

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

August 6, 2018

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: Brent Allen, Jenean Keck, Nancy Mottola, Kevin Cardwell and Barry Fleming.

Others Present: Debbie Parker, Kent Hixson, J.T. Klaus, Joel Pile, Mike Robinson, Gordon Fell, Chris Young, Cathy Walker, Rachael Blackwell, Heath Nixon, Jennifer Nixon, Lowell Ester, Tony Mellini, Kevin Baker, Brad Modlin.

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

Approval of Regular Meeting Minutes Dated 7-16-18:

MOTION by Keck second by Fleming to approve the Regular meeting minutes dated 7-16-18.
MOTION approved unanimously.

Correspondence:

Mayor Steadman announced she received a card from the Mulvane Library expressing their gratefulness for the funds we provided for their summer programming.

Mayor Steadman, Kent Hixson and Joel Pile met with School Supt. Dr. Ensley and Mr. Canfield as a follow-up to the letter prepared. The School and City will work together on any future building projects.

Mayor Steadman received a letter from School Supt. Dr. Ensley regarding a key note speaker, Connie Podesta, which will be presenting to the District on August 10th. This is funded by a grant. If anyone is interested in hearing her presentation please let the Mayor know. If there is enough interest from those that were notified, they may ask her to do another presentation in the afternoon.

Review and Closing of the Agenda: None

Appointments, Awards and Citations:

- 1. Employee Service Award:** Mayor Steadman presented Fire Capt. Lowell Ester with a 15-year service award and thanked him for his services to the city.
- 2. Employee of the Month:** Mayor Steadman presented Public Works employee Heath Nixon with the Employee of the Month recognition for his outstanding work at the Sports Complex.

OLD BUSINESS

1. 2019 Annual City Budget:

Mayor Steadman asked if anyone was present that wished to speak during the public hearing. There were none.

MOTION by Mottola, second by Cardwell to recess the City Council meeting for a period not to exceed two (2) minutes for conducting a public hearing regarding the 2019 proposed annual City budget.

MOTION approved unanimously at 7:40 p.m.

MOTION by Fleming, second by Mottola to reconvene the regular City Council meeting.

MOTION approved unanimously at 7:42 p.m.

MOTION by Mottola, second by Allen to approve the 2019 annual City budget.

MOTION approved unanimously.

2. Boxelder Power Plant Decommissioning: Terracon Proposal for Technical Services and Additional Limited Site Investigation:

Tony Mellini of Terracon presented. Based on the initial Limited Site Investigation (LSI), Terracon recommended an additional LSI be conducted to assess the extent of petroleum hydrocarbon contamination and address some of the findings of the initial LSI. Terracon would like to install 6 shallow probes and one 2 inch monitor well.

MOTION by Keck, second by Allen that the City approve Terracon Consultants, Inc. proposal PO1187166 in the amount of \$13,500 for the additional services as outlined in their proposal dated July 27, 2018 and authorize the Mayor to sign. The funds will come from the Electrical Department Capitol Improvement Fund No. 511-09-637.

MOTION approved unanimously.

NEW BUSINESS

1. Annual City Audit Services:

Every four years city staff develops a Scope of Service and Request for Proposal to perform the annual city audit. In May, staff sent RFPs to nine (9) CPA firms. Two (2) firms sent letters declining the opportunity to submit a proposal, six (6) firms did not respond and one (1) firm submitted a proposal. (George, Bowerman & Noel). This firm has been doing our audit since 1992.

Hixson explained to the council the reasons behind audit firms not providing bids. Most firms don't want to provide the CAFR reporting and once a firm is established, they don't generally move. It is not unusual to not have competition.

MOTION by Cardwell, second by Fleming to accept the proposal from George, Bowerman & Noel, P.A. to provide the annual city audit services through the 2021 annual audit with funds available in the Budget and Audit Services line item in the Administration, Electric, Water and Wastewater annual budgets.

MOTION approved unanimously.

2. City Employee Deferred Compensation 457(B) Plan Agreement:

The City of Mulvane has offered an Employer's Deferred Compensation (EDC) plan, which meets the requirements of Section 457 of the Internal Revenue Code, for its full-time employees for the past 35+ years. At the time the plan took effect Cities were not required to have a plan document on file. As part of "housekeeping", our AXA representative suggested having a formal document on file to help determine the city's standard procedures for our plan.

The plan document will be used as a guideline, which is important in determining the plans retirement age as it pertains to catch up contributions and payouts, along with other eligibility, requirement and provisions of the plan.

MOTION by Mottola, second by Keck to approve the plan document for the City of Mulvane 457(b) Plan.

MOTION approved unanimously.

3. Public Works Dept. – First St. (Main St. to Mulvane St.) Base Repair, Mill & Overlay Bids:

One block of First St. needs significant base repairs. This street is in the downtown area and is an excellent candidate for rebuilding/resurfacing.

