID IMPROVEMENTS.**

ENGINEER’S REPORT

1. Merlin’s Glen – Storm Sewer Design Contract: Young presented a contract for engineering services which include design, bidding services, construction oversight and staking for the Merlin’s Glen street drainage project. MOTION by Richardson, second by Hatfield to enter into an engineering services agreement with Young & Associates, PA, in the amount of $7,465.00 for design, bidding, construction oversight and staking for Street Drainage Improvements at the intersection of Merlin’s Glen and Fox Run. MOTION approved unanimously.
2. Water Tower Project – Change Order #1: Young explained that it was determined that additional obstruction lighting would be required on top of the new water tower in order to meet current FAA regulations. The contractor has indicated there will be additional lead time for the additional lighting and materials so they are requesting 30 additional days to their contract time. MOTION by Richardson, second by Keck to accept Change Order No. 1 in the amount of $56,134.60 and an additional 30 days as requested by Phoenix Fabricators. MOTION approved unanimously.
3. Project Review and Updates:

Carr Ditch: Anticipate construction contracts will be completed, pending receipt of the approved NOI permit in December. Anticipate construction being completed in February 2015.

Mulvane Public Library: The Planning Commission reviewed the Site Plan at it’s Nov. 13th meeting. Drainage Plans are complete and will be sent to DWR for permitting. This permit is required for adding fill material in a designated floodplain.

CITY CLERK

1. REQUEST PERMISSION TO TRANSFER FUNDS TO THE MERF: The Administration Department budgeted to purchase a new copier and document imaging software in 2014. Due to unexpected changes coming that will affect all our computer software, ie. payroll, budgetary accounting, utility billing, front window receipting, court, licensing and permitting, etc., this budgeted purchase needs to be delayed. MOTION by Richardson, second by Johnson to approve the transfer of an amount not to exceed $40,000 from the 2014 Administration budget to the Administration Municipal Equipment Replacement Fund. MOTION approved unanimously.

CITY ADMINISTRATOR

Nothing at this time.

CITY ATTORNEY

1. CONTINUING DISCLOSURE POLICY: MOTION by Richardson, second by Hatfield to approve the Continuing Disclosure Policy, as presented, and authorize the Mayor to sign the same. MOTION approved unanimously.
2. DISCLOSURE COOPERATION INITIATIVE: MOTION by Johnson, second by Richardson to approve the Continuing Disclosure Cooperation Questionnaire, as presented, and authorize the Mayor to sign and submit the same. MOTION approved unanimously.
3. EXECUTIVE SESSION - MOTION by Richardson, second by Keck to recess at 8:25 p.m. for a period not to exceed 10 minutes to discuss matters under attorney-client privilege 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. MOTION approved unanimously. Mayor Ford announced that no binding decisions or agreements were made during the executive session.

**NOVEMBER 17, 2014**

**PUBLIC BUILDING COMMISSION**

**(Recess City Council and convene as Public Building Commission)**

MOTION by Hatfield, second by Richardson to recess the City Council Meeting for the purpose of, and that we convene as the City of Mulvane, Kansas Public Building Commission. MOTION approved unanimously.

APPROVE MINUTES: MOTION by Richardson, second by Hatfield to approve the Public Building Commission Meeting Minutes dated 10-6-14 and 11-3-14. MOTION approved unanimously.

MOTION by Richardson, second by Keck to pay the following invoices related to the issuance of bonds and or design and construction of the new public library:

Clark Enerson Partners $25,200.00

Young & Associates $ 8,102.50

Ks. Dept. of Agriculture – Permit $ 100.00

Mulvane News $ 186.00

MOTION approved unanimously.

MOTION by Richardson, second by Johnson to adjourn the Public Building Commission meeting and to reconvene the regular City Council meeting of November 17, 2014. MOTION approved unanimously.

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

1. Employee Payroll dated 11-7-14 ($184,063.86)
2. Warrant Register for October ($954,299.78)
3. Water Tower – Phoenix Fabricators – Pay App. #10 ($95,656.50)
4. Water Treatment Plant – UCI – Pay App #12 ($250,931.40)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

None at this time.

ADJOURNMENT: MOTION by Richardson, second by Keck to adjourn at 8:42 p.m. MOTION approved unanimously.

Patty Gerwick

City Clerk