MULVANE CITY COUNCIL

REGULAR MEETING MINUTES

April 19, 2021 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 at 7:30 p.m.

**Council Members Present**: Terry Richardson, Nancy Farber Mottola, Kevin Cardwell, Brent Allen.

**Others Present:** Kent Hixson, Mike Robinson, Debra Parker, Gordon Fell, Joel Pile, J.T. Klaus, Chris Young, Jeri Myers, Rachael Blackwell, Cathy Walker.

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

**Approval of Regular Meeting Minutes Dated 4-05-2021:**

MOTION by Mottola, second by Allen to approve the Regular meeting minutes dated 4-05-2021.

MOTION approved unanimously.

**Correspondence:** None

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

**Appointments, Awards and Citations:**

1. **Arbor Day Proclamation:**

Mayor Steadman read a proclamation declaring April 27, 2021 as Arbor Day in Mulvane. Mayor Steadman will attend the celebration honoring Care & Share Volunteers.

**NEW BUSINESS**

1. **Swimming Pool – Plan to Open for 2021 Season:**

City Administrator, Kent Hixson, reviewed the 2021 swimming pool calendar and the managers plan to open the pool with the council.

1. **Consideration of Dedications to Woods Addition Final Plat:**

Planning and Zoning Director, Joel Pile, reviewed information with the council. The Woods Addition is a small tract outside the city limits, but within three miles of the city limits located at 10621 E. 103rd St. So. in Sedgwick County.

The plat was reviewed by the Subdivision Committee on April 6, 2021. The committee recommended forwarding it to the Planning Commission for consideration and approval. The plat was reviewed by the Planning Commission on April 8, 2021, with action taken to approve the plat and recommend the City Council accept the dedications, if any, shown on the plat.

MOTION by Mottola, second by Cardwell to accept all dedications shown on the plat of the Woods Addition and authorize the Mayor to sign.

MOTION approved unanimously.

1. **Consideration of Dedications to Lorik Acres Addition Final Plat:**

Planning and Zoning Director, Joel Pile, reviewed information with the council. The Lorik Acres Addition is a small tract outside the city limits, but within three miles of the city limits located at 1677 & 1679 E. 140th Ave. N. in Sumner County.

The plat was reviewed by the Subdivision Committee on April 6, 2021. The committee recommended forwarding it to the Planning Commission for consideration and approval. The plat was reviewed by the Planning Commission on April 8, 2021, with action taken to approve the plat and recommend the City Council accept the dedications, if any, shown on the plat.

MOTION by Allen, second by Mottola to accept all dedications shown on the plat of the Lorik Acres Addition and authorize the Mayor to sign.

MOTION approved unanimously.

**ORDINANCES & RESOLUTIONS**

1. **Resolution for “Moms and Mimosas” Special Event in Cobb Park:**

State law and the Code of the City of Mulvane, Kansas provide for the issuance of “temporary permits” to sell alcohol at “Special Events” during specified times at otherwise unlicensed locations. Consumption of alcohol on City property is generally illegal in the City unless the City Council designates an exemption by Special Event. If the Special Event is to take place in any park, on any street or on public property, City Council approval is required before a temporary permit may be issued. A Special Event allowing alcohol to be sold and consumed on City property must be approved by Resolution.

Councilmember, Jenean Keck, arrived at 7:42 p.m.

Farber Mottola, LLC d/b/a Luciano’s has applied to the City for a temporary permit to sell and serve alcohol at a “Mom’s & Mimosas” event at Cobb Family Historical Park on Saturday, May 8, 2021 from 9:00 a.m. to 1:00 p.m. Mottola stated this is an MRC event, and Luciano’s will be serving alcohol and snacks.

MOTION by Cardwell, second by Richardson to approve Resolution No. 2021-8 authorizing the issuance of a temporary permit to Farber Mottola, LLC d/b/a Luciano’s to sell and serve alcoholic liquor on City property in connection with the Mom’s and Mimosas special event at Cobb Family Historical Park on May 8, 2021 from 9:00 a.m. to 1:00 p.m.

MOTION approved with Mottola abstaining.

RESOLUTION NO. 2021-8

A RESOLUTION OF THE CITY OF MULVANE, KANSAS, AUTHORIZING A SPECIAL EVENT ON CITY PROPERTY IN CONNECTION WITH THE SALE AND SERVICE OF ALCOHOLIC LIQUOR WITHIN THE CITY LIMITS.

1. **Resolution for Yoga at the Park – Special Event in Cobb Park:**

State law and the Code of the City of Mulvane, Kansas provide for the issuance of “temporary permits” to sell alcohol at “Special Events” during specified times at otherwise unlicensed locations. Consumption of alcohol on City property is generally illegal in the City unless the City Council designates an exemption by Special Event. If the Special Event is to take place in any park, on any street or on public property, City Council approval is required before a temporary permit may be issued. A Special Event allowing alcohol to be sold and consumed on City property must be approved by Resolution.

