MULVANE CITY COUNCIL

REGULAR MEETING MINUTES

November 7, 2022 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:** Tim Huntley, Brent Allen, Kevin Cardwell, and Amanda Ford.

**Others Present:** Mike Robinson, Debra Parker, Kent Hixson, Andrew Kovar, Chris Young, Gordon Fell, Sally Tatro, Kevin Baker, Joel Pile, Dave Parsons, Kyle Boyd, David Boyd, Mark Raccuglia, April Raccuglia.

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

**Approval of Regular Meeting Minutes Dated 10-17-2022:**

MOTION by Cardwell, second by Huntley to approve the Regular meeting minutes dated 10-17-22.

MOTION approved unanimously.

**Correspondence:**

City Administrator, Kent Hixson, advised the council that city staff was notified by a representative of Evergy regarding a scheduled power outage for the City of Mulvane. A new transformer was installed at the El Paso substation on Rock Road in Derby. The electrical service to Mulvane needs switched to that new transformer. The safest way to make the switch is to cut the power to Mulvane. The outage is tentatively scheduled to begin at 11:00 p.m. on Thursday, Nov. 17th and last about four (4) hours. City staff will use all our resources to notify customers of this outage so they can be prepared.

Councilmember Cardwell was notified by Mr. Fairchild regarding the approach to the alley behind his home on So. Central. The recent rain has washed out the approach and needs repaired.

Mayor Steadman was contacted by the General Manager at the Kansas Star to arrange a meeting. Mayor Steadman was contacted by a citizen regarding the land at the West EMS Station. The information was passed on to the Public Safety Director.

Councilmember Allen was contacted by a citizen regarding the trash issue.

**Review and Closing of the Agenda:**

Mayor Steadman recommended that Old Business Item #2 (Organized Solid Waste Collection) be tabled until there is a full council to discuss this item.

MOTION by Allen, second by Ford, to table Old Business Item #2 Organized Solid Waste Collection until a full council is present.

MOTION approved unanimously.

**Appointments, Awards and Citations:** None

**OLD BUSINESS**

1. **Employee Health, Dental and Vision Plan Renewal:**

Sally Tatro with USI reviewed the 2023 Benefit Renewal and information with the council.

* The city changed carriers from Aetna to Blue Cross Blue Shield effective January 1, 2022, due to a 25% premium increase from Aetna and complaints about Aetna.
* Blue Cross Blue Shield’s 2023 renewal rates offered at a 3.9% increase, are below the city’s budgeted amount of 12%.
* Blue Cross Blue Shield anticipates the city’s loss ratio (premium vs. claims) to conclude at 96.27%, which translates to: every dollar in premium paid, Blue Cross Blue Shield will pay .96 cents in claims.
* Aetna, Blue Cross Blue Shield (BCBS), and UnitedHealthcare continue to be the most relevant fully insured options available in Kansas, however, Aetna continues to lessen their success and market share in Kansas.
* Since a fair renewal has been offered based on the city’s utilization, and because this is the first renewal back with BCBS, it is recommended to renew with BCBS. If groups market every year, carriers are less likely to be aggressive, particularly if marketing efforts are simply to check competitiveness of rates. Therefore, unless our proposed renewal rates are not justified and we have been with a carrier for less than a year, the city will have more leverage to pursue potential benefits and rate improvements for the 2024 year.

The city’s health and safety committee along with the benefit consultant, are recommending that the city renew the employee health insurance plan with Blue Cross Blue Shield. The city will share the 3.9% medical increase and the 1.8% dental increase with the employees on a 92/8 split for 2023. There will be no change to deductibles, and other out-of-pocket costs will remain minimal for the employees. The city contributes $1,000 for singles and $1,500 for employees with dependents, into a Flexible Spending Account. Staff and the consultant recommend approving the renewal contracts with Blue Cross Blue Shield, Delta Dental, and Surency effective January 1, 2023.

***Medical –*** The Medical plan rates with BCBS are increasing by 3.9%.

***Dental*** – The Dental plan rates with Delta Dental are increasing by 1.8%.

***Vision*** - The Vision plan rates with Surency are not increasing and will remain flat.

A drug copay program will be initiated in 2023 to reduce member out-of-pocket expense and city plan costs, for three of the most expensive drugs on the plan, by utilizing drug manufacturer assistance programs. One to three members may be affected.

Councilmember Allen asked how far in advance renewal information is available. Tatro advised that some quotes are not available until 90 days prior to renewal, but they are always looking ahead in the market.

MOTION by Huntley, second by Cardwell to approve the renewal contract with Blue Cross Blue Shield for City employee medical coverage, Delta Dental for dental coverage and Surency for vision coverage as proposed by city staff effective January 1, 2023.

MOTION approved unanimously.

**2. Disaster Guide Update:**

Public Safety Director, Gordon Fell, explained the purpose of the Disaster Guide with the council. This guide is a living document that consists of general responsibilities and tasks during a disaster. This is a city guide for specific operations to ensure the coordination of city departments and personnel to effectively respond to and recover from a disaster as soon as possible. Suggested updates from Mayor Steadman have been incorporated into the Disaster Guide.

