MULVANE CITY COUNCIL

REGULAR MEETING MINUTES

May 18, 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, Joe Johnson, Doug Hatfield, Nancy Farber Mottola and Jenean Keck

OTHERS PRESENT: Kent Hixson, J.T. Klaus, Patty Gerwick, Mike Robinson, Chris Young, Sheri Kaufman-Marsh, Brent Allen, Trace McCullough with Zayo Group and City Staff Dave Williams, Ray Fleming, Debbie Plew, Cathy Walker, Judi Patterson

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

APPROVAL OF REGULAR MINUTES DATED 5-4-15: MOTION by Johnson, second by Richardson to approve the Regular minutes dated 5-4-15. MOTION approved unanimously.

CORRESPONDENCE: Nothing at this time.

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

APPOINTMENTS, AWARDS AND CITATIONS: **Mulvane Recreation Commission**: MOTION by Richardson, second by Hatfield to approve the Mayor’s recommendation to appoint Mike Abasolo to a four year term on the Mulvane Recreation Commission. MOTION approved unanimously.

**OLD BUSINESS**

None at this time.

**NEW BUSINESS**

1. TRANSIENT GUEST TAX REQUEST – FILM FESTIVAL: Councilmember Farber Mottola excused herself from the Council to speak on behalf of the Doc Sunback Film Festival. The Festival and Art Crawl is scheduled for June 18-19, 2015 and will take place in downtown Mulvane. There will be three locations for films and two locations for Art displays. Sheri Kaufman-Marsh also spoke and provided some statistics on the Tallgrass Film Festival that is held in Wichita. MOTION by Johnson, second by Richardson to authorize the City Administrator to approve the request from the Doc Sunback Film Festival for Transient Guest Tax funds in the amount of $1,928.90. MOTION approved unanimously.

Councilmember Farber-Mottola returned to her seat on the Council

**RESOLUTIONS AND ORDINANCES**

1. ORDINANCE FOR FRANCHISE TELECOMMUNICATIONS AGREEMENT: City Attorney Klaus explained the need for a Franchise Agreement between the City and Zayo Group, LLC. Zayo Group, LLC wants to run a fiber optic line through Mulvane out to the cell tower located at the Kansas Star Casino. Mr. Trace McCullough with Zayo Group was present to answer questions. MOTION by Hatfield, second by Keck to adopt and approve Ordinance No. 1444 granting a telecommunications franchise contract to Zayo Group, LLC. MOTION approved unanimously.

**ORDINANCE NO. 1444**

**AN ORDINANCE GRANTING TO ZAYO GROUP, LLC A CONTRACT FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE CITY OF MULVANE, KANSAS AND PRESCRIBING THE TERMS OF SAID CONTRACT FRANCHISE.**

ENGINEER’S REPORT

1. Project Review and Update: Chris Young gave a brief review on the Library project and the Merlin’s Glen Drainage project. Councilmember Hatfield inquired about the drainage issue on East Mulvane Street. Staff will research and report back to the Council.

**PUBLIC BUILDING COMMISSION**

**May 18, 2015**

MOTION by Johnson, 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 Farber Mottola to approve the Public Building Commission Meeting Minutes dated 5-4-15. MOTION approved unanimously.

MOTION by Hatfield, second by Richardson to pay the following invoice related to the design and construction of the new public library:

1. Walz-Harmon pay application #1 in the amount of $70,717.50
2. Young & Associates Engineer in the amount of $954.00

MOTION approved unanimously.

MOTION by Johnson, second by Farber Mottola to adjourn the Public Building Commission meeting and to reconvene the regular City Council meeting of May 18, 2015. MOTION approved unanimously.

Minutes by Patty Gerwick, Secretary

PUBLIC SAFETY DIRECTOR

* + - 1. SUMNER COUNTY AMBULANCE SUBSIDY – EXECUTIVE SESSION: City Attorney J.T. Klaus requested an executive session. MOTION by Richardson, second by Hatfield to recess for a period not to exceed 10 minutes to discuss matters under attorney/client privilege with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously.

MOTION by Johnson, second by Keck to return to open session. MOTION approved unanimously. Mayor Steadman announced that no binding decisions were made during the executive session.

1. APPROVE THE DONATION OF THE 1992 DODGE VAN TO THE FIRE DEPARTMENT FOR TRAINING PURPOSES: MOTION by Johnson, second by Keck to approve the donation of the 1992 Dodge van to the Fire Department for training purposes. MOTION approved unanimously.

2016 ANNUAL BUDGET PRESENTATIONS

Inspection Department – Ray Fleming, Planning and Zoning Administrator presented the proposed budget for council consideration.

Planning Commission – Ray Fleming, Planning and Zoning Administrator presented the proposed budget for council consideration.

Municipal Court – Debbie Plew, Municipal Court Clerk presented the proposed budget for council consideration.

Public Safety – Dave Williams, Public Safety Director presented the proposed budgets for the Police Department, Fire Department, Fire District #12 and EMS Departments for council consideration.

CITY CLERK - Nothing at this time.

CITY ADMINISTRATOR - Nothing at this time.

CITY ATTORNEY

1. Executive Session – Matters privileged in the attorney-client relationship: MOTION by Richardson, second by Johnson to recess for a period of 10 minutes to discuss matters privileged in the attorney-client relationship with the Mayor, Council, City Administrator and City Attorney to attend. MOTION approved unanimously.

MOTION by Hatfield, second by Keck to return to regular session. MOTION approved unanimously. Mayor Steadman announced that no binding decisions were made during the executive session.

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

1. Employee Payroll dated 5-8-15 ($179,845.03)
2. Warrant Register for April 2015 ($1,292,370.07)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

5-26-15 – School Board/City Council Breakfast – Laurie’s Kitchen – 6:30 a.m.

ADJOURNMENT: MOTION by Richardson, second by Keck to adjourn at 9:10 p.m. MOTION approved unanimously.

Patty Gerwick, City Clerk