MULVANE CITY COUNCIL

REGULAR MEETING MINUTES

March 2, 2015 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 and Shelly Steadman. Jenean Keck was absent

OTHERS PRESENT: Kent Hixson, J.T. Klaus, Patty Gerwick, Mike Robinson, Chris Young, Dave Williams, Judi Patterson, Nancy Farber Mottola

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

APPROVAL OF REGULAR MINUTES DATED 2-16-15: MOTION by Hatfield, second by Johnson to approve the Regular minutes dated 2-16-15. MOTION approved unanimously.

CORRESPONDENCE: None at this time.

REVIEW AND CLOSING OF THE AGENDA: Hixson asked to correct the date of the Payroll from 3-2-15 to 2-27-15 on the Consent Agenda and to add the payment to Triplett Woolf & Garretson as Item #3 to the Consent Agenda. Mayor Ford then declared the agenda closed.

APPOINTMENTS, AWARDS AND CITATIONS: None at this time.

**OLD BUSINESS**

1. KS. STAR CASINO VALUATION APPEAL – BOTA DECISION REVIEW: Hixson explained that Sumner County received a ruling from the Board of Tax Appeals (BOTA) in regards to the Ks. Star Casino 2013 Valuation Appeal. BOTA ruled that the value of the Casino, in 2013, should have been $105,600,000. This is another significant decrease. This will impact City expenditures for the remainder of 2015 and staff will study the effect this will have on the budget preparation for 2016. Sumner County is appealing this decision. No action taken at this time.
2. TYLER TECHNOLOGY COMPUTER SOFTWARE PURCHASE AGREEMENT: Hixson stated that the agreement has been reviewed by the Attorney and changes were forwarded on to Tyler Technology to be incorporated into the agreement. MOTION by Steadman, second by Richardson to purchase the Incode Software package from Tyler Technology in the amount of $184,302.00 with additional annual support fees of $27,316 plus Travel expenses of approximately $9,000. MOTION approved unanimously.

**NEW BUSINESS**

1. ALCOHOL AND DRUG PREVENTION GRANT – RENEW PROGRAM: Hixson reminded the Council that the City has offered this grant program the last couple of years. USD 263 and Sumner County Mental Health are interested in applying for a 2015 grant if the City is going to offer the program. As of January, 2015 the balance in the Special Alcohol & Drug Fund is $59,377.00. MOTION by Richardson, second by Johnson to renew the Special Alcohol and Drug fund grant program in 2015 for the purpose of funding alcohol and drug prevention programs in the community and to accept applications for these funds for review by the City Council. MOTION approved unanimously.
2. SUMNER COUNTY AMBULANCE SERVICE SUBSIDY DISCUSSION: Public Safety Director Dave Williams explained that the City of Mulvane receives a subsidy from Sumner County to provide ambulance service to county residents in our district. Sumner County is using a new formula to determine how much each ambulance district will receive for providing that service. Based on the new calculations, the City of Mulvane will receive approximately $220,000 less in 2016 than we are currently receiving in 2015. Staff would like permission from the Council to request that the Sumner County Commissioners maintain the current subsidy funding for 2016 in order to continue providing the service to rural residents. It was a consensus of the Council to have Williams write a letter to the Sumner County Commissioners making this request.

Councilmember Steadman left at 8:30 p.m.

1. KS. MUNICIPAL ENERGY AGENCY (KMEA) BOARD APPOINTMENT: MOTION by Johnson, second by Richardson to re-appoint Kent Hixson as Director #1 to the KMEA Board of Directors. MOTION approved unanimously.

**RESOLUTIONS AND ORDINANCES**

1. CITY CODE AMENDMENT – ALLOW BB GUN SHOOTING AT SPECIAL EVENTS: MOTION by Johnson, second by Hatfield to adopt Ordinance No. 1443 regulating public offenses within the City of Mulvane, Kansas, further amending Section 10.6 of the Uniform Public Offense Code for Kansas Cities, Edition of 2014 as previously amended by Section 210.013(B) of the Municipal Code of the City. MOTION approved unanimously.

**ORDINANCE NO. 1443**

**AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CITY OF MULVANE, KANSAS; FURTHER AMENDING SECTION 10.6 OF THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2014 AS PREVIOUSLY AMENDED BY SECTION 210.013(B) OF THE MUNICIPAL CODE OF THE CITY.**

1. A RESOLUTION FOR ESTABLISHING A POLICY FOR GRANTING CONSTITUTIONAL TAX EXEMPTIONS: Attorney Klaus explained that the current Tax Exemption Policy that the City has does not contain the minimum criteria currently established by K.S.A. 79-251 to allow the City to properly grant tax exemptions. Adoption of a new Economic Development Tax Policy Statement will update the City’s policy with the changes that have occurred to State law. MOTION by Hatfield, second by Richardson to adopt and approve Resolution 2015-1 to adopt an Economic Development Tax Exemption Policy Statement for the City. MOTION approved unanimously.

**RESOLUTION 2015-1**

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS, ADOPTING AN ECONOMIC DEVELOPMENT TAX EXEMPTION POLICY FOR THE CITY OF MULVANE, KANSAS PURSUANT TO K.S.A. 79-251(a).**

ENGINEER’S REPORT

1. Merlin’s Glen Drainage Project – Bid Review: Young reviewed the bids that were received for this project. MOTION by Hatfield, second by Richardson to accept the low bid submitted by Dutton C&P, LLC in the amount of $54,275 and direct the City Engineer to prepare a Notice of Award. MOTION approved unanimously.
2. Project Review and Update: Chris Young reviewed the status of the water treatment plant project and the water tower project.

**PUBLIC BUILDING COMMISSION**

**March 2, 2015**

MOTION by Johnson, 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.

MOTION by Hatfield, second by Johnson to approve the Public Building Commission Meeting Minutes dated 2-16-15. MOTION approved unanimously.

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

1. CEP – Invoice #14 ($25,200.00)

MOTION approved unanimously.

MOTION by Hatfield, second by Johnson to adjourn the Public Building Commission meeting and to reconvene the regular City Council meeting of March 2, 2015. MOTION approved unanimously.

Minutes by Patty Gerwick, Secretary

CITY CLERK

Gerwick announced that she would be out of the office next week, March 11-13, 2015 attending the CCMFOA Spring Conference in Wichita.

CITY ADMINISTRATOR

1. REVIEW ORGANIZATIONAL CHART FOR CITY ADMINISTRATION DEPT.: Hixson presented a revised Organizational Chart for the Administration Department. In looking ahead at possible changes in staff due to retirements, Hixson would like to appoint Debbie Parker as the Deputy City Clerk in May when the regular appointments are made. He then advised the Council that we would need to start advertising to fill an Assistant Utility Billing Clerk position. It was a consensus of the Council to approve the changes.

CITY ATTORNEY

Nothing at this time.

CONSENT AGENDA: MOTION by Richardson, second by Johnson to approve the Consent Agenda.

1. Employee Payroll dated 2-27-15 ($190,441.09)
2. Water Tower Pay App. No. 14 – Phoenix Fabricators ($105,077.00)
3. Legal Services – Triplett Woolf & Garretson, LLC ($9,607.25)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

None at this time.

ADJOURNMENT: MOTION by Richardson, second by Johnson to adjourn at 9:02 p.m. MOTION approved unanimously.

Patty Gerwick

City Clerk