MULVANE CITY COUNCIL

 REGULAR MEETING MINUTES

September 3, 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, Shelly Steadman and Doug Hatfield. Jenean Keck was absent.

OTHERS PRESENT: Kent Hixson, J.T. Klaus, Mike Robinson, Chris Young with Young & Associates, Mark Detter of Central States Capital, Jeff Lackey of TranSystems and Glenn Scott of KDOT.

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

APPROVAL OF REGULAR MINUTES DATED 8-18-14: MOTION by Johnson, second by Richardson to approve the Regular minutes dated 8-18-14. MOTION approved unanimously.

CORRESPONDENCE: None at this time.

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

APPOINTMENTS, AWARDS AND CITATIONS: Mayor Ford read a proclamation declaring September “National Senior Center Month”.

**OLD BUSINESS**

1. Safe Routes To School (SRTS) – Sidewalk Project – Update: Jeff Lackey of TranSystems and Glenn Scott of KDOT updated the council on the SRTS sidewalk project. Mr. Lackey stated that due to the delays in bidding the project and the unforeseen driveway work that needed to be done, there was not going to be enough KDOT grant money to complete all the sidewalks originally proposed. The sidewalks on the east side of 2nd Street would not be constructed. Residents on Martha and Eastview who have moved landscaping to accommodate the proposed sidewalks will need to be contacted to let them know the sidewalk will not be constructed. Mr. Lackey said he would continue to pursue other grant funding that would allow the completion of the sidewalks as proposed in the SRTS program. No action was taken by the council.
2. K-15 Highway Repair: Glenn Scott of KDOT addressed the council on the need to replace a concrete “panel” on K-15 (by English Park) that has settled and cracked. The City receives $3,000.00 per lane mile to maintain the highways within the City limits. KDOT will look to the City to replace that concrete panel on K-15. KDOT will provide the specifications and offer guidance on the work, but the City will need to hire a contractor to do the work. No action taken by the council.

**NEW BUSINESS**

1. New Library Site – Special Use Permit Case # SU-14-1: Mayor Ford called for Agenda Item #1 under New Business. Mayor Ford asked for a Motion to receive and file the unapproved minutes of the Planning Commission for the August 7, 2014 meeting. MOTION by Richardson, second by Johnson to receive and file the Planning Commission unapproved minutes from August 7, 2014. MOTION approved unanimously.

Mayor Ford then called on Ray Fleming, Zoning Administrator to give his report on the issue. Fleming explained the Special Use application to allow a public library in the R-1 Single Family Residential District.

Mayor Ford asked if there was anyone present to speak to this matter? – No one present.

Mayor Ford asked the Deputy City Clerk if there had been any communications to consider – No.

Mayor Ford asked the Council if there was any further discussion – No.

MOTION by Hatfield, second by Steadman to accept the recommendations of the Planning Commission and to approve Ordinance # 1435 approving Special Use Case # SU -14-1. MOTION approved unanimously.

**ORDINANCE NO. 1435**

**AN ORDINANCE APPROVING A SPECIAL USE TO ESTABLISH A PUBLIC LIBRARY WITH A MULTI-PURPOSE ROOM IN THE R-1 SINGLE FAMILY RESIDENTIAL DISTRICT ON CERTAIN LANDS UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY OF MULVANE, KANSAS, AS ORIGINALLY APPROVED BY ORDINANCE # 1432.**

1. Offer to Sell Land To The City: Mr. Mark Leslie offered to sell the City approximately fifty (50) acres of land located northwest of the City between K-15 and the Arkansas River (between 111th & 103rd Street) for $250,000.00. It was the consensus of the council to reject Mr. Leslie’s offer.
2. General Obligation Bond Sale: Mark Detter, city financial advisor, reviewed the Official Statement for the Series A, 2014 Bonds. Mr. Detter reviewed the one bid received from Commerce Bank to purchase Series A, 2014 Bonds. MOTION by Johnson, second by Richardson to accept the bid for the bonds from Commerce Bank for the purchase of the Series A, 2014 Bonds. MOTION approved unanimously.

**RESOLUTIONS AND ORDINANCES**

1. General Obligation Bond Ordinance – Series A, 2014: MOTION by Steadman, second by Richardson to adopt Ordinance No. 1436, an ordinance authorizing the issuance of General Obligation Refunding and Improvements Bonds Series A, 2014 all as prepared by Bond Counsel and provided for our consideration. MOTION approved unanimously.

**ORDINANCE # 1436**

**AN ORDINANCE OF THE CITY OF MULVANE, KANSAS, AUTHORIZING THE ISSUANCE OF THE CITY’S GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES A, 2014, IN THE AGGREGATE PRINCIPAL AMOUNT OF $2,080,000, FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY AND FINANCING THE OTHERWISE UNPAID COSTS OF MULTIPLE CAPITAL IMPROVEMENTS IN THE CITY; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.**

1. General Obligation Bond Resolution – Series A, 2014: MOTION by Steadman, second by Hatfield to adopt Resolution No. 2014-7, a resolution establishing the terms and provisions governing the City’s General Obligation Refunding and Improvement Bonds, Series A, 2014 as previously authorized by Ordinance # 1436, all as prepared by Bond Counsel and provided for our consideration. MOTION approved unanimously.

