

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

June 20, 2016

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:** Terry Richardson, Joe Johnson, Nancy Farber Mottola and Jenean Keck.

- **Others Present:** Kent Hixson, Mike Robinson, Debbie Parker, J.T. Klaus, Dave Williams, Brad Modlin, Library Director Shanna Smith, Chris Young of Young & Assoc., Amy Houston, Jerry Wathen, Nancy Daniels and Randy Hein, K-State Extension agents, Greg Vahrenberg of Piper-Jaffray.

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

**Approval of Regular Meeting Minutes Dated 6-06-16:**

MOTION by Johnson, second by Mottola to approve the Regular meeting minutes dated 6-06-16.  
MOTION approved unanimously.

**Correspondence:** None

**Review and Closing of the Agenda:**

Mayor Steadman asked if there were any additions to the agenda. None

**Appointments, Awards and Citations:**None

**1. Treasurer Appointment:**

There are changes being made in the front office, and the city clerk would like to recommend the appointment of Rachael Blackwell as the City Treasurer. State Statute (K.S.A. 14-201 and 15-204) and our charter ordinances require the City appoint a treasurer.

MOTION by Richardson, second by Johnson to appoint Rachael Blackwell as City Treasurer.  
MOTION approved unanimously.

**OLD BUSINESS**

**1. Old Library Use Policy:**

The council discussed rules and fee schedules for allowing the building to be used by the public as a “community room”. The city attorney reviewed a draft use policy. Johnson suggested adding the street address of the Police Dispatch Center so people will know where to return the key.

MOTION by Richardson, second by Mottola to approve the Community Room Use Guidelines effective July 1, 2016.

MOTION approved unanimously.

## **2. Cedar Brook Addition – Phase 5 Street, Water & Sewer Improvements:**

Phase 5 of Cedar Brook Addition is the last phase in the area. There are 28 lots in Phase 5.

Petitions for the improvements were accepted by the council on 3-07-16. The bids for the water lines, sanitary sewer and street improvements were let on 6-10-16. The cost of these improvements will then be assessed back to the 28 lots in Phase 5.

### **Water and Sanitary Sewer Bids (total):**

Mies Const.	\$107,520.15
Dooling Const.	\$132,437.00
Dondlinger Const.	\$141,024.00
McCullough Const.	\$116,222.00
Wilkes Const.	\$104,692.50
Nowak Const.	\$102,977.50

The lowest of the six bidders for the water and sewer improvements was Nowak Const. in a total amount of \$102,977.50

### **Street Improvements Bids:**

Cornejo	\$261,993.05
Pierson	\$236,464.05
Ks. Paving	\$196,872.75
APAC	\$275,540.05

The lowest of four bidders on the street improvements was Kansas Paving in the amount of \$196,872.75.

MOTION by Mottola, second by Keck to award the contract for water and sanitary sewer improvements for the Cedar Brook Addition - Phase 5 to Nowak Construction, Inc. in the total amount of \$102,977.50. MOTION approved unanimously.

MOTION by Keck, second by Johnson to award the contract for street improvements for the Cedar Brook Addition – Phase 5 to Kansas Paving, Inc. in the amount of \$196,872.00. MOTION approved unanimously.

## **NEW BUSINESS**

### **1. First Impressions Program:**

The Kansas State Extension Agency offers this program. Three people from Mulvane will visit another Kansas community of similar size and characteristics to offer their “first impressions” of that city through the eyes of a first-time visitor. That city will in turn send three people to Mulvane for the same purpose. The information will be shared with the citizens of the community in a future community meeting. There is no charge to the City to participate in this program.

MOTION by Keck, second by Richardson to approve the Community Application to participate in the First Impressions community assessment and improvement program. MOTION approved unanimously.

