

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

November 15, 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:** Jenean Keck, Kevin Cardwell, Terry Richardson.

**Others Present:** Mike Robinson, Debra Parker, Joel Pile, Kent Hixson, J.T. Klaus, Chris Young, Tim Huntley, Amanda Ford, Gordon Fell, Brian Bradshaw, Jennifer Bradshaw, Rachael Blackwell, Matthew Schiffel, Pete Swart, Heron Juarez, Lowell Ester, Flint McPeak, Kyle Newton, Pam Turner, Andrea Robinson, David Robinson, Nate Yarnell, Nicole Yarnell, Dick Yarnell, Alumbaugh family and other interested citizens.

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

**Approval of Regular Meeting Minutes Dated 11-01-2021:**

MOTION by Keck, second by Richardson to approve the Regular meeting minutes dated 11-01-2021.

MOTION approved unanimously.

**Correspondence:** None

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

**Appointments, Awards and Citations:**

1. Mayor Steadman presented Wastewater Treatment Supervisor, Brian Bradshaw, with a twenty-five (25) year service award and thanked him for his service.
2. Public Safety Director, Gordon Fell, recognized Public Safety personnel for their response to an incident that occurred in Mulvane on September 18, 2021. Those recognized for their outstanding work were - Andrea Robinson, Kyle Newton, Pete Swart, Heron Juarez and Nate Yarnell. City Council thanked staff and are very appreciative for all they do.

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. 2021 Budget Amendment – Set Public Hearing Date:**

Finance Director, Rachael Blackwell, reviewed the need to amend the 2021 budget with the council. KSA 79-2929a authorizes municipalities to amend budgets to spend money not in the

original budget. The additional expenditures are to be made from existing revenue and cannot require additional tax levies. The need for the amendment is as follows:

- Due to bond refunding in 2021, the city needs to amend the debt service to accommodate the amount of the refunding.
- The City did not budget to spend money from the Special Alcohol fund in 2021. Since we are no longer allocating money to this fund. The fund has a current balance of \$56,316. This amendment provides spending authority to the fund, eventually making it inactive.
- Expenditure authority to retire the Library Bonds early.

To keep in compliance with the Kansas Cash Basis Law, the city is required to amend the budget prior to the end of the calendar year, December 31<sup>st</sup>. This amendment process must include a public hearing. A notice of public hearing will be published in the *Mulvane News* on November 18, 2021, which will be at least 10 days prior to the public hearing.

MOTION by Cardwell, second by Keck to set a public hearing to amend the 2021 City Budget for Monday, December 6, 2021, at 7:30 p.m. at City Hall.

MOTION approved unanimously.

City Administrator, Kent Hixson, noted that the Library Director, Shanna Ritterhouse, will present a list of items to be purchased with the remaining Library Sales Tax funds. This list will be reviewed by the City Attorney.

## **2. Kansas Star Casino – FY 2015 Tax Appeal Refund:**

The City received a letter from the Sumner Co. Treasurer dated 10-29-21. The letter informed the City that the 2015 property appraisal appeal has been decided by the Board of Tax Appeals. The Kansas Star Casino paid their 2015 property taxes in a timely manner. As a result of that appeal, the Kansas Star Casino is owed a refund. Beginning with the January 20, 2022, property tax distribution, funds for the City will be withheld until such time that the refund amount is recovered.

City Attorney, J.T. Klaus, explained the tax appeal process and the valuation process. The City gets the assessed valuations from the County Appraiser. The City uses this valuation to base our mill levy and figure the budget. If the valuation is adjusted, the money gets paid back to the taxpayer and it gets subtracted out of our distribution for a future year. Appeals are generally settled several years later, so there is no way for staff to know the outcome. These appeals will put pressure on the mill levy and staff will continue to face challenges in budgeting.

Staff has requested information from the County for the differences in the amount of the assessed valuation and the reduced valuation. Staff will continue to monitor the situation and keep the Council informed of any information and future plans to address this issue.

## **ORDINANCES & RESOLUTIONS**

None

## **ENGINEER**

### **1. Downtown Streetscaping – Review design elements and authorize project:**

On November 1<sup>st</sup> the City Council approved a budget of \$35,000 for downtown streetscaping improvements and reviewed the bollards proposed. The Council felt a bollard approx. 47” tall would improve visibility particularly for vehicles pulling into parking spaces. The Council also expressed some interest in having an interchangeable light or lens to allow for seasonal changes in the light color and had questions about light intensity.

According to the bollard distributor, Johnny Harker, American Electric Co., Sternberg Lighting manufactures a 48” tall bollard which appears similar in design to the one previously proposed. This bollard can also be provided with electric receptacle, photocell, “Park Green Textured” and is within the budget approved by the Council. Interchangeable colored lenses are not available for the bollards but provides a warm luminous light. The bollard information has been forwarded to members of the Downtown Advisory Committee. To date there have been no objections to the 48” bollard.