Quotes were requested for a complete 2" mill & over lay in addition to all needed base repairs prior to the final lift of asphalt. Three contractors were contacted for bids. Cornejo, APAC, and Kansas Paving. There was clarification to the council memo, that three bids were received. It is possible that more base patching could be needed, which would increase the cost. The three bids were: Kansas Paving - \$37,950.00, APAC - \$26,945.00 & Cornejo & Sons - \$76,657.00

MOTION by Allen, second by Mottola to approve the cost of reconstruction of First St. (from Main St. to Mulvane St.) by APAC in the amount of \$26,945.00, with the possibility of additional base repairs if needed.

MOTION approved unanimously.

ORDINANCES & RESOLUTIONS

1. Ordinance Adopting the Uniform Public Offense Code:

Public Safety Director, Gordon Fell, and City Attorney, J.T. Klaus reviewed the changes to the UPOC.

MOTION by Mottola, second by Cardwell to adopt and approve Ordinance No. 1506 incorporating by reference the “Uniform Public Offense Code for Kansas Cities,” 2018 Edition, with the modifications contained therein.

MOTION approved unanimously.

ORDINANCE NO. 1506

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CITY OF MULVANE, KANSAS; INCORPORATING BY REFERENCE THE “UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES,” EDITION OF 2018, WITH CERTAIN AMENDMENTS; AND AMENDING TITLE II, CHAPTER 210, ARTICLE I, SECTION 210.013 OF THE CODE OF THE CITY OF MULVANE, KANSAS.

2. Ordinance Adopting the Standard Traffic Ordinance:

Public Safety Director, Gordon Fell and City Attorney, J.T. Klaus reviewed the changes to the STO.

MOTION by Mottola, second by Cardwell to adopt and approve Ordinance No. 1507 incorporating by reference the “Standard Traffic Ordinance for Kansas Cities,” 2018 Edition and amend the Code to coincide therewith.

MOTION approved unanimously.

ORDINANCE NO. 1507

AN ORDINANCE INCORPORATING BY REFERENCE THE “STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES,” EDITION OF 2018; AND AMENDING TITLE III, CHAPTER 300, ARTICLE I, SECTIONS 300.010 AND 315.012(B)(2) OF THE CODE OF THE CITY OF MULVANE, KANSAS.

LAND BANK

MOTION by Fleming, second by Allen to recess the City Council meeting and convene as the Mulvane Land Bank.

MOTION approved unanimously.

MOTION by Allen, second by Mottola to approve the Land Bank Board of Trustees meeting minutes dated 7/16/18.

MOTION approved unanimously.

Board Chair, Steadman, asked if anyone was present that wished to speak at the public hearing. There were none.

MOTION by Mottola, second by Allen to recess the Mulvane Land Bank meeting for a period not to exceed one (1) minute for conducting a public hearing regarding the 2019 proposed annual Land Bank budget.

MOTION approved unanimously at 8:30 p.m.

MOTION by Mottola, second by Fleming to reconvene the regular Land Bank meeting.

MOTION approved unanimously at 8:31 p.m.

MOTION by Fleming, second by Allen to approve the 2019 annual Land Bank budget as provided.

MOTION approved unanimously.

MOTION by Mottola, second by Cardwell to approve the billing statement from Carson Insurance Group in the amount of \$927.50 for the General Liability Policy Renewal.

MOTION approved unanimously.

MOTION by Cardwell, second by Fleming to approve the billing statement from Carson Insurance Group in the amount of \$927.50 for the Umbrella Policy Renewal.

MOTION approved unanimously.

MOTION by Allen, second by Fleming to approve paying the City final utility bill for 209 W. Main in the total amount of \$1.25.

MOTION approved unanimously.

MOTION by Fleming, second by Allen to approve the invoice from Triplett Woolf Garretson in the amount of \$577.50 for legal services.

MOTION approved unanimously.

Update on 201 W. Main: Joel Pile reviewed drawings from Dudley Williams and Assoc. for structural engineer design services for the North and South wall at 201 W. Main. Bids from contractors to repair the collapsing wall should be ready by the 8-20-18 meeting.

MOTION by Mottola, 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.

ENGINEER

1. Project Review and Update: Chris Young, City Engineer, reviewed several projects: Emerald Valley Estates, English Park and Styx Creek Drainage Improvements, Decommissioning of the Boxelder Power Plant, the Rock Road Water Line, Rock Road Crosswalk and Water Distribution GIS mapping. No additional correspondence has been received from the Railroad.

City Clerk: None

City Administrator: None

City Attorney: Advised the council that the KCC will consider the City's application to take over the electrical service territory of the Twin Lakes area and the two properties SW thereof on Tuesday.

Consent Agenda - Items 1 - 4:

MOTION by Mottola, second by Allen to approve Consent Agenda items 1 – 4.

1. Payroll: Dated 7/27/18 (\$218,594.44)
2. City Utility Bills – June (\$22,757.89)
3. July Warrant Register (\$2,379,940.39)
4. Purchase of approximately 10,105 gallons of CSS-1h road oil for slurry sealing from Vance Brothers in the amount not to exceed \$23,831.00.

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

- Monday, August 20th - Next council meeting @ 7:30 p.m.
- The first meeting in September will be on Wednesday the 5th.

ADJOURNMENT:

MOTION by Allen, second by Fleming to adjourn the City Council meeting at 8:53 p.m.

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk