MULVANE CITY COUNCIL

REGULAR MEETING MINUTES

April 21, 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 Council President Doug Hatfield, who called the meeting to order.

COUNCIL MEMBERS PRESENT: Terry Richardson, Joe Johnson, Shelly Steadman and Jenean Keck

OTHERS PRESENT: Kent Hixson, Attorney Andrew Kovar, Patty Gerwick, Mike Robinson, Chris Young with Young & Associates, Brad Modlin, Galen Cummins, Ray Fleming, Kevin Baker, Wes Wenzel, Matt Billingslea, Mark Hardison, Dan Selley, Marcia Pike, Todd Humbolt, Don Williams

All stood for the Pledge of Allegiance and Invocation led by Council President Hatfield.

APPROVAL OF REGULAR MINUTES DATED 4-7-14: MOTION by Johnson, second by Steadman to approve the Regular minutes dated 4-7-14. MOTION approved unanimously.

CORRESPONDENCE: None at this time.

REVIEW AND CLOSING OF THE AGENDA: No changes. Council President Hatfield declared the agenda closed.

APPOINTMENTS, AWARDS AND CITATIONS: None at this time.

**OLD BUSINESS**

None at this time.

**NEW BUSINESS**

1. DOWNTOWN REVITALIZATION PROGRAM – GRANT APPLICATION RECOMMENDATIONS: Hixson reviewed the process of developing the Downtown Revitalization Program and the steps for rating the applications for the grants. Three (3) grant applications were reviewed and rated by the DRP Review Board. MOTION by Richardson, second by Johnson to approve the DRP grant application from Luciano and Nancy Mottola for the building at 216 W. Main in the amount of $6,000. MOTION approved 4 Yea (Richardson, Keck, Hatfield, Johnson) 1 Abstention (Steadman) due to conflict of interest. MOTION by Richardson, second by Keck to approve the DRP grant application from Darren Cusick for the building at 108 W. Main in the amount of $9,500. MOTION approved 4 Yea (Richardson, Keck, Hatfield, Johnson) 1 Abstention (Steadman) due to conflict of interest. MOTION by Keck, second by Hatfield to approve the DRP grant application from the Masonic Lodge at 104 ½ W. Main in the amount of $9,995. MOTION approved 4 Yea (Richardson, Keck, Hatfield, Johnson) 1 Abstention (Steadman) due to conflict of interest.
2. SECOND STREET – MILL & OVERLAY – REVIEW QUOTE: Hixson explained that Second Street, from Main Street to K15 Highway, was rebuilt in 1997 and is starting to wear out. To prevent further damage, the asphalt surface needs to be milled and a new asphalt surface installed. A bid was received from Cornejo & Sons in the amount of $298,759.55 with the work being completed before August 1, 2014. This project is included in the Capital Improvement Plan and will be paid for with funds from the Capital Improvement Fund. Kevin Baker, Street Supt. will oversee this project. MOTION by Steadman, second by Richardson to approve the quote from Cornejo & Sons in the amount of $298,759.55 to mill and overlay Second Street from K-15 to Main Street and authorize the Council President to sign the agreement. MOTION approved unanimously.
3. 2015 ANNUAL BUDGET SCHEDULE – REVIEW: The 2015 Budget presentation schedule was given to the Council for review. Budget presentations will start a little earlier this year to avoid have any special council meetings in July.
4. WATER RIGHTS STRATEGY – PROPOSAL FROM BURNS & MCDONNELL: Galen Cummins, Utility Generation Director reviewed the current water rights for the City owned wells. Burns & McDonnell was asked to submit a proposal to represent Mulvane in an effort to move the point of diversion of some or all of our water rights to the west side of the river. The proposal they submitted was divided into four (4) separate tasks: (1) Apply for Term Water Rights - $4,250; (2) Data Monitoring and Evaluation - $10,250; (3) Producing the Technical Memo - $4,800; and (4) Water Right Change Applications - $3,900. The total for all four (4) Tasks is $23,200. The agreement presented by Burns and McDonnell authorizes only Task 1. Subsequent tasks would be completed based on the issuance of additional authorization or authorizations. MOTION by Johnson, second by Keck to approve Tasks #1 through #4 of the Burns and McDonnell proposal for professional engineering services for water rights at a total cost not to exceed $25,000. MOTION approved unanimously.

