

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

July 18, 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 Mottola and Kevin Cardwell.

Others Present: Kent Hixson, Mike Robinson, Debbie Parker, Brad Modlin, Dave Williams, Jim Ashmore, Matt Schmidt, Ray Fleming, J.T. Klaus, Chris Young of Young & Assoc., Brent Allen, Byron Nye, Allison Herring, KDHE, Tyler Heffron and Lisa Martin (lawyers from Triplett, Woolf and Garretson). Bruce Simpson and several Mulvane Mobile Home Park residents.

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

Approval of Regular Meeting Minutes Dated 7-06-16:

MOTION by Johnson, second by Richardson to approve the Regular meeting minutes dated 7-06-16.

MOTION approved unanimously.

Correspondence: None

Review and Closing of the Agenda: Nothing to add.

Appointments, Awards and Citations:

Employee Service Recognition – Mayor presented Officer Jim Ashmore with 10 years of service certificate.

OLD BUSINESS

1. Mulvane Mobile Home Park Sewer Service - Offer from Bruce Simpson:

Mr. Simpson offered the City a \$9,000 deposit to restore sewer service to MMHP.

Executive Session:

Request an executive session not to exceed fifteen (15) minutes to discuss matters privileged in the attorney-client relationship (litigation). The executive session to include the Mayor, Council, City Administrator, City Attorney, Tyler Heffron and Lisa Martin (attorneys from Triplett, Woolf and Garretson).

MOTION by Mottola, second by Cardwell to recess for a period not to exceed fifteen (15) minutes to discuss matters privileged in the attorney-client relationship to include the Mayor,

Council, City Administrator, City Attorney, Tyler Heffron and Lisa Martin (attorneys from Triplett, Woolf and Garretson). To return at 8:10 p.m.
MOTION approved unanimously at 7:55 p.m.

MOTION by Johnson, second by Mottola to return from executive session.
MOTION approved unanimously.

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

The MMHP previous owner, Mr. Henderson, has a right to appeal the court decision to give MMHP back to Mr. Simpson until July 28th.

MOTION by Johnson, second by Cardwell to table the issue of restoring sewer service to MMHP until the 8-01-16 council meeting.
MOTION approved 3-2.

2. Building Inspector- Outsourcing the Service:

MOTION by Richardson, second by Cardwell to have Sedgwick County draft a memorandum of understanding to provide building inspection and plan review services to the City of Mulvane. The MOU will be presented to the city council for review and action.
MOTION approved 3-1.

NEW BUSINESS - None

RESOLUTIONS AND ORDINANCES

1. Ordinance Withdrawing from the Kansas Municipal Energy Agency:

MOTION by Mottola, second by Richardson to pass Ordinance No. 1468 authorizing withdrawal from the Kansas Municipal Energy Agency.
MOTION approved unanimously.

ORDINANCE NO. 1468

AN ORDINANCE OF THE CITY OF MULVANE, KANSAS AUTHORIZING THE WITHDRAWAL OF THE CITY FROM MEMBERSHIP IN THE KANSAS MUNICIPAL ENERGY AGENCY.

2. Ordinance Withdrawing from the Kansas Municipal Gas Agency:

MOTION by Mottola, second by Richardson to pass Ordinance No. 1469 authorizing withdrawal from the Kansas Municipal Gas Agency.
MOTION approved unanimously.

ORDINANCE NO. 1469

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS AUTHORIZING THE WITHDRAWAL OF THE CITY AS A FULL MEMBER OF THE KANSAS MUNICIPAL GAS AGENCY; AND AUTHORIZING OTHER ACTIONS RELATED THERETO.

PUBLIC BUILDING COMMISSION

MOTION by Mottola, second by Johnson to recess the Mulvane City Council meeting and convene as the Mulvane Public Building Commission.

MOTION approved unanimously.

MOTION by Johnson, second by Richardson to approve the Public Building Commission meeting minutes dated 7-06-16.

MOTION approved unanimously.

MOTION by Cardwell, second by Johnson to approve the DEMCO invoice in the amount of \$1,566.69 for library wall panels.

MOTION approved unanimously.

MOTION by Johnson, second by Cardwell to approve the Scott-Rice invoice in the amount of \$16,708.00 for library furniture.

MOTION approved unanimously.

MOTION by Johnson, second by Cardwell to adjourn as the Mulvane Public Building Commission and reconvene the Mulvane City Council meeting.

MOTION approved unanimously.

Engineer's Report/Project Review and Update:

Chris Young of Young & Associates updated the council on the GIS mapping of city utility, new library construction progress, E. Mulvane Street drainage project, Cedar Brook 2nd Addition, Hunters Pointe Addition and the Villa Maria senior housing project drainage plan review.

2017 ANNUAL BUDGET

MOTION by Mottola, second by Cardwell to set the public hearing for the 2017 annual budget for Monday, August 1st, 2016 at 7:30 p.m. at the Mulvane City Hall.

MOTION approved unanimously.

City Clerk: None

City Administrator:

- The Mayor will review the city administrator's annual performance evaluation with him.

City Attorney:

Executive Session:

Request an executive session not to exceed ten (10) minutes to discuss matters privileged in the attorney-client relationship (land acquisition). The executive session to include the Mayor, Council, City Administrator, City Attorney, Tyler Heffron and Lisa Martin (attorneys from Triplett, Woolf and Garretson).

MOTION by Richardson, second by Cardwell to recess for a period not to exceed ten (10) minutes to discuss matters privileged in the attorney-client relationship to include the Mayor, Council, City Administrator, City Attorney, Tyler Heffron and Lisa Martin (attorneys from Triplett, Woolf and Garretson). To return at 8:53p.m.

MOTION approved unanimously at 8:43 p.m.

MOTION by Mottola, second by Richardson to return from executive session at 8:53 p.m.

MOTION approved unanimously.

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

Byron Nye answered questions about his offer to sell land to the City on Louis Drive.

Terry Richardson said he had a conflict of interest (owns adjoining land) and would not vote on the issue.

No action was taken on the proposal from Mr. Nye to sell land to the City.

Consent Agenda:

MOTION by Richardson, second by Mottola to approve the Consent Agenda items 1 – 10 as follows:

1. Employee Payroll dated 7- 15-16 (\$216,141.72).
2. Warrant Register for June (\$1,604,205.84)
3. Wastewater Treatment Plant - purchase of 25,000lbs of ferric chloride for \$5,577.50 and 22,500lbs of sodium hydroxide for \$4,390.00 at a total cost of \$9,967.50.
4. Water Well Drilling – Burns & McDonnell invoice (\$6,724.05).
5. Public Works – Street Sealing Oil – Vance Bros. invoice dated 6-16-16 (\$11,539.40).
6. Public Works – Street Sealing Oil – Vance Bros. invoice dated 7-05-16 (\$11,465.90).
7. Public Works – Bingham Sand & Gravel invoice dated 6-24-16 (\$8,161.44).
8. Cedar Brook Addition – Street Improvements - Baughman Comp. invoice (\$17,600.00)
9. Cedar Brook Addition – Water Line Improvements – Baughman Comp. invoice (\$8,000.00)
10. Cedar Brook Addition – Sanitary Sewer Improvements – Baughman Comp. invoice (\$7,000.00)

MOTION approved unanimously.

Announcements, Meetings and Next Agenda Items: None

Adjournment:

MOTION by Mottola, second by Cardwell to adjourn the council meeting at 9:05 p.m.

MOTION approved unanimously.

Debra M. Parker, City Clerk