MOTION by Cardwell, second by Ford to accept the Disaster Guide as written, 2022 Revision.

MOTION approved unanimously.

**NEW BUSINESS**

* + - 1. **American Legion - waive the 2023 liquor license fee:**

Dave Parsons, representing the Paul Stewart Irwin American Legion Post 136 in Mulvane, addressed the council regarding the 2023 liquor license renewal fee. As a non-profit veteran’s organization, they are requesting that the liquor license fee ($500.00 for a class A license) be waived, as has been done for several years, so the funds could be used to support the many veterans in the area.

MOTION by Huntley, second by Allen to waive the $500.00 annual liquor license fee for the Paul Stewart Irwin American Legion Post 136 here in Mulvane.

MOTION approved unanimously.­­

**2. Designate Representatives and Alternates to the Kansas Power Pool Annual Member’s Meeting on December 9th, 2022:**

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’s designated representative to the Committee is considered a voting member.

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

MOTION approved unanimously.

**3. Ordinance Changing Zoning at 522 S. Ash St. from R -1 to I -1 (Light Industrial):**

Planning and Zoning Director, Joel Pile, reviewed the proposed zoning change at 522 S. Ash from R-1 Single-Family to I-1 Light Industrial to allow outdoor storage of recreational vehicles. (Z-2022-02).

> Mayor Steadman called New Business Agenda item #3 and gave opening remarks.

> Mayor Steadman asked the City Council if any of them intend to disqualify themselves from discussing and voting on this Ordinance due to any conflicts of interests or a particular bias on this matter. There were none.

**>** MOTION by Allen, second by Ford to receive and file an excerpt of the unapproved Minutes of the Planning Commission meeting of October 13, 2022, at which PC Case #Z-2022-02 was considered.

MOTION approved unanimously.

> Mayor Steadman asked the City Council if any of them have received any ex parte verbal or written communications prior to this meeting which they would like to share with all the members at this time. There were none.

> There were no members of the public who wished to speak on this case.

> Mayor Steadman asked if there were any written communications or petitions from the public or if any written objections to the petition had been filed with the City Clerk. There were none.

**>** The petitioner had no comments.

> The council had questions regarding screening measures of the property. Pile advised that certain conditions were covered by the Planning Commission regarding fencing, along with other conditions for vehicles being stored on the property such as covers, tires, and type of vehicles.

MOTION by Cardwell, second by Allen to approve Ordinance No. 1569 changing the zoning district classification from R-1 Single-Family Residential to the I-1 Light Industrial District as recommended by the Mulvane Planning Commission in Case No. Z-2022-02.

MOTION approved unanimously.­­

ORDINANCE NO. 1569

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF CERTAIN LANDS UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY OF MULVANE, KANSAS, AS ORIGINALY APPROVED BY ORDINANCE NO. 1432.

**4. Public Works Dept. – Mower Purchase:**

Public Works Director, Kevin Baker, reviewed this item with the council. The city has 2 - 2018 John Deere 1550 mowers with over 1,300 hours and are out of warranty. It makes good strategic sense to trade the mowers while they still hold a reasonable trade value, in addition to the expired warranty.  This trade strategy increases the reliability of the mowing fleet, allows a strong equipment base for mowing, and allows the City to keep costs down with the good trade value of our used mowers. Baker feels it is important, to maintain the mowing fleet with the same brand of mower. John Deere offers the best most reliable front mounted deck Terrain Cut mowers on the market and are user friendly and easy to get parts for.

Three quotes were received from three different John Deere Dealerships, they are as follows:

* Prairieland John Deere Wichita 36,700.92
* Prairieland John Deere Andale 38,000.92
* Prairieland John Deere Winfield 38,500.92

Funds from the Park Improvement Fund will be utilized for this purchase. Baker recommends purchasing Two (2) – 2023 John Deere 1550 “72” Terrain Cut mowers with decks and trade in two (2) currently owned 2018 John Deere 1550 Terrain Cut mowers with decks.

MOTION by Allen, second by Huntley to approve the purchase of 2 - 2023 John Deere 1550 Terrain Cut Mowers & Decks from Prairieland John Deere of Wichita.  Minus the trade value of 2 - 2018 John Deere 1550 Terrain Cut Mowers & Decks for a total amount of 36,700.92.

MOTION approved unanimously.­­

**5. Wastewater Plant – Utility Vehicle Purchase:**

The wastewater plant currently has a 2007 John Deere utility vehicle that is used daily on the 12-acre wastewater treatment plant grounds to transport equipment, parts, and a variety of tools for maintenance tasks at the plant. This small transport vehicle is an efficient and convenient means of quickly accessing areas around the plant for general maintenance. Replacing the current utility vehicle (UTV) while it still has some trade value would be a wise decision for plant operations and our general maintenance capabilities.

This purchase was originally approved on April 4th, 2022. At that time, we were informed that the UTV was available, however the next day we were informed that we were taken off the production list and we would have to request a new proposal in November of 2022 to get back on the production list. Funds from the Wastewater New Equipment Fund can be used for this purchase.