The local distributor, American Electric Co., have provided a quote for the “5701LED Plainfield Series” bollard of \$2,575.00/bollard. This price includes receptacle, photocell and shipping. A price was also provided for replacement lenses in the amount of \$112.00/lens. Public Works has suggested not to purchase the replacement lenses but would like to purchase one extra bollard as a replacement should one be damaged.

The total costs for twelve (12) bollards as quoted including an approx. cost of \$400.00/bollard for installation materials is estimated at \$35,300. The Council has already approved a budget of \$35,000.

It was the consensus of the council to proceed with purchasing twelve (12) “5701LED Plainfield Series” bollards and installing eleven (11) bollards as selected by the Downtown Advisory Committee.

### **2. Municipal Swimming Pool – Painting Contract:**

On October 18<sup>th</sup> the City Council approved issuing a Notice of Award to Koehn Painting for the pool re-painting project. The bid received from Koehn Painting Co., LLC is in the amount of \$31,900.

Young reviewed the timeline for the project. Pool staff are planning to begin prep work for filling the pool on April 26, 2022. An addendum in the bid documents establishes a start date no later than February 4, 2022. Based on the 60-calendar day contract, the latest contract completion date would be April 5<sup>th</sup>. Therefore, a Notice to Proceed will be brought to the City Council for approval on or before February 4, 2022.

MOTION by Keck, second by Richardson that the City enter into a construction agreement with Koehn Painting Co., LLC., in the amount of \$31,900 for the Mulvane Municipal Pool Re-Painting Project and authorize the mayor to sign.

MOTION approved unanimously.

### **3. Project Review and Update:**

Chris Young, City Engineer, reviewed project updates with the council which included: E. Mulvane Street Drainage, Emerald Valley Estates Phase 2 Infrastructure, Hidden Valley Addition, Main “A” Sanitary Sewer Improvements, Rock Road Sewer Lift Station – New Main, BRIC Grant – Flood Mitigation Funding, Second Street Pedestrian Crossing at Martha Ave.

**City Clerk:** None

### **City Administrator:**

#### **1. Christmas Lights on 111<sup>th</sup> St. Water Tower:**

The exterior of the 111<sup>th</sup> water tower needs cleaned. The contractor, McGuire Iron, is scheduled to do the work the week of Thanksgiving. The Christmas lights will be hung on the water tower around the first week in December once the cleaning is complete.

#### **2. Kansas Dept. of Commerce – HEAL Grant Program:**

Planning and Zoning Director, Joel Pile, reviewed a new grant program for Historic Building Revitalization. The program will help revitalize underutilized, vacant and dilapidated downtown buildings in rural Kansas communities. The Historic Economic Asset Lifeline (HEAL) grant program is designed to bring downtown buildings back into productive use as spaces for new or expanding businesses; housing; arts and culture; civic engagement; childcare; or entrepreneurship. The matching grants (limit \$75,000) will help address emergency needs for neglected buildings and assist building owners with eligible expenses for the revitalization of historic properties.

There are two funding categories under the HEAL program. Emergency HEAL grants provide immediate relief for buildings at risk of collapse. Emergency HEAL applications will be accepted from November 8-19 with awards announced November 23. All non-Emergency HEAL applications will be accepted until December 20 with awards announced January 10, 2022. Eligible properties must have historical or architectural significance and be in a downtown business district in cities of less than 50,000 population. Applications must be submitted by building owners in coordination with a local nominating organization. Eligible nominating organizations include cities, counties, non-profit organizations, designated Kansas Main Street or affiliate cities, chambers of commerce, economic development organizations, Small Business Development Centers or local community foundations.

Pile will contact downtown business owners to advise them of the HEAL Grant Program.

### **City Attorney:**

J. T. Klaus received documents from Homestead Affordable Housing, LLC. Tom Bishop with Homestead spoke with Klaus regarding the City signing documents to allow for financing options for Homestead. Klaus has asked for correction of the documents as it applies to the City’s role in that financing, since we own and lease pursuant to the IRB’s.

### **Consent Agenda Items 1 - 2:**

MOTION by Richardson, second by Cardwell to approve Consent Agenda items 1 – 2.

1. Payroll dated 11-12-21 (\$205,753.75)

2. Warrant Register (\$1,307,589.75)  
MOTION approved unanimously.

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

- Monday, Dec 6<sup>th</sup> - next council meeting @ 7:30 p.m.

**ADJOURNMENT:**

MOTION by Cardwell, second by Richardson to adjourn the City Council meeting at 8:23 p.m.  
MOTION approved unanimously.

Minutes by:  
Debra M. Parker, City Clerk