

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

October 18, 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: Nancy Farber Mottola, Brent Allen, Jenean Keck, Kevin Cardwell.

Others Present: Mike Robinson, Debra Parker, Joel Pile, Kent Hixson, Andrew Kovar, Gordon Fell, Chris Young, Tim Huntley.

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

Approval of Regular Meeting Minutes Dated 10-04-2021:

MOTION by Mottola, second by Keck to approve the Regular meeting minutes dated 10-04-2021. MOTION approved unanimously.

Correspondence: Mayor Steadman and Councilmember Mottola received correspondence related to Old Business Item #1 and will present the information at that time.

Review and Closing of the Agenda: None

Appointments, Awards and Citations: None

OLD BUSINESS

1. City Sales Tax Discussion:

The citizens of Mulvane, in a Special Election on 6-24-14, approved a 1% local sales tax for ten years for the purpose of constructing the new library. The bond issue was \$4.2 million. The city sales tax increased from 7.5% to 8.5%. The 1% sales tax was estimated to raise \$540,000 per year in Mulvane. The sales tax raised about \$700K/yr. The library bond was paid off three years early. The council voted to let the sales tax expire as of July 1, 2021.

In the CIP, there are many projects that need to be done. Some projects like parks and playgrounds contribute to the quality of life for our citizens and attracts non-residents to the city. Other projects like street and drainage improvements, are necessary to protect property and/or improve traffic safety. An increase in property taxes will be needed to fund these projects. Staff would like to avoid increasing the property tax by recommending an alternate funding source.

Based on the success of the previous sales tax and bond issue, staff is recommending the council approve holding a special election to establish a five-year, 1% city sales tax. The sales tax allows non-residents to participate in funding parks and streets that they also use.

City staff has had two meetings with our city attorney and financial advisor. A draft sales tax election calendar was prepared. A list of proposed projects with cost estimates are as follows:

Proposed Projects and Cost Estimates:

New Splash Park in Downtown	\$700,000
Park Improvements (new inclusive equipment)	\$100,000
Rock Road Street Overlay Improvements	\$500,000
Sports Complex Ballfield Lights	\$600,000
Footbridges across Styx Creek	\$150,000
Stormwater Drainage (BRIC project match, Styx Creek)	\$1 million

The financial advisor has prepared a rough draft of a financing analysis for the proposed sales tax projects for the City. The amount of the projects being financed is \$3,050,000, which results in a bond issue amount of \$3,115,000. This would be a 5-year bond issue that would be sold in June 2022 and have a final payment in 2027. The bonds would be payable from sales tax collections. If enough sales tax is collected, it may be possible to redeem the bonds and sunset the sales tax early.

There was much discussion on the city sales tax issue. Hixson asked for direction from the Council on how they wanted to proceed. There was also discussion regarding sharing the sales tax with the MRC. Mottola indicated that she received correspondence from several citizens that were in support of the projects, especially the Splash Park and the Footbridges across Styx Creek. Mayor Steadman also indicated she had received correspondence regarding the Footbridges across Styx Creek. Mayor Steadman indicated the Stormwater Drainage should be a top priority. Cardwell indicated the sales tax would be an excellent tool for projects and would benefit more than the citizens of Mulvane. Council asked when we would know if we will receive funding from the BRIC grant. It may be the end of December, however City Engineer, Chris Young will research the dates.

Wording of the tax question, prioritizing projects, and funding of the needed projects (should the sales tax not pass) was also discussed. Staff will look at better cost estimates if the council would like to proceed. The council did not want to raise property taxes and would like to see the sales tax used for City projects. Council would like staff to move forward with preparing the information needed for a special election for a city sales tax. Staff will prepare the necessary information for Council's review and consideration.

NEW BUSINESS

1. Kansas Power Pool – Designation of City Representative to Annual Meeting:

To vote at the Kansas Power Pool Annual Member's Meeting, each member city must designate a representative, and one or more alternates authorized to act in the absence of the designated representative, to serve on the Kansas Power Pool's Membership Committee. Each member city has only one voting member for purposes of actions taken by the Committee.

MOTION by Mottola, second by Cardwell to appoint Kevin Baker as the representative voting delegate, Kent Hixson as first alternate and Bill Reekie as the second alternate to the Kansas Power Pool Annual Member's Meeting.

MOTION approved unanimously.

ORDINANCES & RESOLUTIONS

None

ENGINEER

1. City Swimming Pool – Review Painting Bid:

The Mulvane municipal swimming pool was constructed in 2007. The first re-paint project was performed in 2012. In August of 2021 City staff directed the City Engineer to prepare bid documents for a complete re-painting of the main pool, "Tot" pool and associated pool markings. The painting project will be paid from the Capital Improvements fund.

A two-part epoxy paint, manufactured by TNEMEC, used in the 2012 re-paint project, was selected based on its successful performance at the Mulvane pool. The TNEMEC paint representative Kyle Long, Midwest Coating Consultants, Inc. was contacted and asked to visit and assess the existing conditions to confirm the painting system specified and to make recommendations on surface preparation, primer coating and sealants. Mr. Long also reviewed the list of prospective bidders to ensure they would be appropriate for the project.

On September 17, 2021, bid documents were completed and distributed to several painting contractors. Some companies expressed concern over the timeline for completing the work. Staff extended the timeline to include either a fall or spring work schedule, with a final completion date no later than 30 days prior to the pool opening day. The extended bid date was October 12th.

The city received only one bid, from Koehn Painting Co., LLC for \$31,900. The TNEMEC representative has confirmed Koehn Painting is experienced in applying TNEMEC paint systems. Staff recommends approving a Notice of Award with Koehn Painting Co., LLC, Inc. for the Mulvane Municipal Pool Re-Painting.