### **2. Emergency Services Agreement between Mulvane & Sumner County:**

One year ago, Mulvane reached an agreement with Sumner County to provide EMS service to rural Sumner County. The agreement is in the form of a written contract and must be renewed each year. The terms of the agreement have not changed. Sumner County will again pay Mulvane a subsidy equal to the

amount paid in 2016, \$135,000.00 for the year 2017. They will pay Belle Plaine the same amount in 2017, \$88,000.00. That amount will be forwarded to Mulvane by Belle Plaine in two installments.

MOTION by Richardson, second by Mottola to accept and approve the Emergency Medical Service Agreement for 2017 between the City of Mulvane and Sumner County, Ks. and authorize the mayor to sign.

MOTION approved unanimously.

**3. Bond Refinancing Proposal:**

Interest rates on long-term bonds are the lowest they have been in almost 40 years. The City has the opportunity to take advantage of these very low interest rates by refinancing city bonds. The City's financial advisor made a presentation regarding refinancing \$9 million in outstanding city bonds to reduce interest costs.

**RESOLUTIONS AND ORDINANCES**

**1. Resolution Authorizing for the Public Sale of City General Obligation Bonds:**

MOTION by Keck, second by Mottolato adopt Resolution No. 2016-9 authorizing the refinancing of the outstanding Series 2012-A General Obligation Bonds of the City for the purpose of refinancing the City's bond debt.

MOTION approved unanimously.

**RESOLUTION NO. 2016-9**

A RESOLUTION OF THE CITY OF MULVANE, KANSAS, AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF THE CITY'S GENERAL OBLIGATION REFUNDING BONDS, SERIES 2016-A, IN A TOTAL PRINCIPAL AMOUNT OF NOT TO EXCEED \$9,135,000; SETTING FORTH THE DETAILS OF SAID PUBLIC SALE; AND PROVIDING FOR THE GIVING OF NOTICE THEREOF.

**2. A Resolution Authorizing the Public Sale of \$455,000 General Obligation Temporary Notes:**

For the purpose of temporarily financing a portion of the Cedar Brook Phase 5 water, sewer and street improvements. The notes will be retired from the proceeds of general obligation bonds which will ultimately be issued to pay the costs of the Improvements. Special Assessments will be levied against the benefited properties in the Cedar Brook Subdivision. Special assessments constitute a "tax lien" on real property that must be discharged or paid before the landowner can realize upon any equity.

MOTION by Mottola, second by Johnson to adopt Resolution No. 2016-10 authorizing the public sale of \$455,000 of temporary notes.

MOTION approved unanimously.

**RESOLUTION NO. 2016-10**

A RESOLUTION OF THE CITY OF MULVANE, KANSAS, AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF THE CITY'S GENERAL OBLIGATION TEMPORARY NOTES, SERIES A, 2016, IN A TOTAL PRINCIPAL AMOUNT OF \$455,000.00.

**3. Ordinance amending the Mulvane Municipal Code with respect to the licensing of the serving and sale of alcoholic beverages:**

The proposed modifying ordinance is designed to accommodate the consumption of alcohol on public property which is otherwise illegal in Mulvane. Specifically, the Ordinance exempts only the Community Room/Old Library from the absolute ban on consumption of alcoholic beverages on public property. This will allow consumption of alcohol in the Community Room in accordance the policy established therefor, without having to approach the City Council for “Special Event” designation, as otherwise required by State law.

MOTION by Johnson, second by Richardson to adopt and approve Ordinance No. 1467 amending Title VI, Chapter 600, Section 600.180 and Title I, Chapter 100, Article VII, Section 100.240 (Subpart V) of the Mulvane Municipal Code with respect to the licensing of the serving and sale of alcoholic beverages. MOTION approved unanimously.

#### ORDINANCE NO. 1467

AN ORDINANCE AMENDING TITLE VI, CHAPTER 600, SECTION 600.180 AND TITLE I, CHAPTER 100, ARTICLE VII, SECTION 100.240 (SUBPART V) OF THE CODE OF THE CITY OF MULVANE, KANSAS REGARDING CONSUMPTION OF ALCOHOLIC LIQUOR AND CEREAL MALT BEVERAGES.

