

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

September 9, 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, Doug Hatfield, Nancy Farber Mottola and Jenean Keck

OTHERS PRESENT: Kent Hixson, Patty Gerwick, Mike Robinson, Chris Young, Debbie Parker, Dave Williams, Judi Patterson, Jeri Myers, Brent Allen, Gary George of George, Bowerman and Noel, Dave Malone of Central States Capital Markets and Sam Ritchie of Triplet , Woolf & Garretson

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

APPROVAL OF REGULAR MINUTES DATED 8-17-15: MOTION by Keck, second by Richardsons to approve the Regular minutes dated 8-17-15. MOTION approved unanimously.

CORRESPONDENCE: None

REVIEW AND CLOSING OF THE AGENDA:

Mayor Steadman stated that the ordinance for the Merlin's Glen assessments will be handled after the public hearing. Mayor Steadman then declared the agenda closed.

APPOINTMENTS, AWARDS AND CITATIONS: None

**OLD BUSINESS**

1. MERLIN'S GLEN DRAINAGE IMPROVEMENT – PUBLIC HEARING FOR SPECIAL ASSESSMENTS: Mayor Steadman asked if there was anyone present to inquire about the special assessments for Merlin's Glen. There was no one present for that purpose. Chris Young explained the project scope and final costs.

MOTION by Richardson, second by Keck to recess City Council meeting and convene special assessment public hearing for a period of three (3) minutes. MOTION approved unanimously. Dave Malone explained the special assessment process.

MOTION by Mottola, second by Richardson to adjourn the Merlin's Glen special assessment public hearing and reconvene the Mulvane City Council meeting. MOTION approved unanimously.

MOTION by Hatfield, second by Richardson to accept and approve the amended total final costs and proposed assessments for the street drainage improvements in Merlin's Glen at Hunter's Pointe Addition (which reduces the assessment to within the petitioned amount). MOTION approved unanimously.

MOTION by Mottola, second by Keck to adopt Ordinance No. 1459; an ordinance levying special assessment taxes on in Merlin's Glen at Hunter's Pointe Addition in the City of Mulvane, Ks..MOTION approved unanimously.

AN ORDINANCE OF THE CITY OF MULVANE, KANSAS, LEVYING SPECIAL ASSESSMENT TAXES ON CERTAIN REAL PROPERTIES IN THE CITY, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF CERTAIN INTERNAL IMPROVEMENTS BENEFITING SUCH REAL PROPERTIES; PROVIDING FOR THE GIVING OF NOTICE OF SAID SPECIAL ASSESSMENT TAXES BY PUBLICATION AND MAILING; AND PROVIDING FOR THE COLLECTION OF SAID SPECIAL ASSESSMENT TAXES (MERLINS GLEN STREET DRAINAGE IMPROVEMENTS).

2. PROVIDING BELLE PLAINE WITH EMERGENCY MEDICAL SERVICE:

The Belle Plaine city council has asked Mulvane to take over the ambulance service for the City of Belle Plaine and area Belle Plaine serves in Sumner County. The Mulvane city attorney has drafted an agreement for emergency medical services between the City of Belle Plaine and the City of Mulvane for council review. MOTION by Richardson, second by Hatfield to approve the agreement for emergency medical services between the City of Belle Plaine, Ks.and the City of Mulvane, Ks. MOTION approved unanimously.

**NEW BUSINESS**

1. 2014 ANNUAL CITY AUDIT REVIEW: Gary George of George Bowerman and Noel, P. A. reviewed the 2014 Comprehensive Annual Financial Report (i.e. the annual city audit). George presented the council with two letters, a management letter and a comment letter. MOTION by Keck, second by Richardson to accept the 2014 annual city audit. MOTION approved unanimously.

2. SENIOR CENTER MEALS ON WHEELS/FRIENDSHIP MEALS AGREEMENT:

The Mulvane Senior Center director, Jeri Myers, was present to explain that the Senior Center provides meals on a daily basis, both at the Center and carry-outs for homebound seniors. The food has always been provided by the American Red Cross Good Neighbor Nutrition Program. As of October 2015, they are no longer sponsoring the meals program. Aging Projects, Inc. ("API") is taking over the meals program for all the Senior Centers in Sedgwick, Harvey and Butler Counties. They have been providing meals for Sumner, Harper, Kingman and Reno Counties for a number of years.

