

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

September 21, 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, Doug Hatfield, Nancy Farber Mottola and Jenean Keck.

OTHERS PRESENT: Kent Hixson, Mike Robinson, Debbie Parker, J.T. Klaus, Rick Wise of CEP, Chris Young of Young & Assoc. and Shanna Smith, Mulvane Library Director

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

APPROVAL OF REGULAR MINUTES DATED 9-09-15: MOTION by Hatfield, second by Richardson to approve the Regular minutes dated 9-09-15. MOTION approved unanimously.

CORRESPONDENCE: None

REVIEW AND CLOSING OF THE AGENDA:

Mayor Steadman asked if there were any additions to the agenda. There being none, Mayor Steadman then declared the agenda closed.

APPOINTMENTS, AWARDS AND CITATIONS:

City Staff Appointment:

With the retirement of Patty Gerwick as city clerk, a new city clerk and deputy city clerk need to be appointed.

1. MOTION by Keck, second by Richardson to appoint Debbie Parker as city clerk.
MOTION approved unanimously.
2. MOTION by Keck, second by Richardson to appoint Kent Hixson as deputy city clerk.
MOTION approved unanimously.

The Mayor swore in city clerk Debbie Parker.

Library Board Appointment:

MOTION by Keck, second by Hatfield to approve the Mayor's recommendation to appoint Danielle Fells to complete the unexpired term of Larry Smith on the Mulvane Public Library Board. MOTION approved unanimously.

Employee Service Recognition:

Mark Boden of the Utility Department was acknowledged for twenty years of service. He was not present to receive his certificate.

OLD BUSINESS

1. MULVANE MOBILE HOME PARK – SEWER BILL PAYMENT:

The City attorney explained that in July, 2015, Midwest Legacy, the owners of the Mulvane Mobile Home Park, fell behind on payment for sewer services. On July 7, 2015, the City sent to Midwest Legacy a letter demanding payment of the past due amount of \$1,953.20 for the bill due July 1, 2015. The outstanding amount was not paid and, pursuant to Section 4 of the Agreement, the City utilized Midwest Legacy's security deposit on August 4, 2015 to pay the outstanding amount, thereby reducing the security deposit to \$7,046.80. Pursuant to the Agreement, the security deposit balance must be returned to \$9,000 within thirty days of when it was diminished, or September 4, 2015 in this case.

On August 17, 2015, the City authorized the City attorney to send Midwest Legacy a demand letter for payment of the past balance (due for August 1, 2015) and for replenishment of the security deposit. On August 18, 2015, Midwest Legacy paid the bill due August 1, 2015 in the amount of \$2,056. On August 20, 2015 the attorney sent Midwest Legacy a letter giving it until September 5, 2015 to remit payment of \$1,953.20 to return the security deposit to \$9,000, and pay the bill due for September 1, 2015 in the amount of \$2,004.60. Midwest Legacy did neither.

The City attorney requests authorization to mail a Notice of Intent to Disconnect Sewer Service to Midwest Legacy with a carbon copy to the Kansas Department of Health and Environment, giving notice of the City's intent to disconnect the Park from the City's sewer system if full payment of all past due balances plus the amount due October 1, 2015 is not received by October 8, 2015. TWG also requests authorization to post a copy of the Notice of Intent to Disconnect on all housing units within the Park. A copy of the Notice of Intent to Disconnect is attached hereto.

If Midwest Legacy does not pay all past due amounts, plus the bill due for October 1, 2015 by October 8, 2015, the attorney recommends the City authorize staff to disconnect sewer service on October 9, 2015.

MOTION by Richardson, second by Mottola to have the City attorney send Midwest Legacy a Notice of Intent to Disconnect from the City's sanitary sewer system. MOTION approved unanimously.

NEW BUSINESS

None

RESOLUTIONS AND ORDINANCES

RESOLUTION TO MAINTAIN A CREDIT CARD ACCOUNT:

The City has a VISA credit card account with Intrust Bank. With the retirement of Patty Gerwick, Intrust bank is requiring an updated Certificate of Resolution from the City in order to maintain the current credit card account. The City Clerk maintains a list of names eligible to hold a city credit card.

MOTION by Keck second by Hatfield to authorize the Mayor and City Clerk to sign a new Certification Resolution #2015- 9 for Intrust Bank in order to maintain the current VISA credit card account. MOTION approved unanimously.

ENGINEER'S REPORT

1. Project Review and Update: Chris Young gave a brief update on city projects.

PUBLIC BUILDING COMMISSION September 21, 2015

MOTION by Richardson, second by Keck 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 9-09-15. MOTION approved unanimously.

Rick Wise of CEP explained the Change Orders for the Mulvane Public Library. Change Order #4 is to add data drops, #5 will be a credit to eliminate fencing which would be in the floodway, #6 is changing the grass seeding to sod, and #7 is for a RFID gate for monitoring of security chips in books.

1. MOTION by Keck, second by Mottola to approve Terracon Invoice for testing (\$330.10). MOTION approved unanimously.
2. MOTION by Mottola, second by Richardson to approve CEP Invoice # 21 in the amount of \$6,162.00. MOTION approved unanimously.
3. MOTION by Richardson, second by Hatfield to approve:
 - Change Order 4 in the amount of \$2,005.82 which includes Proposal Request 4.
 - Change Order 5 in the amount of (\$2,440.50 credit) which includes Proposal Request 5R.
 - Change Order 6 in the amount of \$9,648.10 which includes Proposal Request 6.
 - Change Order 7 in the amount of \$195.66 which includes Proposal Request 8.

MOTION approved unanimously.

MOTION by Mottola, second by Keck to adjourn the Public Building Commission meeting and reconvene the regular City Council meeting of September 21, 2015. MOTION approved unanimously.

Minutes by Debbie Parker, Secretary

CITY CLERK: Nothing at this time.

CITY ADMINISTRATOR

1. EMPLOYEE HANDBOOK REVIEW: The Employee Handbook was last updated in 2009. The handbook must be adopted by a resolution. In order to provide the council an opportunity to become familiar with the Employee Handbook, the resolution adopting the 2015 edition of the Employee Handbook will be on the October 5th council agenda. No action was taken at this time.

CITY ATTORNEY

1. Request an executive session of not to exceed fifteen (15) minutes to discuss matters covered under the attorney-client privilege. The executive session to include the Mayor, Council, City Administrator and City Attorney.

MOTION by Richardson, second by Mottola to recess for a period not to exceed fifteen minutes to discuss matters covered under the attorney-client privilege, with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously at 8:29 p.m.

MOTION by Keck, second by Richardson to return to regular session at 8:44 p.m. MOTION approved unanimously.

Mayor Steadman stated that no binding actions were taken or decisions were made in executive session.

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

1. Employee Payroll dated 9-11-15 (\$181,695.74).

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS

- Mottola said she will be absent from the 10-05-15 council meeting.

ADJOURNMENT

MOTION by Richardson, second by Mottola to adjourn at 8:45 p.m. MOTION approved unanimously.

Debbie Parker, City Clerk