#### **PUBLIC BUILDING COMMISSION**

MOTION by Keck, second by Mottolato recess the Mulvane City Council meeting and convene as the Mulvane Public Building Commission.

MOTION approved unanimously.

MOTION by Keck, second by Mottola to approve the Public Building Commission meeting minutes dated 6-06-16.

MOTION approved unanimously.

MOTION by Johnson, second by Mottola to approve Walz- Harman Pay Application # 14 in the amount of \$279,944.93.

MOTION approved unanimously.

MOTION by Keck, second by Mottola to approve CEP architect’s invoice # 30 in the amount of \$4,645.17.

MOTION approved unanimously.

MOTION by Mottola, second by Keck to approve the invoice from DocuForce for copier equipment in the amount of \$3,964.00.

MOTION approved unanimously.

The library director was asked about moving the stone “Mulvane Public Library” sign to the new building site. The library director and city staff will work together to relocate the stone sign to the new library.

MOTION by Keck, second by Mottola to adjourn as the Mulvane Public Building Commission and reconvene the Mulvane City Council meeting.

MOTION approved unanimously.

**Engineer's Report/Project Review and Update:**

Chris Young of Young & Associates updated the council on the GIS mapping of city utility, new library construction progress, E. Mulvane Street drainage project, Cedar Brook 2<sup>nd</sup> Addition, Hunters Pointe Addition and the Villa Maria senior housing project drainage plan review.

**2017 ANNUAL BUDGET – PRESENTATION BY DEPARTMENT HEADS:**

- Public Library – Director Shanna Smith
- Planning Commission – Building Inspection – Hixson presented
- Utilities (Electric, Water & Sewer) – Director Brad Modlin
- Administration – City Clerk Debbie Parker

**City Clerk:**

**Move July 4<sup>th</sup> meeting to July 6<sup>th</sup>:**

The first Monday in July falls on July 4<sup>th</sup>. Section 105.020 of the City Code states “When Monday falls on a legal holiday, the meeting shall be held on the next Wednesday”. The Monday, July 4<sup>th</sup> regular council meeting will be held on Wednesday, July 6<sup>th</sup> as per city code.

Mottola will be absent.

**City Administrator:**

**Building Inspector- Planning Director retirement – discuss how to fill the position:**

The Sedgwick County MABCD does building inspection and plan review for nine Sedgwick County cities and the unincorporated area of Sedgwick County. MABCD Director Tom Stolz presented information to the council regarding how MABCD does business.

At the 7-06-16 meeting, the City of Derby will make a presentation to the council on providing building inspection and plan review service to the City.

**City Attorney:**

**Executive Session:**

Request an executive session not to exceed twenty five (25) minutes to discuss matters privileged in the attorney-client relationship (litigation). The executive session to include the Mayor, Council, City Administrator, and City Attorney.

MOTION by Richardson, second by Keck to recess for a period not to exceed twenty five (25) minutes to discuss matters privileged in the attorney-client relationship to include the Mayor, Council, City Administrator and City Attorney. To return at 9:25 p.m.

MOTION approved unanimously at 9:00 p.m.

MOTION by Johnson, second by Mottola to return to regular session at 9:25 p.m.

MOTION approved unanimously.

Mayor Steadman stated that no binding actions were taken in executive session.

**Consent Agenda:**

MOTION by Richardson, second by Mottola to approve the Consent Agenda as follows:

1. Employee Payroll dated 6-17-16 (\$213,736.89).
2. Warrant Register for May (\$1,289,211.18)
3. Public Works Dept. – Road Oil – Vance Brothers (\$12,000.00)

MOTION approved unanimously.

**Announcements, Meetings and Next Agenda Items:** None

**Adjournment:**

MOTION by Keck, second by Richardson to adjourn at 9:26 p.m.

MOTION approved unanimously.

Debra M. Parker, City Clerk