

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

April 15, 2019

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: Brent Allen, Jenean Keck, Nancy Farber Mottola, Kevin Cardwell and Barry Fleming.

Others Present: Kent Hixson, J.T. Klaus, Gordon Fell, Mike Robinson, Joel Pile, Chris Young, Debra Parker, Brad Modlin, Flint McPeak, Mike Fells, Patricia Fells, Lowell Ester, Karen Rambo, Joe McDaniel, Judi Patterson, Rusty Westfall, Kurt Westfall, Peggy Glennie, Troy Dossey.

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

Approval of Regular Meeting Minutes Dated 4-01-19:

MOTION by Mottola, second by Cardwell to approve the Regular meeting minutes dated 4-01-19.

MOTION approved unanimously.

Correspondence: Nancy Mottola shared information regarding the “Clean Mulvane” event being held on May 11th from 2 – 5 p.m. It was the consensus of the council to allow \$3,000 to help sponsor the event. Volunteers may contact Frank Carson.

Review and Closing of the Agenda: Due to technical difficulties with the PowerPoint presentation, Item #1 under New Business (Mulvane Recreation Commission – Request to Use 1% Sales Tax for a New MRC Facility) will be moved to the next council meeting.

Appointments, Awards and Citations:

1. Employee Service Award – Mayor Steadman presented Police Capt. Flint McPeak with a Certificate of Appreciation for twenty-years of service.
2. Employee of the Month – Mayor Steadman presented Fire Lt. Mike Fells with the Employee of the Month Award.
3. Tree City USA – Mayor Steadman stated that Mulvane has again been designated a “Tree City USA”.
4. Arbor Day Proclamation - Mayor Steadman read a proclamation declaring April 30th as Arbor Day in Mulvane. There will be an Arbor Day celebration at 6:30 p.m. on April 30th in English Park honoring Don Wells.

OLD BUSINESS

None

NEW BUSINESS

1. Utility Dept. - Review Bids for a New Bucket Truck:

In 2003 the Electric Utility Department purchased a 2003 Ford 550 Diesel 37 ft. bucket truck from Altec Industries, Inc. The maintenance expense for this truck is becoming excessive. It is recommended to replace the 2003 bucket truck with a new 40 ft. bucket truck. The old unit will be placed on Purple Wave Auctions.

Sealed bids for the new 40 ft. bucket truck were received from:

Altec Industries Inc.	
2020 40ft. Altec Bucket Truck	\$124,229.00
Kansas Sales Tax	\$10,559.47
Total	\$134,788.47
Estimated Delivery - 360 Days	

Terex Utilities	
2020 40ft. Terex Bucket Truck	\$135,074.00
Kansas Sales Tax	\$11,481.29
Total	\$146,555.29
Estimated Delivery - 270 Days	

MOTION by Mottola, second by Cardwell to approve the bid from Altec Industries Inc. in the amount of \$124,229.00 for a new 2020 Bucket Truck to be paid from the Electric Operating Budget - Fund #511-10-616.

MOTION approved unanimously.

MOTION by Mottola, second by Fleming to approve payment of sales tax to the State of Kansas in the amount of \$10,559.47 (+ or -) for the purchase of one 2020 Bucket Truck.

MOTION approved unanimously.

2. Feral Cat – Trap-Neuter-Spay-Release Program:

Mulvane has a feral cat problem. Feral cats are pretty much a nuisance animal and appears to be affecting the city at large. The City Administrator proposed that the City set aside funds to create a feral cat trap-neuter/spay and release program to begin addressing this problem. Once the cat is trapped the Police would take it to the Mulvane Animal Clinic. The clinic would perform the neuter/spay, vaccination and notch the cats ear to indicate it has been fixed. Once done, the clinic notifies the police to pick it up and return it to near its original environment. The Mulvane Animal Clinic will perform this service for \$35 per male cat and \$60 per female cat.

A domestic cat owner is responsible for not allowing it to trespass or become a nuisance. If a cat is on someone else's property, that is a trespass and it can be trapped. The Council asked questions regarding trapping a family pet and if the Police Dept. would take the cat to the clinic or the citizen would take it.

It was the consensus of the Council to allow city staff to proceed with the Trap-Neuter/Spay Release Program and allow for funds up to the City Administrators spending authority. The council would like an update in 3 – 6 months to check the progress.

3. Water Spray Feature – Discussion:

Joel Pile reviewed information and examples of splash pads with the council. He asked the council for ideas or suggestions regarding locating a splash pad on the flood plain ground in the area of Prather and Main.

Integrating a splash pad into park space in the Mulvane Downtown would assist in drawing people to the district. Park development could include shade structures, benches, picnic tables and landscaping. The splash pad in an open park setting would be a compliment to Old Main Street Park and Cobb Park.

If there is support for a splash pad downtown, staff would need to contact landscape architects, with experience in splash pad development, to develop a master plan and cost estimate. The idea is to conceptualize the development of park space at Main & Prather and the adjoining greenspace extending south along Styx Creek.

Council had concerns about a spray feature so close to the PIX Community Center and the possibility of damage caused from patrons entering the building after being at the splash pad. The PIX was not designed to accommodate this type of activity. Council favored a more passive type park with benches and possibly colored lights. The actual location of the splash pad and parking were also discussed. Pile advised the splash pad would have a longer season than the City pool. The water features could be on a timer or motion activated.

