

**MULVANE CITY COUNCIL
REGULAR MEETING MINUTES**

February 21, 2024

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 Brent Allen, who called the meeting to order.

COUNCIL MEMBERS PRESENT: Trish Gerber, Tim Huntley, Grant Leach, Todd Leeds, Kurtis Westfall.

OTHERS PRESENT: Austin St. John, Debra Parker, J. T. Klaus, Mike Robinson, Chris Young, Joel Pile, Malissa Long, Nancy Armstrong, Nancy Farber Mottola, Todd Dannenberg, Catlin Martin, Scott Nelson.

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

REVIEW AND CLOSING OF THE AGENDA: Item #1 under Old Business will be removed (KPP Mulvane Solar Project/Granting of Easement). There will be an addition of Item #3 under New Business to discuss the meeting time for City Council meetings.

APPROVAL OF REGULAR MEETING MINUTES:

MOTION by Huntley, second by Gerber to approve the Regular meeting minutes dated February 5, 2024.

MOTION approved unanimously.

CORRESPONDENCE: None

PUBLIC COMMENTS: None

APPOINTMENTS, AWARDS AND CITIATIONS:

1. 25 Year Service Award for Brian Cunningham: The employee was not present. His award will be delivered to him.

OLD BUSINESS

None

NEW BUSINESS

1. Mulvane Community Foundation Subsidy Request:

Mayor Allen advised that since he is on the Board of the Mulvane Community Foundation (MCF), he will not participate in the discussion of this item. The MCF was established as an official 501(c)3 in 2017 to provide an outlet to make it possible for the community and organizations to support local events and activities.

Malissa Long, Nancy Armstrong, Nancy Farber Mottola, and Catlin Martin were present to review the projects, service awards, and activities of the MCF with the council. Some of the events highlighted were the Downtown Easter Egg Hunt, Doc Sunback Film Fest, Ballet in the Park, Christmas Tree Lighting, and many other events. The MCF also has many community projects which include the PIX Marque, Wildcat Community Connect Lunch Money Fund, and the Mental Health Coalition.

The MCF is requesting continued financial support from the City to employ a part-time director for 2024.

MOTION by Huntley, second by Westfall to approve the Mulvane Community Foundation request for funds in the amount of \$25,000 for 2024.

MOTION approved unanimously.

2. Twin Valley Fiber Proposal:

Todd Dannenberg with Twin Valley was present to review this item with the council. Twin Valley Communications is a family-owned Kansas based company. Twin Valley would like to install fiber optic internet throughout the City.

Utility providers must have permission to install their equipment within the City's right-of-way. The proposed Franchise Ordinance includes a 5% franchise fee. Twin Valley is not requesting to attach any infrastructure to utility poles at this time. It was noted that the City approved a similar franchise agreement with IdeaTek for the same utility services. If approved, Twin Valley would like to begin work right away.

MOTION by Leeds, second by Leach to approve the Franchise Agreement with Twin Valley and authorize the Mayor to sign Ordinance No. 1576.

MOTION approved unanimously.

ORDINANCE NO. 1576

A CONTRACT FRANCHISE ORDINANCE GRANTED TO TWIN VALLEY COMMUNICATIONS, INC., A TELECOMMUNICATIONS LOCAL EXCHANGE SERVICE PROVIDER PROVIDING LOCAL EXCHANGE SERVICE WITHIN THE CITY OF MULVANE, KANSAS.

3. Change Council Meeting Time:

Mayor Allen asked the council if they would prefer to change the meeting time from 7:30 p.m. to earlier in the evening. It was the consensus of the council to instruct the City Attorney to change the City Council meeting time to begin at 6:00 p.m. An ordinance will be available at the next meeting for consideration.

LAND BANK

MOTION by Huntley, second by Leach to recess the 2/21/2024 City Council meeting and convene as the Mulvane Land Bank.

MOTION approved unanimously.

MOTION by Huntley, second by Westfall to approve the 2/5/2024 Land Bank Trustee meeting minutes.

MOTION approved unanimously.

