

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

March 20, 2017

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:** Joe Johnson, Terry Richardson, Jenean Keck and Kevin Cardwell.

**Others Present:** Debbie Parker, Kent Hixson, J.T Klaus, Joel Pile, Cathy Walker, Chris Young of Young & Assoc., Mike Robinson, Dave Williams, Brad Modlin, Kevin Baker, Brian Cunningham, Karen Rambo and Randy White, Mayor of Derby.

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

**Approval of Regular Meeting Minutes Dated 3-06-17:**

MOTION by Keck, second by Richardson to approve the Regular meeting minutes dated 3-06-17.

MOTION approved unanimously.

**Correspondence:** None

**Review and Closing of the Agenda:**None

**Appointments, Awards and Citations:** None

**OLD BUSINESS**

**1. Community Room – Remodel Agreement:**

Joel Pile, Planning & Zoning Director, reviewed the three agreements with Van Asdale Construction for remodel work at the Community Room. The Council has previously approved three proposals from Van Asdale Construction for remodel work at the Community Room. The total contract sum for all of the work approved to date is \$112,111.00. The agreements were reviewed by the city attorney and they formalize the terms of the project.

MOTION by Keck, second by Cardwell to approve Agreement #1 between the City of Mulvane and Van Asdale Construction, LLC for Community Room improvements specified therein including a contract sum of \$67,822 and authorize the Mayor to sign.

MOTION approved unanimously.

MOTION by Keck, second by Richardson to approve Agreement #2 between the City of Mulvane and Van Asdale Construction, LLC for Community Room improvements specified therein including a contract sum of \$35,274 and authorize the Mayor to sign.

MOTION approved unanimously.

MOTION by Keck, second by Johnson to approve Agreement #3 between the City of Mulvane and Van Asdale Construction, LLC for Community Room improvements specified therein including a contract sum of \$9,015 and authorize the Mayor to sign.

MOTION approved unanimously.

## **2. Community Room – Naming the Building:**

On 3-06-17 the council discussed naming the old library/community room. Karen Rambo, representing the Marquee Replacement Committee, addressed the council advising they would like to raise funds to buy and install a marquee sign on the community room. This would be a replica of the old PIX sign that was once at the theater. The group would like the council to consider using the name “PIX” when naming the building.

The council discussed three concepts submitted by the Mayor.

MOTION by Richardson, second by Cardwell to name the building “Pix Community Center” with the address 101 East Main Street across the bottom of the awning.

MOTION approved 3 -1. (Johnson opposed)

## **3. Transient Guest Tax Funds Request – Mulvane Community Foundation on behalf of the Steampunk- Esque Festival :**

In 2008, the council passed Charter Ordinance #26 establishing a 5% Transient Guest Tax.

In 2011, the council passed Resolution #2011-9, a policy that defines how the Transient Guest Tax can be used and disbursed. The TGT funds should result in overnight stays at the Hampton Inn.

On 2-20-17 the council approved an application for Transient Guest Tax Funds for the Steampunk-Esque Festival in the name of Kimberly DeWald. Kimberly would like to withdraw her previous application and re-submit another application. For tax purposes she would like the Transient Guest Tax fund check made out to the Mulvane Community Foundation.

MOTION by Cardwell, second by Richardson to authorize the City Administrator to approve the request from the Mulvane Community Foundation to fund the Steampunk-Esque Festival for Transient Guest Tax fund request in the amount of \$1,500.00 and the check made out to the Mulvane Community Foundation.

MOTION approved 3 -0. *Keck abstained because she is on the MCF board.*

## **NEW BUSINESS**

### **1. Mulvane Brush Pit – Haul and Grind Contract with Braik Brothers Tree Care & Green Waste Recycling:**

Braik Brothers Tree Care & Green Waste Recycling, LLC, contacted the Public Works Director with an interest to come in at least twice a year to grind up tree debris at the brush pit and haul off the resulting mulch. Braik Brothers Tree Care will offer this service free of charge for the next five years. Allowing the grinding and hauling could reduce the number of times the City burns the pit each year, and have a positive effect on the environment. It is likely the city will still need to burn depending on the availability the company.

MOTION by Keck, second by Johnson to approve the agreement with Braik Brothers Tree Care & Green Waste Recycling LLC to grind and haul off wood mulch from the City brush pit.

MOTION approved unanimously.

### **2. Public Works Dept. – Purchase a Metal Building for Salt & Sand Storage:**

Public Works Director, Kevin Baker, explained the need for a salt/sand storage building. The salt/sand mix must be stored inside out of the weather due to environmental regulations/concerns. The Public Works Department currently stores the salt/sand mixture in the main building. The construction of a new steel 80’ x 60’ steel building adjacent to the main Public Works shop at 410 W. Bridge St. is needed. A new building will serve as a dual purpose facility – salt/sand storage, and equipment storage for the Public Works Department. Construction of a new building will also allow for additional storage in the main building once the salt/sand mixture is moved. This project has been in the CIP for 3 years. Funds to pay for the new building are available in the New Equipment line item in the General Fund which has a balance of \$210,000.