The City has for several years had an agreement to provide a place and equipment to use for the Meals program. The City is responsible for having the Center open every day at a minimum from 10:00 a.m. to 1:00 p.m., excluding holidays as listed in the Agreement. The "API"

Agreement is very similar to the Good Neighbor Nutrition Program agreement. The cost of the meals is going up from \$2.00 to \$3.00 per person.

Inquiries have been made into other options, i.e. purchasing bulk food from Laurie's Kitchen or the School District. Having the food delivered by a specific time and just getting it to the Center were two obstacles to address plus the cost involved. We did not feel these were feasible options at this time.

MOTION by Keck, second by Richardsonto approve and enter into a Facility Agreement between the Mulvane Senior Center and Aging Projects, Inc. for the Meals on Wheels/Friendship Meals program.

MOTION approved unanimously.

3. FEMA GRANT AND EQUIPMENT PURCHASE – PUBLIC SAFETY DEPARTMENT:

The Mulvane EMS Department applied for a grant under the Assistance to Firefighters Grant from FEMA. The request was for new portable radios, microphones, batteries, portable antennas, vehicle charger adapters, 110-volt battery chargers, monitor pagers, and batteries for the pagers. This request was to replace old equipment that needs to be updated.

The City's share of the \$15,147 is 5%, which is \$757.00. The Department has 300 days from acceptance to use the grant money.

Two companies submitted bids on the eight portable radios and miscellaneous equipment.

RSI Communications, Kiowa, KS	\$6,218.43
ProCom LMR, Inc, Haysville, KS	\$6,380.00

Two companies submitted bid for the sixteen (16) pagers.

Mobile Radio Service, Wichita, KS	\$7,954.00
TFM Communications, Topeka, KS	\$8,499.00

MOTION by Keck, second by Mottolato accept the FEMA grant in the amount of \$15,147.00.  
MOTION approved unanimously.

MOTION by Keck, second by Hatfield to accept the bid from ProCom LMR, Inc. in the amount of \$6,380.00 for portable radios.  
MOTION approved unanimously.

MOTION by Keck, second by Richardson to accept the bid from Mobile Radio Service in the amount of \$7,954.00 for pagers. MOTION approved unanimously.

4. DOWNTOWN REVITALIZATION PROGRAM REVIEW APPLICATION FOR 114 E. MAIN: On 8-26-15, city staff received an application for DRP funds from Michael Pavlick who owns the building at 114 E. Main. \$6,100.00 is all the City can offer. Mr. Pavlick is aware of that. The DRP review committee reviewed and scored Mr. Pavlick's application for funds.

The DRP review committee recommends approval of funds for the application for 114 E. Main. Hatfield thought the funds could be better used on building improvements vs. paving a parking lot. Mottola would like to discuss renewing the DRP funding for 2016 along with a review of the improvements that can be made to buildings.

MOTION by Richardson, second by Keck to approve the application for Downtown Revitalization Funds from Michael Pavlick in the amount of \$6,100.00 for the building at 114 E. Main. MOTION approved unanimously.

## **RESOLUTIONS AND ORDINANCES**

1. VILLA MARIA, INC. – MARIA COURT PROJECT - RESOLUTION APPROVING THE SALE OF CERTAIN VACANT, UNIMPROVED LAND FINANCED WITH THE PROCEEDS OF REVENUE BONDS OF THE CITY: Sam Ritchie explained that Villa Maria, Inc. wants to sell approximately nine acres on the east side of Maria Court to a developer who will build independent living housing for seniors. Once the sale is complete, the developer plats the property and request zoning for multi-family housing. MOTION by Hatfield, second by Mottola to adopt Resolution No. 2015-7 authorizing the sale of the Vacant land to Villa Maria and authorizing the call and redemption of \$85,000 of the Health Care Facility Refunding Revenue Bonds, Series 2004 (Villa Maria, Inc. – Maria Court Project) prior to their maturity. MOTION approved unanimously.

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS APPROVING THE SALE OF CERTAIN VACANT, UNIMPROVED LAND FINANCED WITH THE PROCEEDS OF REVENUE BONDS OF THE CITY; APPROVING THE CALL AND EARLY REDEMPTION OF \$85,000 OF SAID REVENUE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF (1) A SPECIAL WARRANTY DEED, AND (2) A PARTIAL RELEASE OF LEASE.

2. GENERAL OBLIGATION BONDS SERIES A, 2007: FOR REDEMPTION OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES A, 2007. MOTION by Keck, second by Richardson to adopt Resolution No. 2015-8 authorizing a conditional notice of redemption of the City's General Obligation Bonds, Series A, 2007. MOTION approved unanimously

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS DECLARING IT NECESSARY AND ADVISABLE TO PROVIDE FOR THE GIVING OF NOTICE OF REDEMPTION OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES A, 2007.

3. ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CITY OF MULVANE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES”: MOTION by Keck, second by Hatfield to adopt and approve Ordinance No. 1460 incorporating by reference the “Uniform Public Offense Code for Kansas Cities,” 2015 edition, with the modifications contained therein. MOTION approved unanimously

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CITY OF MULVANE, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2015, WITH CERTAIN AMENDMENTS; AND AMENDING TITLE II, CHAPTER 210, ARTICLE I, SECTION 210.013 OF THE CODE OF THE CITY OF MULVANE, KANSAS.

4. ORDINANCE INCORPORATING “THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES”: MOTION by Keck, second by Mottola to adopt and approve Ordinance No. 1461 incorporating by reference the “Standard Traffic Ordinance for Kansas Cities,” 2015 edition. MOTION approved unanimously

AN ORDINANCE INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2015; AND AMENDING TITLE III, CHAPTER 300, ARTICLE I, SECTION 300.010 OF THE CODE OF THE CITY OF MULVANE, KANSAS.

#### ENGINEER’S REPORT

1. Project Review and Update: Chris Young gave a brief update on city projects. Keck asked about the Wenger Addition to Merlin’s Glen. Young said the developer has one year to plat the approximately ten acres that has been annexed into the City.

### **PUBLIC BUILDING COMMISSION September 9, 2015**

MOTION by Mottola, second by Hatfield to recess the City Council Meeting and convene as the Mulvane Public Building Commission. MOTION approved unanimously.

MOTION by Hatfield second by Richardson to approve the Public Building Commission Meeting Minutes dated 8-17-15. MOTION approved unanimously.

MOTION by Hatfield, second by Richardson to approve the following invoices:  
MOTION approved unanimously.

1. Terracon Invoice for soils testing (\$681.50)
2. Terracon Invoice for concrete testing (\$1,742.95)
3. Walz-Harman Pay App. # 5 (\$261,222.23)
4. Young & Assoc. Invoice for civil engineering services (\$1,908.00)

5. Young & Assoc. Invoice for construction oversight services (\$1,472.00)

MOTION by Mottola, second by Richardson to adjourn the Public Building Commission meeting and reconvene the regular City Council meeting of September 9, 2015. MOTION approved unanimously.

Minutes by Debbie Parker, Secretary

CITY CLERK: Nothing at this time.

CITY ADMINISTRATOR

1. Request an executive session of not to exceed ten (10) minutes to discuss non-elected personnel. The executive session to include the Mayor, council and city administrator.

MOTION by Richardson, second by Keck to recess for a period not to exceed ten minutes to discuss non-elected personnel with the Mayor, Council, City Administrator to attend. MOTION approved unanimously at 9:02 p.m.

MOTION by Hatfield, second by Keck to return to regular session at 9:12 p.m. MOTION approved unanimously.

Mayor Steadman stated that no binding decisions were made in executive session.

CITY ATTORNEY

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

1. Employee Payroll dated 8-28- 15 (\$187,457.42).
2. August Warrant Register (\$2,923,409.87)
3. WWTP – Approve purchase of 22,940 lbs. of sodium hydroxide in the amount of \$4,276.35 from Brenntag. This price includes insurance surcharge and fuel cost. Load may vary slightly but is charged by the pounds delivered.
4. Street Dept. - Purchase of approximately 5639 gallons of CSS-1h road oil from Vance Brothers in the amount not to exceed \$15,000
5. Tyler Technology - Approve to pay three invoices for work completed in a total of \$17,848.25.

MOTION approved unanimously.

**ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS**

1. 9-14-15 – Downtown Revitalization Program meeting – 2:00 p.m. – city hall
2. 9-18-15 – Patty Gerwick Retirement Reception – 2:00 – 4:00 p.m. – city hall

3. Jenean Keck said she was going to begin working only part time and would be available and like to be involved in more city related meetings and activities.

**ADJOURNMENT**

ADJOURNMENT: MOTION by Richardson, second by Mottola to adjourn at 9:15 p.m.  
MOTION approved unanimously.

Debbie Parker, Deputy City Clerk