

**MULVANE CITY COUNCIL
REGULAR MEETING MINUTES**

October 21, 2024

6:00 p.m.

The Mulvane City Council convened at the City Building at 211 N. Second at 6:00 p.m. Presiding was Mayor Brent Allen, who called the meeting to order.

COUNCIL MEMBERS PRESENT: Tim Huntley, Todd Leeds, Grant Leach, Kurtis Westfall, Trish Gerber.

OTHERS PRESENT: Austin St. John, Debra Parker, Kendra Stacey, Chris Young, Joel Pile, Gordon Fell, Sherry Leach, Larry McDonald, Jeff Grieve, Mike Robinson, Cheryl Couch, Aaron Lonergan, Patricia Ponder, Sandra Howlett, Suzanne Howlett, Bruce Howlett, Tim Austin, Kim Edgington, Debra Prior, Michelle McElroy, David Hill, Kent Bruntz, Michael Hoobler, Mark Galvin and other interested citizens.

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

APPROVAL OF REGULAR MEETING MINUTES:

MOTION by Leach, second by Leeds to approve the Regular meeting minutes dated October 7, 2024.

MOTION approved unanimously.

CORRESPONDENCE: None

PUBLIC COMMENTS: Several citizens were present to speak about the rezoning of the Sandy Bottoms recreational area. The council heard from citizens both for and against the rezoning. Areas of concern included – traffic, noise, safety, access to the property, alcohol, and theft. Those in support of the rezoning spoke about the character of the owner, having a sense of community and brotherhood, the willingness to help others, supporting the businesses in town and giving back to the community, the decrease in property damage to farmers fields, and having a place for families to gather. Some citizens indicated the noise complaints were from events held at the Rodeo grounds.

Kim Edgington with PSC Consulting spoke about the PUD and the restrictions that would be in place with the rezoning, which include the hours of events, the number of events held, the time allowed for music and the direction of speakers, along with other restrictions.

Mayor Allen thanked everyone for coming.

APPOINTMENTS, AWARDS AND CITATIONS: None

OLD BUSINESS

None

NEW BUSINESS

1. Discussion on Zoning Change for Sandy Bottoms:

The City Council listened to a presentation from Patricia Ponder regarding the Zoning Change for property located west of the railroad tracks behind First St. commonly known as Sandy Bottoms. The property is used as a recreational area for UTV's. Sedgwick Co. held a public hearing regarding the zoning change of the property from RR Rural Residential to PUD for an outdoor recreation facility that may have indoor/outdoor entertainment (live music and alcohol). Ponder has filed a protest petition for the rezoning with the Sedgwick County Clerk. Ponder represented residents in the area with concerns about traffic, safety, and noise. Ponder wants to maintain the rural residential life and would like City representation at the County Commission meeting on November 7th.

City Attorney, Kendra Stacey, advised the council that they would need to decide if they wished to provide a letter on the issue to the County Commission by the next City Council meeting November 4th. Stacey also pointed out that the City would only be able to enforce violations if the property were annexed, which would need to be requested by the owner.

Public Safety Director, Gordon Fell, indicated that currently emergency response is provided by the Sedgwick Co. Sheriff, Fire, and EMS, however, Mulvane provides mutual aid to the area and would respond to calls. Fell also pointed out that some of the traffic concerns are due to school traffic and any theft in the area was unrelated.

Kim Edgington with PSC Consulting indicated that the owner, Aaron Lonergan, would agree to being annexed into the City. This would allow the City to have jurisdiction of the area to enforce any violations. Also, the owner is actively working on getting a second access to the property.

The council can discuss whether they wish to provide a letter to the County Commission at its next meeting.

2. New Server for City Hall:

City Clerk, Debra Parker, reviewed this item with the council. Our existing Dell Server is End of Life and installed in or around 2015. The life span of a server is typically a maximum of 7 years. Our IT Representative, Nathan Werth, has been getting alerts showing a potential system failure. Staff have been working with All Covered for the past two (2) years to replace the server. Due to continued changes at All Covered, this project has been delayed several times.

We recently received a quote from All Covered for the project. The cost includes labor for \$10,340 and Hardware/Software for a Dell Server for \$11,508 totaling \$21,848.00. This total does not include any travel expenses if needed. Our IT Representative, Nathan Werth (Advanced Computers), has also provided a quote of \$13,717.00 for a Lenovo Server with an estimated shipping cost of \$100.00. Each server would come with a 5-year warranty. The Lenovo is a faster model than the Dell quoted by All Covered. Werth's estimated labor would be 10-20 hours at a cost between \$900.00 - \$1,800.00 with no travel expenses. The total for Nathan Werth (Advanced Computers) to order and install the server would be approximately \$15,617.00. This is a savings of \$6,231.00.

Once the server is ordered, it will be built and staged to prepare it for onsite installation. Some of the work can be done on Friday afternoon or after office hours to avoid interruption of daily operations. Staff would like to proceed with the quoted price of the Lenovo Server for \$13,717.00

provided by our IT Representative, Nathan Werth (Advanced Computers) to avoid any further delays and potential system failures.