MOTION by Keck, second by Cardwell to approve the purchase and construction of one 80' x 60' building per specifications from Topline Steel Buildings in the amount of \$114,895 to be paid for out of the New Equipment in the General Fund. Contingent on approval of a conditional use permit. MOTION approved unanimously.

*Public Works Director Baker said that there could be a possible 3% increase in the price of steel that could affect the project cost.*

**3. Schaefer Addition Final Plat:**

The DPB Schaefer Addition is a two lot small tract plat of 5.7 acres located in Sedgwick County on the South side of 111<sup>th</sup> Street South, ¼ mile West of Oliver. The plat was prepared by the Savoy Company, P.A. for David Schaefer of Derby, KS. The plat was reviewed by the Subdivision Committee on March 2, 2017; the committee recommended forwarding it to the Planning Commission for consideration and approval. The plat was considered and reviewed by the Planning Commission on March 9, 2017; the commission approved the plat and recommended the city council accept the dedications, if any, shown on the plat. The governing body must agree to accept the dedications, if any, shown on the plat or refer the plat back to the Planning Commission. Since the plat is outside the city limits, the Sedgwick County Commission must also accept the dedications, if any, shown on the plat.

MOTION by Johnson, second by Keck to accept all dedications, if any, shown on the plat of the DPB Schaefer Addition and authorize the Mayor to sign.

MOTION approved unanimously.

**4. Capital Improvements Plan 2017- 2021 – Review:**

A capital improvement is a major equipment acquisition or facility construction project that frequently requires expenditures of funds from sources other than normal operating revenues. Examples are swimming pool, wastewater treatment plant, street improvements, fire trucks or ambulances. A capital improvements program is a plan to acquire or construct a number of major projects or equipment over a fixed period of time. The usual planning period is five years. This period is not fixed by law and can be adjusted to meet a community's needs and requirements when necessary. A CIP is not set in stone and can be changed or amended every year. In our system, each project or equipment acquisition must still be reviewed on an individual basis, each year and approved by the city council before the funds are spent. Total capital expenditures and the ongoing debt service on those expenditures are the largest items in the City annual budget.

Under K.S.A. 12 -1,118, a city can establish a CIP reserve and levy a tax to fund projects in the CIP. The City has levied up to 1.28 mills in past years. The total CIP reserve as of 12-30-16 is \$146,132.

A CIP is subject to availability of funds, is an annual appropriation and can be re-evaluated annually by the governing body. It is a policy, not a law. Many factors (availability of funds, new service demands, a changing council) can affect the CIP.

The council reviewed the CIP list. There were no additions or deletions.

It was the consensus of the council to send the draft CIP to the Mulvane Planning Commission for their review. The PC acts only in an advisory capacity to review the CIP to make sure it conforms to the Comprehensive Community Development Plan. Once the PC has reviewed and commented on the CIP, the council will adopt it.

**ORDINANCES AND RESOLUTIONS**

**None**

## ENGINEERS REPORT

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

Chris Young of Young & Associates updated the Council on the GIS mapping of city utility, E. Mulvane Street drainage project, Cedar Brook 2<sup>nd</sup> Addition, Hunters Pointe Addition, the O'Reilly Addition and the Villa Maria Senior Housing Project. Young will continue to contact the BNSF Railroad to try and get them to meet about 1<sup>st</sup> Street drainage problems.

**City Clerk:** None

**City Administrator:** Kent Hixson advised the council that Mulvane was named a 2016 Tree City USA by the Arbor Day Foundation.

### **City Attorney:**

#### **1. Request Increase in Monthly Retainer:**

The city attorney presented a letter requesting an increase in his monthly retainer amount from \$1,800/mo. to \$2,400/mo. *The mayor did not participate in the discussion and made no comments.*

MOTION by Richardson, second by Keck to approve an increase in the city attorney's monthly retainer to \$2,400 per month.

MOTION approved unanimously.

#### **2. Conditional Use Permit Application – Salt/Sand Storage Shed:**

The attorney suggested that the council approve applying for a conditional use permit to the Mulvane Planning Commission for the salt/sand building at the Public Works Shop - 120 S. Boxelder.

MOTION by Richardson, second by Keck to request a conditional use permit on behalf of the City for the salt/sand building.

MOTION approved unanimously.

### **Consent Agenda:**

MOTION by Richardson, second by Cardwell to approve Consent Agenda items 1 – 3

1. Payroll dated 3-10-17 (\$188,803.54)
2. Water Rights Activity – Burns & McDonnell (\$7,935.57).
3. HD Supply – Advanced Meter Infrastructure Equipment (\$977,596.78)

MOTION approved unanimously.

### **ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:**

- Next meeting is April 3rd @ 7:30 p.m.

### **Adjournment:**

MOTION by Keck, second by Richardson to adjourn the council meeting at 8:23 p.m.

MOTION approved unanimously.

Debra M. Parker, City Clerk