It was the consensus of the council to authorize staff to distribute a Request for Proposal (RFP) for landscape and architectural services for the conceptual development of park space at Main & Prather and South along Styx Creek.

4. Villa Maria Water Line Improvement:

On September 6, 2018, the City received a Certificate of Substantial Completion from Young & Associates, P.A. for the Villa Maria 8" waterline extension. The project was ordered by Villa Maria, Inc. and completed by Nowak Construction who was acting as a sub-contractor of Simpson Construction.

Per the Developer's Agreement with Villa Maria dated March 1, 2018, the Developer shall file a sworn statement with the City certifying that the engineering and construction of the improvements have been paid. On April 10, 2018, Villa Maria, Inc. (Developer) provided the sworn statement as required. The City's governing body shall formally accept such Improvements. Upon acceptance by the City, improvements shall become the sole property of the City and the Letter of Credit in the amount of \$40,000 can be released.

MOTION by Cardwell, second by Fleming to accept the waterline improvements as specified in the Developer's Agreement between Villa Maria, Inc. and the City of Mulvane dated March 1, 2018 and authorize the Mayor to sign a letter of acceptance.

MOTION approved unanimously.

5. Electric Power Outage – Review of Incident:

On Friday, April 12th around 1:00 a.m., a car hit a City utility pole just north of 103rd St. on Rock Road. Electric power to the entire City was lost until around 8:00 a.m. Utility Director, Brad Modlin, reviewed a timeline of the Utility Department for restoring power to the City. Attempts were made to start the Power Plant for generation. The control panel continued to kick off

engine 9. Prior required testing of the Plant has always been successful. However, a black start had not been attempted. It was discovered that the Plant did not have black start capability. It was designed for added capacity generation, starting with electrical power, and not from a black start. This is different than the old Boxelder plant. Mid States Energy will be at the Plant on Tuesday to change the relays and reconfigure the circuit board to have black start capability. Mottola would like to be present and involved in this process and see what procedures are in place. Emphasis was made to have routine testing of the engines.

Public Safety Director, Gordon Fell, reviewed duties of his department. The battery back-up system that is in place now allowed for approximately 2 hours of power. Rescue 10 generator powered the Police Department once battery back-up was lost. A generator was taken to K-15 & Rock Road to operate the traffic signal once the back-up system went down at that location. Contact was made with the school administration. The AT&T cell service was down once their battery back-up system went down. The dispatch received over 500 calls during the outage. Fell will check into a generator for the Police Department.

Communication issues were also discussed. The Administration Department will provide better communication to city officials along with updates to citizens. Staff will check into a text messaging service that will provide information to subscribers. Internal improvements and additional employees with authority to post updates will be implemented. The council would like to be contacted in any emergency situation. Staff will work on having an emergency procedure in place and implemented.

ORDINANCES & RESOLUTIONS

1. Ordinance Establishing a Mill Levy Limit for the Library:

Under its home rule authority granted by Article 12, Section 5 of the Kansas Constitution, the City of Mulvane may pass an ordinary ordinance limiting the taxing authority of a city library created under K.S.A. 12-1218 *et seq.* Due to City of Mulvane Charter Ordinance No. 23's 2002 repeal of Charter Ordinance No. 7, no mill levy limit on the library is currently in effect. The proposed ordinance establishes a library mill levy limit of five (5) mills on each dollar of assessed valuation of the City of Mulvane.

MOTION by Mottola, second by Fleming to adopt and approve Ordinance No. 1514 establishing a mill levy limitation for library purposes for the City of Mulvane.

MOTION approved unanimously.

ORDINANCE NO. 1514

AN ORDINANCE ESTABLISHING A MILL LEVY LIMITATION FOR LIBRARY PURPOSES FOR THE CITY OF MULVANE, KANSAS.

PUBLIC BUILDING COMMISSION

MOTION by Mottola, second by Allen to recess the City Council meeting and convene as the Public Building Commission.

MOTION approved unanimously.

MOTION by Keck, second by Cardwell to approve the PBC meeting minutes dated 4-01-19.

MOTION approved unanimously.

MOTION by Mottola, second by Fleming to approve the invoice from Van Asdale Construction, LLC. in the amount of \$44,849.70 for the work at 410 E. Main.

MOTION approved unanimously.

MOTION by Allen, second by Fleming to adjourn the Public Building Commission meeting of 4-15-19 and reconvene as the Mulvane City Council.

MOTION approved unanimously.

ENGINEER

1. **Project Review and Update:** Chris Young, City Engineer, advised the meeting with BNSF was scheduled for 9:00 a.m. on the 23rd of April at City Hall.

City Clerk: Reminded council that the substantial interest forms were due by April 30th.

City Administrator: None

City Attorney: None

Consent Agenda Items 1 - 2:

MOTION by Mottola, second by Fleming to approve Consent Agenda items 1 - 2.

1. Payroll Dated 4-05-19 (\$200,019.64)
2. Zoll Monitor – Extended Warranty Agreement (\$5,483.25)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

- Monday, May 6th - next council meeting @ 7:30 p.m.

ADJOURNMENT:

MOTION by Allen, second by Keck to adjourn the City Council meeting at 9:05 p.m.

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk