

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

December 4, 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:** Terry Richardson, Joe Johnson, Jenean Keck, Nancy Mottola and Kevin Cardwell.

**Others Present:** Debbie Parker, Kent Hixson, J.T Klaus, Joel Pile, Brad Modlin, Chris Young, Mike Robinson, Brent Allen, Barry Fleming, Diane Paul, Ron Paul, Tom Fagan, Brent Wooten, Mike Howell, Corie Rogers.

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

**Approval of Regular Meeting Minutes Dated 11-20-17:**

MOTION by Mottola, second by Johnson to approve the Regular meeting minutes dated 11-20-17.

MOTION approved unanimously.

**Correspondence:** None

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

**Appointments, Awards and Citations:**None

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. Emerald Valley Estates – Electric Service:**

Diane Paul, developer of Emerald Valley Estates, addressed the council with two requests:

1. That the electric utilities be installed in the back of the residential lots instead of “front loaded” with the electric boxes on city streets, and
2. That the electric utility installation fee be paid to the city on a per lot basis as building permits are issued, rather than an upfront cost.

Paul explained it was about aesthetics. She felt there would be a negative appearance to the housing addition with the large electric boxes located at the front of the lots. Hixson explained that the City can provide better customer service with the electric boxes located in the front. City crews can easily pull their trucks and equipment up to the electric box which makes

restoring power quicker with the least amount of damage to yards. Also, with the electric boxes located in the front, the city crews do not have to deal with dogs, fences, locked gates, and storage sheds. Crews can safely re-energize the power circuit which ensures public safety.

Modlin explained he could reduce the amount of the larger electric boxes by putting in several smaller pedestals. A compromise was agreed upon to use 5 large transformers for the 27 lots, with 1 junction box and several smaller pedestals.

Paul then made a request to assess the electric utility installation fee as building permits were issued instead of paying the \$500 cost per lot upfront. The upfront cost for the 27 lots would be \$13,500.

City Code Section 700.080C addresses the new development distribution connection fee. Without this fee, the rest of the citizens of Mulvane are subsidizing the new housing development for the infrastructure cost and assuming the risk that all the lots will be developed.

**C. CITY CODE SECTION 700.080: CONNECTION FEES-NEW DEVELOPMENTS**

*New Development Distribution Connection Fee. There shall be, in addition to all other fees prescribed by this Code, an installation fee for electric distribution facilities necessary to serve the anticipated load of each new residential subdivision in the City. Such fee shall be computed (1) on a per lot basis for each new single family buildable lot of a size less than five acres and (2) on a per meter basis for each new multifamily residential living unit not requiring any special or unusual components (herein “conventional residential distribution systems”) . Such fee shall be payable prior to the initial construction of any distribution system necessary to serve any designated phase of a platted or planned unit development with the City. Such fee shall be billed at the rate set forth in Section 100.240.*

It was the consensus of the council to make no changes or exceptions to the code.

**2. Nottingham Estates – Street and Drainage Bids:**

The bids for the Paving and Drainage Improvements were opened on 11-22-17. The total cost of the improvements will be assessed 100 percent back to the 34 platted lots. Brent Wooten, Baughman & Co., reviewed the bids with the council.

Paving and Drainage Improvements Bids:

Apac-Kansas	\$298,676.75
Cornejo & Sons	\$327,985.41
Conspec Inc., DBA Kansas Paving	\$278,046.65
Pearson Construction	\$299,841.76

The low bid for the Paving and Drainage Improvements was Conspec Inc., DBA Kansas Paving in a total amount of \$278,046.65. The low bid was well under the engineer’s estimate of \$329,231.00 which was fully advertised by the valid petition.

Council inquired about the grades of the property to avoid drainage issues. Wooten advised this has been addressed and there should be no issues.

MOTION by Mottola, second by Cardwell to approve the low bid submitted by Conspec Inc., DBA Kansas Paving, for the Paving and Drainage Improvements for Nottingham Estates at Hunters Pointe Addition in the total amount of \$278,046.65 and authorize the City Manager to issue a Notice of Award.

MOTION approved unanimously.

**3. City Employee Dental Insurance Policy Renewal:**

Mike Howell, City Benefits Consultant, reviewed the Delta Dental insurance renewal for 2018.

The City currently pays 90% of Dental premiums and the employees share is 10%.

The Dental rate had not increased the last two years; therefore, there has been no reason to request approval for rates. For 2018, the Dental rates from Delta Dental are purposed to increase 2.6%.

Total increase for 2018 would be \$1,875.96. The City portion would be \$1,688.36 and the employee portion would be \$187.60. The Insurance Committee is recommending the City pick up this small increase.

MOTION by Keck, second by Mottolato approve the Delta Dental Employee Plan Renewal and that the City pick up the \$187.60 cost increase for employees, leaving the current contributions for Dental unchanged for 2018.

MOTION approved unanimously.

**4. Utility Dept. – Purchase Electrical Distribution Transformers:**

A minimum quantity of electric distribution transformers are kept in utility inventory. Electric distribution transformers occasionally fail during service due to lightning and power surges, age and excessive power loading. Electric Distribution transformers are kept in inventory for future development of residential and commercial property. The current delivery time for electric distribution transformers is 8-10 weeks. At this time, the City needs (2) 500 KVA distribution three phase transformers and (1) 300 KVA three phase transformer. All bids on electric distribution transformers meet or exceed minimum specifications of the Department of Energy new efficiency standards. The new standard has inflated the cost of these distribution transformers since 2009.

Bids were received from three vendors:

Kriz Davis	\$26,622.50
Stanion	\$26,702.94
Wesco	\$34,750.38

MOTION by Keck, second by Johnson to accept the low bid from Kriz Davis in the amount of \$26,622.50 for the purchase of (2) 500 KVA and (1) 300 KVA transformers.

MOTION approved unanimously.

**5. Public Works Dept.:**

**A) Purchase Two new pick-ups:**

MOTION by Mottola, second by Keck to approve the purchase of two 2017 Chevrolet Silverado 1500 4x4 ½ ton pick-ups for the price of \$24,953.00 per truck for a total of \$49,906.00 from Don Hattan Chevrolet.

MOTION approved unanimously.

**B) Purchase Vehicle Lift for City Maintenance Shop:**

Corie Rogers, City Maintenance Mechanic, reviewed with the council the need for a new vehicle lift. Currently the maintenance shop does not have a high capacity lift. The current lift is unsafe and does not have the capacity to lift the larger trucks.

MOTION by Cardwell, second by Johnson to approve the purchase of one Two Post SPO15 Versatile Super Duty Lift from Automotive Equipment, Inc. at a total cost of \$16,289.00 to be installed in the City's mechanical maintenance shop at 410 W. Bridge St.

MOTION approved unanimously.

**6. Walkable Places Agreement With WAMPO:**

During the October 2, 2017 Council Meeting the Council approved the Grant Agreement between the City and WAMPO for the Walkable Places Grant. WAMPO has requested the City consider an updated agreement to extend the end date of the project to December 31, 2019. The grant award is for \$17,000 (20% city share \$3,400 + \$204 administrative fee / 80% grant funding \$13,600).

MOTION by Keck, second by Richardson to approve the updated Planning Walkable Places Grant Agreement with Wichita Area Metro Planning Organization (WAMPO) and authorize the Mayor to sign.

MOTION approved unanimously.

**7. Water Main Extension on N. Rock Road – Discussion:**

Chris Young, City Engineer – Young and Associates, PA reported to the City Council that they had received some interest from individuals in developing commercial property along North Rock Road. The proposed retail development would be located on the west side of Rock Road, north of 103<sup>rd</sup> St. and south of the existing Veterinarian Clinic. The City's current northern boundary stops at 103<sup>rd</sup> St.

The extension of water north of 103<sup>rd</sup> would serve as a catalyst and first step in promoting commercial development on Rock Road. The north end of the City's existing 12" water line terminates just north of the west drive into the Mulvane High School. Extending this water main north along Rock Road could provide future service to a large undeveloped tract on the west side of Rock Road (lying west of the High School) and other undeveloped tracts located north of 103<sup>rd</sup>, including the subject property.

Traditionally, a new development would be responsible for extending utilities across their property with the City at Large paying for up-sizing as needed for future growth. To accommodate the current interest in commercial development along Rock Road, the City's

existing 12” water main would need to be extended approx. 2,500 LF at an estimated cost of over \$300,000.

To incentivize economic development along Rock Road, the City Council may wish to consider constructing and issuing debt for the extension of water to a point north of 103<sup>rd</sup> St. The water main extension could be paid for by the future developer(s) via a connection fee paid at the time of development, less over-sizing costs to be paid by the City at Large. The total estimated costs for extending water would be figured into a formula and as development occurs, each developer would be required to pay an additional connection fee to tap the water main.

Staff recommends the City Council provide their preliminary approval for a project to extend a water main north of 103<sup>rd</sup> St. along Rock Road contingent upon several things falling into place, some of which are:

- Working with Sedgwick County on the annexation process
- Consent to annexation from three property owners
- Satisfying Rural Water District #3 territory acquisition requirements
- Determining specific water main connection fees

It was the consensus of the City Council to allow city staff to research the extension of a water main along Rock Road, north of 103<sup>rd</sup> Street.

## **ORDINANCES & RESOLUTIONS**

None

## **ENGINEER**

### **Update of Projects:**

Chris Young, City Engineer, reviewed several projects - Nottingham Estates, Emerald Valley Estates, Gilberts Addition, English Park Design Survey and Drainage Improvements and Decommissioning of Boxelder Power Plant.

## **LAND BANK**

MOTION by Keck, second by Mottola to recess City Council Meeting and convene as the Mulvane Land Bank

MOTION approved unanimously.

MOTION by Keck, second by Mottola to approve the Land Bank Board of Trustees meeting minutes dated 11/6/17.

MOTION approved unanimously.

MOTION by Keck, second by Cardwell to approve the City utility bills for Land Bank owned properties in the total amount of \$5.18 for 202 W. Main and 209 W. Main.

MOTION approved unanimously.

Joel Pile reviewed the proposal for structural engineering services from Dudley Williams and Associates, for design of the structural restoration and stabilization work associated with the south exterior masonry wall of the building at 100 and 102 W. Main.

MOTION by Mottola, second by Keck to approve the structural engineering proposal with Dudley Williams & Assoc. for the south wall of 100 and 102 W. Main in the amount of \$8,000.00 contingent upon the clarification of both addresses added to the proposal.

MOTION approved unanimously.

(The Board would like detailed tracking of the costs going into the corner property.)

Joel Pile updated the Board on the status of the Vacant Land transfer to the City for property at 111 E. Prather and 105 W. Main. Staff is waiting on a closing order from KDHE.

MOTION by Keck, second by Cardwell to adjourn the meeting of the Mulvane Land Bank Board of Trustees and reconvene as the Mulvane City Council.

MOTION approved unanimously.

**City Clerk:** None

**City Administrator:**

Hixson advised USD 263 Board of Education had invited the Mayor and City Council to participate in the superintendent search process at a meeting on December 11, 2017. Council attendance will be limited to the Mayor and 2 Council Members.

**City Attorney:**

**Executive Session #1**

The City Attorney requested an executive session not to exceed (5) five minutes to discuss matters in attorney/client relationship for the purpose of discussing possible litigation, to include the Mayor, City Council, City Administrator and City Attorney.

MOTION by Richardson second by Johnson to recess for a period not to exceed (5) five minutes to discuss matters privileged in the attorney/client relationship for the purpose of discussing possible litigation, to include the Mayor, City Council, City Administrator and City Attorney to return at 8:55 p.m.

MOTION approved unanimously at 8:50 p.m.

MOTION by Mottola, second by Cardwell to return from executive session at 8:55 p.m.

MOTION approved unanimously.

Mayor Steadman announced that no binding decisions were made during the Executive Session.

**Executive Session #2**

The City Attorney requested an executive session not to exceed (30) thirty minutes to discuss matters involving non-elected personnel for the purpose of potential employee, to include the Mayor, City Council, City Administrator and City Attorney.

MOTION by Keck, second by Richardson to recess for a period not to exceed (30) thirty minutes to discuss matters involving non-elected personnel for the purpose of potential employee, to include the Mayor, City Council, City Administrator and City Attorney to return at 9:30 p.m.  
MOTION approved unanimously at 9:00 p.m.

MOTION by Mottola, second by Cardwell to return from executive session at 9:30 p.m.  
MOTION approved unanimously.

Mayor Steadman announced that no binding decisions were made during the Executive Session.

MOTION by Mottola, second by Richardson to return to executive session for a period not to exceed (30) thirty minutes to discuss matters involving non-elected personnel for the purpose of discussing potential employee, to include the Mayor, City Council, City Administrator and City Attorney to return at 10:05 p.m.

MOTION approved unanimously at 9:35 p.m.

MOTION by Cardwell, second by Richardson to return from executive session at 10:05 p.m.  
MOTION approved unanimously.

Mayor Steadman announced that no binding decisions were made during the Executive Session.

**Consent Agenda:** Items 1 - 5

MOTION by Richardson, second by Keck to approve Consent Agenda items 1 – 5.

1. **Payroll:** Dated 12-01-17 (\$212,830.03)
2. **City Utility Bills** – (\$17,831.24)
3. **Warrant Register** – November (\$843,695.06)
4. **Augusta Water Contract Dispute** – Legal fees to Triplett, Woolf & Garretson (\$12,397.98).
5. **Wastewater Plant** - Purchase of 48,000 lbs. of ferric chloride for \$9,375.00 and 48,000 lbs. of sodium hydroxide for \$7,661.40 at a total cost of \$17,036.40. This price includes insurance surcharge and fuel cost.

MOTION approved unanimously.

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

- Monday, Dec. 18th - Next council meeting @ 7:30 p.m.

**ADJOURNMENT:**

MOTION by Richardson, second by Keck to adjourn the council meeting at 10:06 p.m.

MOTION approved unanimously.

Minutes by Debra M. Parker, City Clerk