Young noted that only the Notice of Award would be approved now, and we would hold off on the Notice to Proceed since it would depend on the start time of the project.

MOTION by Keck, second by Allen that the city approve a Notice of Award with Koehn Painting Co., LLC., for the Mulvane Municipal Pool Re-Painting project and authorize the mayor to sign.

MOTION approved unanimously.

2. Emerald Valley Estates – Change Order #1 with Kansas Paving – Substantial Completion:

The contract completion date with Kansas Paving was August 15, 2021. In July, the Contractor indicated they were experiencing delays in receiving storm sewer structures and requested a suspension of the work and an additional (20) calendar days to be added to their contract.

City staff was supportive of the additional contract days but were not supportive of stopping work when other work including site grading could be performed. Eventually the Contractor mobilized and began grading work, followed closely by receiving and installing the storm sewers.

On October 11th the Contractor requested a final walk-through inspection of the work. It was determined that the project was generally complete except for the final 2-inch lift of asphalt pavement, street signs and some misc. site and clean-up work. City Public Works was agreeable to issuing substantial completion for the project, with the exception of the asphalt pavement. The date of substantial completion ends the contract time and begins the one-year warranty period. A change order has therefore been prepared that would separate the warranty period of the asphalt pavement (only) from the other work whereby the asphalt pavement warranty would begin after the final 2-inch lift has been completed. The Contractor also agreed to complete the asphalt pavement within the next two weeks.

MOTION by Allen, second by Mottola to approve Change Order No. 1 with Kansas Paving for the Phase 2 Street and Storm Sewer Improvements to serve the Emerald Valley Estates Addition. MOTION approved unanimously.

3. Hidden Valley Estates – Change Order #1 – Replace asphalt with concrete:

E. Burlington Dr., the connecting street to Rock Rd., includes an “eyebrow” on the north side of the street approx. 200-ft east of Rock Road. A valley gutter located south of the eyebrow carries surface water into the adjacent curb & gutter. This geometric shape would leave a relatively small and isolated area of asphalt. Eliminating this small asphalt area would reduce long term maintenance costs to the City. Staff has requested the Contractor provide an alternative price for replacing this asphalt with concrete pavement.

The Contractor has submitted a price of \$7,138.00 for replacing the asphalt eyebrow with reinforced concrete. Change Order No. 1 would increase APAC’s contract amount from \$335,981 to \$343,119.

MOTION by Mottola, second by Allen that the city approve Change Order No. 1 with APAC Kansas, Inc., for the Hidden Valley Street Improvements and authorize the mayor to sign. MOTION approved unanimously.

4. Hidden Valley Estates – Change Order #2 – Remove Existing Drive Approach:

During the last pavement expansion of Rock Rd., a drive approach was constructed on the east side of Rock Rd. south of E. Lockridge St. This approach may have been installed in anticipation of future land development east of Rock Rd. With the current development of Hidden Valley, the existing drive approach has been replaced with a drive approach to E. Burlington Dr. City staff requested a price from APAC for removing the existing approach. This work would include concrete pavement removal, curb & gutter construction and sidewalk removal and replacement.

The Contractor has submitted a price of \$15,980.00 for removing the existing Rock Rd. drive approach. Change Order No. 2 would increase APAC’s contract amount from \$343,119 to \$359,099.

MOTION by Allen, second by Cardwell that the city approve Change Order No. 2 with APAC Kansas, Inc., for the Hidden Valley Street Improvements and authorize the mayor to sign.
MOTION approved unanimously.

Hixson commented that the plat for Hidden Valley only had one entrance and that is why the extension of Maplewood was important. A traffic study was developed for this area with pre-development numbers and another traffic study will be done again post-development.

5. Project Review and Update:

Chris Young, City Engineer, reviewed project updates with the council which included: E. Mulvane Street Drainage, Hidden Valley Addition, Emerald Valley Estates Phase 2, Main "A" Sanitary Sewer Improvements, N. Rockwood Heights Sanitary Sewer Extension, Downtown Streetscaping, Pool Re-Painting, Rock Road Lift Station Abandonment, BRIC Grant – Flood Mitigation Funding, and Second St. Pedestrian Crossing at Martha.

Council asked about the frosted glass bollards for the Downtown Streetscaping and if they would need to be removed and cleaned. Council asked if any nighttime pictures of the bollards were available.

City Clerk: None

City Administrator: Joel Pile and Nancy Mottola gave the council an update on the PIX sign. They met with a representative from Ron's Signs to get measurements and answer questions regarding placement, anchoring, technical issues, timing of installation, and tree removal.

Hixson asked if the Council wanted the downtown trees to remain for the Christmas lights or removed now. Council expressed a desire to go ahead and remove the trees to eliminate the bird droppings and have a better view of the businesses downtown.

City Attorney: None

Consent Agenda Items 1 - 4:

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

1. Payroll dated 10-15-21 (\$208,791.34)
2. Warrant Register (\$1,271,325.88)
3. Hidden Valley Estates – Pay App. #4 to McCullough Excavating (\$67,290.49)
4. Emerald Valley Estates – Pay App. #1 to Kansas Paving (\$249,257.61)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:

Monday, November 1st - next council meeting @ 7:30 p.m.

Councilmember Mottola suggested that since there is no electrical outlet in front of the PIX, when the tree is removed, to replace it with a flat sidewalk.

ADJOURNMENT:

MOTION by Mottola, second by Allen to adjourn the City Council meeting at 8:40 p.m.

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk