

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

February 15, 2016

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, Nancy Farber Mottola, Kevin Cardwell, and Jenean Keck.

**Others Present:** Kent Hixson, Mike Robinson, Debbie Parker, Brad Modlin, J.T. Klaus, Chris Young of Young & Assoc., Rick Wise of CEP Architects, Mark Chesney of KPP, and Brent Allen.

**Pledge of Allegiance:** All stood for the Pledge of Allegiance led by Mayor Steadman.

**Approval of Regular Minutes Dated 2-01-16:** MOTION by Keck, second by Mottola to approve the Regular meeting minutes dated 2-01-16.  
MOTION approved unanimously.

**Correspondence:** None

**Review and Closing of the Agenda:**

Mayor Steadman asked if there were any additions to the agenda? None

**Appointments, Awards and Citations:** None

**Old Business**

**Annual Audit – Engagement Letters:**

In accordance with the bid submitted in 2014 by George, Bowerman and Noel, P.A, the fee for the City's 2015 annual audit is \$22,485.00. The fee for the Quad County Manor audit is \$1,800.00 - \$2,400.00. In order to comply with the cash basis and budget laws of the State of Kansas, annual engagement letters must be signed for these audit services.

Motion by Richardson, second by Johnson to approve the engagement letter with George, Bowerman and Noel, P.A, (with corrected dates) for the 2015 annual City audit in the amount of \$22,485.00.

MOTION approved unanimously.

Motion by Johnson, second by Mottola to approve the engagement letter with George, Bowerman and Noel, P.A, for the Quad County Manor 2015 audit in an amount not to exceed \$2,400.00

MOTION approved unanimously.

## **New Business - None**

### **Resolutions & Ordinances**

#### **Resolution Amending Language for the Existing Amended Operating Agreement with KPP**

Mark Chesney, Kansas Power Pool General Manager, presented the resolution.

In 2015, the City of Mulvane, and other KPP member cities approved the "Second Amended Operating Agreement". This is the document signed by all KPP member cities providing governance for the operations of the Kansas Power Pool. In late 2015, after acceptance by nearly all cities, it was determined that two principal clarifications are desirable. Those changes are:

Exhibit A is a restatement of Article III from the Operating Agreement. This restatement removes language which had previously provided for proxy voting by members of the KPP Membership Committee.

Exhibit B is a restatement of Section 13.1 from the Operating Agreement. As restated, it provides that subsequent amendments to the Agreement will require at least 2/3rds vote of all governing bodies.

Motion by Keck, second by Richardson to approve Resolution No. 2016-3 approving an amendment to the second amended operating agreement by amending article III of the second amended operating agreement and Article 13, Section 13.3 of the second amended operating agreement.

MOTION approved unanimously

#### **RESOLUTION NO. 2016-3**

A RESOLUTION APPROVING AN AMENDMENT TO THE SECOND AMENDED OPERATING AGREEMENT BY AMENDING ARTICLE III OF THE SECOND AMENDED OPERATING AGREEMENT AND ARTICLE 13, SPECIFICALLY SECTION 13.3 OF THE SECOND AMENDED OPERATING AGREEMENT AS IS FULLY REFLECTED ON THE ATTACHED REVISIONS, ATTACHED EXHIBITS A AND B

### **Public Building Commission February 15, 2016**

MOTION # 1: by Johnson, second by Keck to recess the City Council Meeting and convene as the Mulvane Public Building Commission.

MOTION approved unanimously.

MOTION # 2: by Keck, second by Richardson to approve the Public Building Commission Meeting Minutes dated 2-01-16.

MOTION approved unanimously.

Rick Wise of CEP Architects explained Change Orders # 11 & 12 .

Wise explained that CP # 14 would call for installing shrubs vs. sod on the north side of the building. The council questioned the need for shrubs and preferred staying with sod.

Sod costs less than shrubs. Wise will reissue CO # 11 to reflect the decrease in the amount (from \$11,080.27 to \$3,613.47).

Motion # 3 by Keck, second by Richardson to accept and sign Change Order 11 in the amount of \$3,613.47 which includes WHH Cost Proposals 13 and 15.

MOTION approved unanimously.

Motion # 4 by Keck, second by Mottola to accept and sign Change Order 12 in the amount of \$481.69 which includes WHH Cost Proposal 16.

MOTION approved unanimously.

Motion # 5 by Johnson, second by Cardwell to approve Walz-Harman pay application # 10 in the amount of \$311,964.78.

MOTION approved unanimously.

Motion # 6 by Johnson, second by Mottola to approve Terracon Change Order # 2 in the amount of \$412.00 for additional concrete testing. The concrete pours were being made in smaller sections. Additional testing was requested by the City due to more individual pours.

MOTION approved unanimously.

MOTION # 7: by Mottola, second by Johnson to adjourn the Public Building Commission meeting and reconvene the regular City Council meeting of February 15, 2016.

MOTION approved unanimously.

Minutes by Debbie Parker, Secretary

#### **Engineer's Report/Project Review and Update:**

Chris Young of Young & Associates updated the council on the GIS mapping of city utilities and the Villa Maria senior housing project drainage plan review.

#### **City Clerk: None**

#### **City Administrator:**

**Old Library Building – Discuss future use.** The new library building should be ready for occupancy in mid- May. The council discussed what the City might do with the old library building.

The following are suggestions or offers for using the building:

Mulvane Recreation Commission – lease?

Cowley Co. Community College – lease?

Lions Club – youth center?

Mulvane Police Dept. – court room?

An individual contacted the City about buying the building. When a City sells public property, it must be advertised.

The City will have to spend considerable money to make repairs and renovations depending on how the council wants to use the building.

It was the consensus of the council to keep the building. Staff will contact both Cowley College and the Mulvane Recreation Commission to see if they have any interest in leasing the building.

City staff will work on getting quotes on the HVAC system, roof, painting, remodeling, etc. to quantify what it will cost to remodel the building and report back to the council.

**City Attorney:**

**Executive Session:**

Request an executive session not to exceed fifteen (15) minutes to discuss matters privileged in the attorney-client relationship (land acquisition). The executive session to include the 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 privileged in the attorney-client relationship with the Council, City Administrator, and City Attorney.

MOTION approved unanimously at 8:05 p.m.

MOTION by Johnson, second by Cardwell to return to regular session at 8:25 p.m. MOTION approved unanimously.

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

**Consent Agenda:**

MOTION by Richardson, second by Mottola to approve the Consent Agenda as follows:

1. Employee Payroll dated 2-12-16 (\$183,267.87).
2. Warrant Register for January (\$691,617.86).
3. Tyler Technologies invoice (\$6,388.99)

MOTION approved unanimously.

**Announcements, Meetings and Next Agenda Items:**

1. City administrator said he emailed the 2016 Annual Budget book to each council member.
2. Nancy Farber Mottola will not be able to attend the 3-07-16 council meeting.
3. Johnson said the windows in the old Care N Share building need to be cleaned from when it was decorated for the Chamber of Commerce downtown Christmas promotion. Motolla has a key to the building and will get the windows cleaned.

**Adjournment:**

MOTION by Richardson, second by Keck to adjourn at 8:30 p.m.

MOTION approved unanimously.

Debbie Parker, City Clerk