MULVANE CITY COUNCIL

REGULAR MEETING MINUTES

July 6, 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 Shelly Steadman, who called the meeting to order.

COUNCIL MEMBERS PRESENT: Terry Richardson, Joe Johnson, Doug Hatfield, Nancy Farber Mottola and Jenean Keck

OTHERS PRESENT: Kent Hixson, J.T. Klaus, Patty Gerwick, Mike Robinson, Chris Young, Ray Fleming, Cathy Walker, Mike and Sue Wenger, Brad Modlin, Jay Patterson, Amy Houston and several residents from the Merlin’s Glen Addition

PLEDGE OF ALLEGIANCE: All stood for the Pledge of Allegiance led by Mayor Steadman.

APPROVAL OF REGULAR MINUTES DATED 6-15-15 and SPECIAL MEETING MINUTES FROM 6-22-15: MOTION by Johnson, second by Keck to approve the Regular minutes dated 6-15-15 and the Special minutes dated 6-22-15. MOTION approved unanimously.

CORRESPONDENCE: Nothing at this time.

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

APPOINTMENTS, AWARDS AND CITATIONS: None at this time.

**OLD BUSINESS**

None at this time.

**NEW BUSINESS**

1. WENGER PROPERTY – NORTH OF MERLIN’S GLEN – REVIEW PROPOSED HOUSING ADDITION: Mike Wenger, 10100 S. 89th St. East, Mulvane, KS will be the developer of the proposed new housing addition. He briefly explained the concept of the proposed addition. He then asked that the annexation and zoning cases be tabled until the 7-20-15 Council meeting. MOTION by Richardson, second by Farber Mottola to TABLE Item #1 as presented on the Agenda. MOTION approved unanimously.

* Annexation of property north of Merlin’s Glen Subdivision – Mike Wenger Applicant
* Ordinance acting on Annexation
* Wenger Property – Consideration of Zoning Case No. Z-2015-1
* Ordinance acting on zoning change
* Wenger Property – Consideration of Zoning Case No. Z-2015-2
* Ordinance acting on zoning change

1. ACCEPT DEDICATIONS OF GILBERT ADDITION FINAL PLAT: Ray Fleming, Planning & Zoning Administrator reviewed the Gilbert Addition Final Plat. MOTION by Hatfield, second by Johnson to accept the dedications of the Gilbert Addition Final Plat. MOTION approved unanimously.

**RESOLUTIONS AND ORDINANCES**

**Council member Farber Mottola stepped down from her seat due to a conflict of interest on the next agenda item discussion.**

1. MOBILE FOOD VENDOR ORDINANCE: City Attorney J.T. Klaus has prepared an ordinance regarding the licensure of mobile food vendors operating within the City and an application for licensure. This ordinance will not apply to individuals or entities that also maintain a physical commercial location within the City limits selling the same merchandise. Vendors conducting business at the Mulvane Old Settlers celebration and at the Mulvane Farmer’s Market will also be exempt from the application and licensure fee requirements. There were concerns about how this would affect not-for-profit organizations (i.e. Optimist Club, Lions Club, etc.). The Attorney amended the original Ordinance to include language that will exempt non-profit groups. MOTION by Keck, second by Richardson to adopt and approved Ordinance No. 1445 requiring a Mobile Food Vendor license and fee. MOTION approved unanimously.

**ORDINANCE NO. 1445**

**AN ORDINANCE OF THE CITY OF MULVANE, KANSAS AMENDING TITLE VI, CHAPTER 605 OF THE MUNICIPAL CODE OF THE CITY REGARDING LICENSURE OF MOBILE FOOD VENDORS.**

**Council member Farber Mottola returned to her seat.**

ENGINEER’S REPORT

1. Project Review and Update: Chris Young gave a brief update on the Library project.
2. Grade School/East Mulvane Street Drainage Issue Discussion: Representatives from the School District and the City Council met on June 12, 2015 to discuss the drainage issue on East Mulvane Street. From the meeting on the 12th, City Engineer Chris Young was to set up a meeting with the School District Engineer to discuss the drainage issue. Young made contact but never received a response. There was some discussion about having a joint meeting between the Council and the School Board. City Attorney Klaus reviewed the procedure that both entities would need to follow in order to call a Special Meeting, setting an agenda acceptable to both entities and setting a mutual time and place to have the meeting. After further discussion it was determined that the Planning Commission approved the School District Plat subject to several conditions. Until those conditions are met, the Plat cannot be presented to the City Council for consideration.

Amy Houston, 101 Rockwood Blvd., asked for more information in regards to the petition process. It was a consensus of the Council to have City staff construct a letter to the School Board stating the necessary steps to be taken in order to proceed with the drainage petition process.

**PUBLIC BUILDING COMMISSION**

**July 6, 2015**

MOTION by Hatfield, second by Farber Mottola to recess the City Council Meeting and convene as the Mulvane Public Building Commission. MOTION approved unanimously.

MOTION by Hatfield, second by Richardson to approve the Public Building Commission Meeting Minutes dated 6-15-15. MOTION approved unanimously.

MOTION by Johnson, second by Richardson to approve the Terracon Invoice for soils testing and inspection in the amount of $2,260.50 MOTION approved unanimously.

MOTION by Johnson, second by Richardson to approve the CEP Invoice #18 in the amount of $11,316.00. MOTION approved unanimously.

MOTION by Farber Mottola, second by Keck to adjourn the Public Building Commission meeting and reconvene the regular City Council meeting of July 6, 2015. MOTION approved unanimously.

Minutes by Patty Gerwick, Secretary

2016 ANNUAL BUDGET

Administrator Kent Hixson and Cathy Walker presented the following items for Council review and discussion:

* Review revised budget schedule – After some discussion it was a consensus of the Council to leave the schedule as originally presented.
* Debt & Revenue Review – Hixson presented the City’s overall Debt and how that affects the budget and our rating with Standard and Poor’s on bond issues
* Staff budget recommendation – Cathy reviewed the overall budget and the total mill levy. It was the consensus of the Council to proceed with the 2016 Budget as presented.

CITY CLERK - Nothing at this time.

CITY ADMINISTRATOR

1. Sumner County Ambulance Subsidy – discussion: Sumner County has offered to pay the City $135,000 in subsidy for 2016. It is staff’s recommendation to accept the $135,000. MOTION by Hatfield, second by Richardson to accept the Sumner County Commission offer of $135,000 as a subsidy for 2016 contingent upon Sumner County signing a new agreement drafted by our city attorney. MOTION approved 4 Yea (Richardson, Keck, Farber Mottola, Hatfield) 1 Nay (Johnson).

CITY ATTORNEY

Attorney Klaus noted that due to the results of the Councils action on the previous agenda item, he would be drafting a one year agreement for ambulance subsidy between the City of Mulvane and Sumner County.

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

1. Employee Payroll dated 6-19-15 ($237,889.18)
2. Employee Payroll dated 7-3-15 ($207,475.24)
3. Warrant Register for June ($852,339.70)
4. Tyler Technologies – Software Invoice ($35,884.20.)
5. Street Dept. – Purchase 600 tons of Type II Chat – Bingham Sand & Gravel ($20,000)
6. Triplett, Woolf & Garretson – legal fees for May ($8,770.25)
7. Wastewater Treatment Plant – approve the purchase of 47,000 lbs. of ferric chloride and 48,000 lbs. of sodium hydroxide at a total cost of $15,272.00 from Brenntag

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS: None at this time.

ADJOURNMENT: MOTION by Richardson, second by Keck to adjourn at 9:58 p.m. MOTION approved unanimously.

Patty Gerwick, City Clerk