**RESOLUTION NO. 2014-7**

**A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION REFUNDING AND IMPROVEMENT BONDS, SERIES A, 2014, IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $2,080,000, OF THE CITY OF MULVANE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 2014-7 OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.**

1. Ordinance Incorporating the 2014 Uniform Public Offense Code (UPOC): MOTION by Johnson, second by Richardson to adopt and approve Ordinance No. 1437 incorporating by reference the “Uniform Public Offense Code for Kansas Cities,” 2014 edition, with the modifications contained therein. MOTION approved unanimously.

### **ORDINANCE NO. 1437**

**AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CITY OF MULVANE, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2014, WITH CERTAIN AMENDMENTS; AND AMENDING TITLE II, CHAPTER 210, ARTICLE I, SECTION 210.013 OF THE CODE OF THE CITY OF MULVANE, KANSAS.**

1. Ordinance Incorporating the 2014 Standard Traffic Ordinance (STO): MOTION by Johnson, second by Richardson to adopt and approve Ordinance No. 1438 incorporating by reference the “Standard Traffic Ordinance for Kansas Cities,” 2014 edition. MOTION approved unanimously.

### **ORDINANCE NO. 1438**

**AN ORDINANCE INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2014; AND AMENDING TITLE III, CHAPTER 300, ARTICLE I, SECTION 300.001 OF THE CODE OF THE CITY OF MULVANE, KANSAS.**

1. Amendment to City Code regarding Abandoned Vehicles and Storage Units: MOTION by Richardson, second by Hatfield to adopt and approve Ordinance No. 1439 amending and replacing Section 215.100 and creating Section 320.013 of the City Code. MOTION approved unanimously.

### **ORDINANCE NO. 1439**

**AN ORDINANCE AMENDING TITLE II, CHAPTER 215, SECTION 215.100 OF THE CODE OF THE CITY OF MULVANE, KANSAS REGARDING WRECKED, JUNKED, DISMANTLED, DISABLED, INOPERATIVE OR ABANDONED VEHICLES; AND CREATING TITLE III, CHAPTER 320, SECTION 320.013 OF THE CODE PROHIBITING THE PARKING OF COMMERCIAL DUMPSTERS AND STORAGE DEVICES ON PUBLIC STREETS.**

FINANCIAL ADVISOR:

Casino Valuation and Appraisal Discussion: Mark Detter briefed the council on a meeting he and the city administrator attended on 8-13-14 in Wellington with the Sumner County appraiser, County clerk and County legal counsel. The purpose of the meeting was to find out how Sumner County has been and will appraise the casino property. Sumner County has retained an appraiser from Colorado with experience in appraising casino properties. Mr. Detter asked that the Sumner County Clerk send the City the valuation information as soon as possible in May each year so that city staff can have more time to prepare the upcoming budget. No action was taken by the council.

City Debt Review: Mr. Detter reviewed the City’s overall debt status with the council. No action was taken.

**SEPTEMBER 3, 2014**

**PUBLIC BUILDING COMMISSION**

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

MOTION by Hatfield, second by Steadman 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.

1. APPROVE PBC MEETING MINUTES DATED 8-18-14: MOTION by Johnson, second by Steadman to approve the minutes of the August 18 meeting of the Public Building Commission. MOTION approved unanimously.
2. MOTION by Steadman, second by Hatfield to adopt Resolution No. PBC-2014-3, a resolution authorizing the change in date that bids are due for the City of Mulvane, Kansas Public Building Commission’s Revenue Bonds. MOTION approved unanimously.

**RESOLUTION NO. PBC-2014-3**

**A RESOLUTION AMENDING RESOLUTION NO. PBC-2014-2 OF THE CITY OF MULVANE, KANSAS PUBLIC BUILDING COMMISSION.**

MOTION by Richardson, second by Johnson to adjourn the Public Building Commission meeting so as to reconvene the regular City Council meeting of September 3, 2014. MOTION approved unanimously.

ENGINEER’S REPORT

1. Project Review and Updates: The Council received a memo with updates on the Water Tower and Water Treatment Plant projects, an update on the status of the Carr Drainage Easement project, an update on the modifications to the City’s Drainage Policy and the status of surveying and platting the Denny and Webb properties for the new library.

DEPUTY CITY CLERK:

1. League of Kansas Municipalities – Annual Conference – Voting Delegates: The LKM Annual Conference is October 11 – 13. MOTION by Hatfield, second by Richardson to appoint Patty Gerwick and Kent Hixson as the City’s voting delegates to the LKM Annual Conference. MOTION approved unanimously.

CITY ADMINISTRATOR

Nothing at this time.

CITY ATTORNEY

* + - 1. Executive Session – Matters Privileged Under Attorney-Client Relationship: Attorney J.T. Klaus requested an executive session. MOTION by Richardson, second by Hatfield to recess for a period not to exceed 30 minutes to discuss matters privileged under the attorney-client relationship 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. MOTION approved unanimously. Mayor Ford announced that no binding decisions or agreements were made during the executive session.

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

1. Employee Payroll dated 8-29-14 ($201,412.52).
2. Purchase of approximately 5013 gallons of CSS-1h road oil, from Vance Brothers in the amount not to exceed $14,000.00.
3. Legal Fees – Triplet, Woolf & Garretson ( $6,467.50)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

9-02-14 – Close on Webb Property – new library site land

9-03-14 – Library Design Committee – city hall – 5:00 p.m.

9-04-14 – Chamber of Commerce Board meeting – Fire Station – 11:30 a.m.

9-09-14 – Downtown Meeting – city hall – 2:00 p.m.

ADJOURNMENT: MOTION by Richardson, second by Johnson to adjourn at 10:35 p.m. MOTION approved unanimously.

 Kent Hixson

 Deputy City Clerk