MOTION by Gerber, second by Leach to approve the Mulvane News invoice in the amount of \$71.50 for the publication of the Land Bank Annual Report.

MOTION approved unanimously.

MOTION by Huntley, second by Leach to approve the payment of \$106.00 to the Sumner County Register of Deeds to record the Notice of Agreement and Right of First Refusal for the property at 110 W. Main.

MOTION approved unanimously.

MOTION by Westfall, second by Gerber 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:

Phase 2 Main “A” Sanitary Sewer – KDOT has approved the Contractor’s traffic control plan (TCP). This plan will detour traffic at Bridge St./K-53 and Boxelder and at First St./K-53 and Walnut.

GIS Mapping – Request for Proposals were distributed to GIS Consulting Firms on 2/15/24. The deadline for proposals is 3/7/24.

Phase 1 Harvest Point Addition Infrastructure – Bid package No. 1 for Preliminary Mass Grading and Detention Ponds, Sanitary Sewer, Storm Sewer, and Water Line plans are scheduled to bid in early March.

West Main Street Drainage Improvements – Bid documents are being prepared.

2. Phase 2 – Main “A” Sanitary Sewer Improvements:

On October 19, 2023, the City received bids for constructing the second phase of improvements for the Main “A” Sanitary Sewer. This portion of Main “A” will replace and upsize sewer lines from the Public Works Maintenance building on Bridge St. to Poplar St. The low bidder was Apex Excavating, LLC, Park City, Kansas. On November 6, 2023, the City Council approved awarding the project to Apex and on December 4, 2023, a construction agreement was approved. Traffic Control Plans (TCP) have been approved by KDOT. The Contractor is coordinating with BNSF engineering representatives (Wilson & Co.) and have set a tentative start date for the sewer boring under the RR in early March. The Notice to Proceed is ready to be approved.

MOTION by Leeds, second by Gerber to approve a Notice to Proceed with Apex Excavating, LLC and authorize the Mayor to sign.

MOTION approved unanimously.

CITY STAFF

City Clerk: None

City Administrator: There will be a KOMA/KORA training for council at the PIX Community Center on Monday February 26, 2024, at 6:00 p.m. This training will be presented by the City Attorney, J.T. Klaus.

City Attorney:

City Attorney, J.T. Klaus, requested an Executive Session for a period of twenty (20) minutes to discuss matters deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2) for the purpose of consultation with the City Attorney.

MOTION by Leeds, second by Huntley to recess this meeting to an Executive Session to discuss matters deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2) for the purpose of consultation with the City Attorney for matters deemed privileged in the attorney-client relationship, for a period not to exceed twenty (20) minutes to include the Mayor, City Council, City Administrator, and the City Attorney, and to return to open session at approximately 8:25 p.m.

MOTION approved unanimously at 8:05 p.m.

MOTION by Huntley, second by Leach to reconvene the City Council meeting.

MOTION approved unanimously at 8:29 p.m.

Mayor Allen advised that no decisions were made during the Executive Session.

City Attorney, J.T. Klaus, asked that since he will be preparing an ordinance to change the time of the council meeting for the next City Council meeting, if the council wished to also include a workshop date in the ordinance. It was the consensus of the council to include language in the ordinance to allow for a monthly workshop on the 4th Monday of each month.

CONSENT AGENDA ITEMS:

MOTION by Huntley, second by Gerber to approve consent agenda items 1-4.

1. Warrant Register for January - \$1,497,292.19
2. Payroll dated 2/16/24 - \$240,734.14
3. Liquor License for R&R Kansas, LLC
4. Invoice from Mulvane Coop – Fuel for Electric Generation - \$19,414.64

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:

There will be a council workshop to review KOMA/KORA on Monday, February 26th, at the PIX Community Center at 6:00 p.m.

Next City Council Meeting – Monday, March 4, 2024, at 7:30 p.m.

ADJOURNMENT:

MOTION by Huntley, second by Westfall to adjourn the regular meeting of the Mulvane City Council.

MOTION approved unanimously at 8:36 p.m.

Debra M. Parker

Minutes by:
Debra M. Parker, City Clerk