Farber Mottola, LLC d/b/a Luciano’s has applied to the City for a temporary permit to sell and serve alcohol at a “Yoga at the Park” event at Cobb Family Historical Park on Saturday, June 5, 2021 from 9:00 a.m. to 12:30 p.m. Mottola stated this is an MRC event, and Luciano’s will be serving alcohol and snacks.

MOTION by Richardson, second by Cardwell to approve Resolution No. 2021-9 authorizing the issuance of a temporary permit to Farber Mottola, LLC d/b/a Luciano’s to sell and serve alcoholic liquor on City property in connection with the Yoga at the Park special event at Cobb Family Historical Park on June 5, 2021 from 9:00 a.m. to 12:30 p.m.

MOTION approved with Mottola abstaining.

RESOLUTION NO. 2021-9

A RESOLUTION OF THE CITY OF MULVANE, KANSAS, AUTHORIZING A SPECIAL EVENT ON CITY PROPERTY IN CONNECTION WITH THE SALE AND SERVICE OF ALCOHOLIC LIQUOR WITHIN THE CITY LIMITS.

Councilmember Mottola, mentioned the State may now be allowing “annual” special permits to accommodate these types of events. This would make it simpler to do business with the City. There were questions regarding the liability to the City. City Attorney, J.T. Klaus, will research this for additional information.

**ENGINEER**

**1. Emerald Valley Estates Addition – Phase 2 – Sanitary Sewer and Water Line Construction Agreement and Notice to Proceed:**

City Engineer, Chris Young, reviewed this information with the council. On April 5, 2021 the City Council approved the low bid submitted by Mies Construction for the installation of Phase 2 Sanitary Sewer and Water Line Improvements and issued a Notice of Award.

The Construction Agreement and Bond Forms have been signed and returned by Mies Construction. Pending City Council approval, the Contractor will be issued a Notice to Proceed with the work.

MOTION by Allen, second by Richardson that the City enter into a Construction Agreement with Mies Construction, Inc., for Emerald Valley Estates, Phase 2 Sanitary Sewer and Water Line Improvements and issue a Notice to Proceed with the work and authorize the Mayor to sign.

MOTION approved unanimously.

**2. Hidden Valley Estates – Traffic and Drainage Report:**

City Engineer, Chris Young,reviewed information with the council. Infrastructure design plans for the Hidden Valley subdivision include constructing a connecting street (Maplewood) to the Ridgecrest Hills subdivision. Maplewood is currently a dead-end street originally planned to be extended into the Hidden Valley property. The proposed Maplewood street connection between Hidden Valley and Ridgecrest Hills will provide an alternative route for both subdivisions to access Rock Rd. Traffic assessments will be conducted before and after the completion of the Hidden Valley Addition to determine any changes in traffic.

The Hidden Valley stormwater detention pond is proposed to be constructed in a Reserve located in the SE corner of the property and discharge into the west bank of Styx Creek. The Ridgecrest Hills plat also dedicated Reserve for drainage purposes in the NE corner of the property. Both Reserves discharge directly into the W. Branch of Styx Creek. The Ridgecrest Hills Reserve has a small drainage swale but does not appear to provide stormwater detention. Some examination of Reserve A could be made to determine how much additional stormwater detention could be constructed in Reserve A.

Staff will work with the City Engineer to perform pre-developed traffic counting on Maplewood and to examine available stormwater detention areas and costs associated with Reserve A, Ridgecrest Hills subdivision. Costs for this work will be paid from City Operating and Stormwater funds and is estimated not to exceed $2,500.

For information only, no action required.

**3. Project Review and Update:**

City Engineer, Chris Young, reviewed project updates with the council which included: E. Mulvane Street Drainage, Sanitary Sewer Study, Hidden Valley Addition, Emerald Valley Estates Phase 2, and Drainage Improvements.

Council asked if the railroad had completed work to help with drainage issues. The railroad and the city are to maintain their own right-of-ways. The railroad installed a new pipe to help with drainage and flooding issues behind First St. Council would like to know if the railroad has a maintenance schedule. Young will check on the status.

**ANNUAL BUDGET PRESENTATIONS**

The following Department Heads reviewed their 2022 budgets with the council and answered questions.

1. Senior Center – Jeri Myers – Myers also reviewed the activities of the Senior Center during the COVID shutdown.
2. Planning and Zoning – Joel Pile
3. Administration – Debra Parker

**City Clerk:** None

**City Administrator:**  None

**City Attorney:** None

**Consent Agenda Items 1 - 3:**

MOTION by Mottola, second by Allen to approve Consent Agenda items 1 - 3.

* + - 1. Payroll dated 4-16-21 ($211,230.42)
      2. Approve the purchase of 30,000 lbs. of ferric chloride for $7,402.00 and 30,000 lbs. of sodium hydroxide for $8,020.00 at a total cost of $15,422.00.
      3. Annual Audit Services – Invoice from GBN, PA ($17,062.50)

MOTION approved unanimously.

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

* Monday, May 3rd - next council meeting @ 7:30 p.m.

**ADJOURNMENT:**

MOTION by Richardson, second by Mottola to adjourn the City Council meeting at 8:20 p.m.

MOTION approved unanimously.

Minutes by:

Debra M. Parker, City Clerk