MOTION by Leeds, second by Westfall to approve the purchase of a Lenovo Server for City Hall from Nathan Werth (Advanced Computers) at a cost not to exceed \$14,000.00.

MOTION approved unanimously.

3. Delivery Point Facilities Agreement with Evergy:

City Attorney, Kendra Stacey, reviewed this item with the council. The City currently has two electric transformers located at 111th Street Electric Substation. The sizes of the two 69kV electric transformers are 5 MV and 15 MV. The current Substation was built in 1970 when the City began to purchase power from what was then KG&E (today's Evergy).

In May 2021, the Public Works Director recommended (and the City Council approved) selection of ElectriComm, Inc. to engineer, construct and install an upgrade and reconstruction of the existing substation at the existing location on an original proposed cost of \$1,090,800 (not including the acquisition of a new transformer at an estimated cost of \$800,000). The original total estimated project costs were expected to be \$2,200,000.

In July 2021, the City Council decided it best to seek financing for the project through The Kansas Power Pool (today's "KPP Energy"). The estimated cost of the improvements and financing (which will be initially owned by the KPP) is already being paid through the City's Cost of Power. After the financing is retired, the improvements will be transferred to the City.

After the engineering design was started, and the transformer was ordered from Niagara Power, it was revealed that Evergy was contemplating a new dual service transmission line that could be constructed to the City's existing power plant from the east. This transmission line could add redundancy to the City's service. KPP contacted Niagara Power at the City's request and was able to change the transformer's input from 69 kV to a 138 kV to accommodate the new service line. Thereafter, KPP voted to allocate an additional \$433,635.92 from its 2021 bond issue to the Mulvane project, increasing the total costs of KPP's portion to \$2,333,635.92. The final project costs will be substantially higher with the Evergy transmission upgrade, and the City is in the process of issuing G.O. Bonds to cover the expected additional costs.

In order to secure Evergy's commitment to build the new service line to the new substation, a new Delivery Point Facilities Agreement will be necessary to serve the new substation at the new location. The City's power is currently delivered at the El Paso substation in Derby and the City is responsible for the roughly 4-mile 69kV line from that location. This line will be abandoned once the new service line is complete.

The City is being asked to "approve" and sign the Delivery Point Facilities Agreement. The Agreement commits Mulvane to grant an easement to Evergy at the substation site to access the site for installation and service in the future and to pay the costs of design and installation of the new 138 kV line terminal, estimated at \$25,500.

MOTION by Gerber, second by Leach to approve the Delivery Point Facilities Agreement and authorize the Mayor to execute the same.

MOTION approved unanimously.

ENGINEER

1. Emerald Valley 2nd Addition Improvements:

On October 3rd, the City received sealed bids for Utility and Mass Grading Improvements for Emerald Valley 2nd Addition. The bid price for sanitary sewer improvements by McCullough Excavating exceeded the original petition estimate. At its meeting on October 7th, the City Council accepted the bid submitted by McCullough Excavation, Inc. in the amount of \$1,174,970.00 and authorized a Notice of Award subject to receipt of corrected petitions from the developer.

McCullough Excavation has prepared and submitted the construction agreement, bond forms and insurance certificate for the project. City staff recommend approving the construction agreement with McCullough Excavation pending the receipt and approval of amended petitions and developer's agreement.

MOTION by Leach, second by Gerber to approve a construction agreement with McCullough Excavation, Inc. in the amount of \$1,174,970.00 for "Grading and Utility Improvements" to serve Emerald Valley Estates 2nd Addition, pending receipt and approval of amended petitions and developer's agreement.

MOTION approved unanimously.

2. Project Review and Update:

Phase 3 Main "A" Sanitary Sewer – Final plans and bid documents have been completed and the project is currently being advertised for construction bids.

Phase 1 Harvest Point Addition Infrastructure – The Contractor has completed sanitary sewer installations and is working on storm sewer installations.

W. Main Street Drainage Improvements – Final pay application is on the Consent Agenda for approval.

CITY STAFF

City Clerk: None

City Administrator:

1. Financial Report:

Reviewed the Financial Report for September with the Council.

Waste Connections has a recycling center in Hutchinson and has invited council and/or staff to tour the facility.

A report from the Department Heads was sent to the City Council.

City Attorney: None

CONSENT AGENDA ITEMS:

MOTION by Huntley, second by Westfall to approve consent agenda items 1-5.

1. Payroll Dated 10/11/24 - \$237,280.33

2. W. Main St. Drainage Project – Final Pay Appl.– Wildcat Const. - \$70,349.00

3. Harvest Point Phase 1 – Pay Appl. #3 – McCullough Excavation - \$188,145.00
 4. Purchase of Sodium Hydroxide from Brenntag for WWTP - \$19,000.00
 5. Purchase of Heliflow Blower from Excelsior Blower Systems for WWTP - \$16,469.00 plus freight.
- MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:

No Council Workshop for October.

Next City Council Meeting – Monday, November 4, 2024 – 6:00 p.m.

ADJOURNMENT:

MOTION by Leeds, second by Gerber to adjourn the regular meeting of the Mulvane City Council.

MOTION approved unanimously at 7:35 p.m.

Minutes by:

Debra M. Parker

Debra M. Parker, City Clerk