**RESOLUTIONS AND ORDINANCES**

1. RESOLUTION TERMINATING NEARMAN POWER AGREEMENT: Galen Cummins, Utility Generation Director explained that the Nearman Power Plant has become an unreliable source in which to purchase our power. The Kansas Power Pool is recommending the City terminate the Nearman contract early which will result in lower power costs. Having been recommended by the Board of Directors of the Kansas Power Pool, MOTION by Keck, second by Johnson to approve Resolution 2014-1 authorizing the Kansas Municipal Energy Agency to terminate the Participation Power Sales Agreement for Electricity from Nearman No. 1.

**RESOLUTION 2014-1**

**A RESOLUTION OF THE CITY OF MULVANE, KANSAS, AUTHORIZING THE KANSAS MUNICIPAL ENERGY AGENCY TO TERMINATE THE PARTICIPATION POWER SALES AGREEMENT FOR ELECTRICITY FROM NEARMAN NO. 1; AUTHORIZING TERMINATION OF THE NEARMAN POWER SALES CONTRACT WITH THE KANSAS MUNICIPAL ENERGY AGENCY’ AND AUTHORIZING THE EXECUTION OF AN AGREEMENT RELATED THERETO.**

MOTION approved unanimously.

MOTION by Keck, second by Johnson to authorize the President of the Council to execute a termination of the Participation Power Sales Agreement. MOTION approved unanimously.

ENGINEER’S REPORT – CHRIS YOUNG

1. Merlin’s Glenn Drainage Issue: Young reviewed the drainage issue and presented four (4) options on possible solutions to the problem: (1) construct a new storm sewer line near the existing low points; (2) remove and replace a large section of asphalt pavement and repair sub-base; (3) use concrete flumes instead of storm sewers to drain standing water; and (4) remove and replace existing curb and gutter to change the slope. There was discussion about who would pay for the project. Young will bring back a cost analysis for repairing the problem now versus the cost for repairs five (5) years from now. No action taken at this time.
2. Project Review and Updates: Young provided updates on active city projects. He will be removing the Cedar Brook Project and the EMS Substation #2 project from this list as both projects are complete.

CITY CLERK

1. Update “Statement of Substantial Interest” form: All elected officials must complete this form for the Election Commissioner when filing for office. According to state statute, this form must be updated annually.

CITY ADMINISTRATOR

Nothing at this time.

CITY ATTORNEY

Andrew Kovar was filling in for J.T. Klaus. Nothing at this time.

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

1. Employee Payroll dated 4-11-14 ($189,154.45)
2. Warrant Register for March ($1,946,595.07)
3. Cedar Brook Addition Streets – Cornejo & Sons Payment ($108,760.50)
4. Water Treatment Plant – UCI Payment ($333,546.00)
5. Rock Road Sewer Lift Station – Change Order #1 ($5,313.00)
6. Rock Road Lift Station – Dondlinger Pay App. #2 ($38,215.50)
7. Utility Dept. – Street Lighting Payment ($43,941.00)
8. City Hall Renovations – VanAsdale Const. Pay App. #2 ($61,650.00)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

4-22-14 – School Board/City Council Breakfast – Laurie’s Kitchen – 6:30 a.m.

4-23-14 – Library Design Committee Meeting – City Hall – 4:00 p.m.

5-3-14 – Sedg. Co. Association of Cities – Bel Aire City Hall – 8:30 a.m.

ADJOURNMENT: MOTION by Richardson, second by Keck to adjourn at 8:57 p.m. MOTION approved unanimously.

Patty Gerwick

City Clerk