MOTION by Huntley, second by Allen to approve the purchase of one (1) 2023 John Deere UTV, minus trade-in value of one (1) 2007 John Deere in the total amount of $19,388.40

MOTION approved unanimously.­­

**ENGINEER**

1. **Sewer Main A – Bid Review:**

City Engineer, Chris Young, reviewed the bid results with the council. Final plans and bid documents were completed and the project advertised for bids with the Kansas Construction News Reporting and local sewer contractors. Six (6) sewer contractors expressed an interest in the project and purchased plans and bid documents. Due to the size and complexity of the project, the city conducted a Pre-Bid meeting with plan-holders. Plan-holders requested additional time to prepare bids, an extension of the contract time and other minor construction material changes intended to address material availability. All these items were provided by addendum, including a 2-month increase in the contract time.

The project was bid on November 1st at City Hall with only one bid being submitted by Nowak Construction in the amount of $9,713,119. The engineer’s estimate of probable construction cost is $2,294,299. Unit prices used in the engineer’s estimate were based on similar projects with some numbers reflecting pricing as recent as August of 2022.

Inquiries were made with several of the plan-holders to determine why they did not submit a bid. Contractors expressed concerns with existing high workloads, scheduling conflicts (including start date and time to construct) and not enough labor resources to provide multiple work crews for the Main “A” project.

A large number of infrastructure projects throughout the State are likely having an impact on the price and availability of pre-cast concrete structures, manholes and sewer pipe. An abundance of ARPA, BASE and other grant funded infrastructure projects and an active industrial, commercial, and residential development market have placed limitations on contractors, labor resources and construction materials.

Based on conversations with local contractors, staff believes smaller projects and a more flexible timeline could attract more bidders. A smaller project would allow contractors to better manage multiple contract commitments and a delayed start date would provide contractors with additional time for ordering and receiving materials.

In May of 2021, the City Council approved ordinance #1538 authorizing financing for the project for $2,870,000. General Obligation Bonds Series B, 2021 were issued in June 2021 for $2,730,000. Project cost opinions were updated in October of 2022 with an estimated cost of $3,026,819. Additional funding could be provided as needed from the City’s unspent ARPA grant funds. The bond money would need to be expended within 36-months of receipt of bond proceeds.

The Main “A” project could be divided into four (4) smaller separate projects. Staff will examine the proposed sewer alignments to determine the best approach to phasing in the sewer improvements. Design plans and bid documents will be modified as needed and a “Phase 1” bid package could be advertised on or before November 18th. Based on this timeline, bids would be received on December 12th with recommendations brought to the City Council on December 19th.

City staff would evaluate project costs based on bids received and initiate additional replacement projects that fit the City’s budget and financing capabilities. Additional replacement work could be negotiated with the Phase 1 contractor or put out for bids depending on contractor availability and current pricing trends.

Council asked about how this may affect the warranty of the project if divided into four (4) phases and the possibility of having different contractors.

MOTION by Allen, second by Cardwell that the city reject the bid received from Nowak Construction Company, Inc. for Main “A” Sanitary Sewer Improvements.

MOTION approved unanimously.­­

Staff was directed to prepare the necessary bid documents for a “Phase 1” project as discussed.

**2. Project Review and Update:**

Downtown Splash Pad Park - Request for Qualifications (RFQ) was sent to four local design-build contractors with a submission deadline of November 2nd. The city received one submittal from Snodgrass & Sons Construction Company. City staff is currently evaluating their design-build qualifications submitted and anticipates presenting recommendations to the City Council at the November 21st regular meeting.

Rock Road Mill & Overlay, from 103rd St. to K-15 - The Contractor (APAC) is working to complete punch-list items. As-built material quantities monitored during construction resulted in a small decrease in the amount of pavement marking installed. Young has prepared Change Order No.1 for a decrease of $341.25. Councilmember Allen expressed concern regarding the smoothness of the surface. Young will monitor this and evaluate before the warranty time expires.

Rock Road Lift Station Abandonment - No Change.

**City Clerk:** None

**City Administrator:** None

**City Attorney:** None

**Consent agenda items 1 - 6:**

Mayor Steadman advised that should there be a tie on the consent agenda items, she will not be able to vote.

MOTION by Allen, second by Ford to approve Consent Agenda items 1 - 6.

1. Payroll dated 10-28-22 ($225,871.48).
2. City Utility Bills ($20,600.86).
3. Ambulance Fuel System Repair – Donovan Truck Center ($15,246.30).
4. Cereal Malt Beverage (CMB) license renewals.

* Casey’s, Dillons Store, Jump Start Store

1. Liquor license renewals.

* Partyline Liquor, American Legion Post 136.

1. Farm winery license renewal.

* Wyldewood Cellars

MOTION approved unanimously.­­

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

* Next council meeting - Monday, November 21st @ 7:30 p.m**.**
* Polls are open tomorrow, November 8th - to vote.

**ADJOURNMENT:**

MOTION by Allen, second by Huntley to adjourn the city council meeting.

MOTION approved unanimously at 8:20 p.m.

Minutes by:

Debra M. Parker, City Clerk