

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

October 21, 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:** Jenean Keck, Kevin Cardwell, Barry Fleming and Nancy Mottola.

**Others Present:** Kent Hixson, J.T. Klaus, Mike Robinson, Debra Parker, Gordon Fell, Chris Young, Jay Ensley, Brad Canfield, Mike Howell, Brad Modlin, Amy Houston, David Walker, Josh Golka, Vanessa Ballard.

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

**Approval of Regular Meeting Minutes Dated 10-07-19:**

MOTION by Mottola, second by Keck to approve the Regular meeting minutes dated 10-07-19.  
MOTION approved unanimously.

**Correspondence:** Mayor Steadman spoke with a representative from USD 263, Amy Houston. She would like to review the petition process under Old Business #1.

**Review and Closing of the Agenda:** Add Executive Session under City Attorney.

**Appointments, Awards and Citations:** None

**OLD BUSINESS**

**1. E. Mulvane St. Drainage – Discussion with USD 263:**

Chris Young, City Engineer, reviewed concept plans developed by the District's engineer and provided comments and recommendations to the Council. The estimated cost of the project was reviewed and alternative approaches to pay for the drainage improvements was discussed. Young outlined a process for moving forward with the project.

Jay Ensley, USD 263, reviewed limitations in funding for the school. He outlined the funding sources for the school and how the money is allocated &/or mandated. The school is interested in a special assessment tax levy agreement.

J.T. Klaus, City Attorney, reviewed the petition process for public improvements. The City Attorney explained if the City received a petition, how the cost would be assessed and who would pay for improvements in the benefit district. Once an estimate on the cost of the project and a generalized agreement on the percentage costs have been reached, a petition can be drafted.

Staff was concerned about the City residents paying for any mill levy increase twice, once through the City and once through the school. Also, the school has a larger tax base than the City, making the cost for City residents larger than that of the school district. Amy Houston, USD 263, shared information she received from a property owner on the potential cost of land acquisition.

Young would like to meet with PEC to go over plans in more detail and address issues of existing sewer lines, removal of large trees, and adequate contingency funds for the project. Information will be brought back to council at the November 4<sup>th</sup> meeting.

For discussion only – No action taken.

## **2. Temporary Street Closing Request – Review Application Form and Policies:**

At the October 7<sup>th</sup> council meeting, suggestions were made to clarify some details regarding the policy for requesting a temporary street closing for parades and other special events. The council reviewed a second draft of the policies regulating a temporary street closing. The following language was added for review:

*As a condition to the issuance of any Street Closing Permit, the applicant must provide proof of general liability insurance in form satisfactory to the City for any event:*

- 1) lasting longer than ten (10) hours (from the time the street is closed to traffic to the time the street is re-opened to traffic), or*
- 2) that allows, provides, serves or sells alcohol.*

Additional changes were requested regarding Administrative Approval, Public Notification, and barricade removal. The changes will be made and brought back for council review.

## **NEW BUSINESS**

### **1. Wastewater Treatment Plant – Purchase a new tractor:**

The Wastewater Treatment Plant has owned and maintained a small Kubota tractor since 1982. This tractor is used for mowing at the Wastewater Treatment Plant and Water Treatment Plant. Other uses are unloading shipments of chemicals and supplies, pulling equipment around and applying waste sludge. The tractor was in the 2020 Sewer Budget to be replaced. In September of 2019, the tractor engine blew a head gasket. The cost of the gasket and labor exceeds the value of the tractor. This tractor is vital to the operation of the Wastewater Treatment Plant.

Three quotes were received for tractors. Two tractors were demonstrated for staff. The Massey Ferguson (MF) 1755MH tractor was not in stock for demonstration. By not actually seeing and demonstrating this unit, there are concerns in purchasing the MF tractor. The MF tractor would have to be ordered with an estimated delivery time of 2 – 3 weeks. Also, there are some concerns about the availability of parts. The sewer department needs to acquire a tractor now to resume applying waste sludge at the sewer plant. Due to these factors, staff would prefer to reject the low bid for a MF 1755MH and recommends the next lowest bid for a John Deere tractor. This tractor

is in stock. The City has John Deere mowers and tractors and are pleased with the equipment and service received over the years.

All quotes are for 2019 models. The quotes are as follows:

Schmidt & Sons	MF 1755MH Compact Tractor	\$39,132.00 (Rejected)
PrairieLand Partners LLC	John Deere 5055E Utility Tractor & Loader	\$44,818.77
Schmidt & Sons	Kubota L5460	\$46,885.00

MOTION by Mottola, second by Fleming to accept the bid from PrairieLand Partners, LLC in the amount of \$44,818.77 for the purchase of a 2019 5055E John Deere tractor with attachments. Funds will be dispersed from Sewer Fund 513-12-616.

MOTION approved unanimously.

## **2. Toys for Municipal Court Fines:**

In August, the Court Department launched School Supplies for Fines. This program went well. The Court Department would like to present this idea again, for Toys for Municipal Court Fines, in hopes that council would allow this for the City of Mulvane. Any toys collected through this program would then be donated to the Christmas program that the City helps put together for children in the community. Not only does it help with the defendant's fines, but it also helps parents/children in the community.

Defendants would bring in new toys still in their original packaging, along with a receipt showing proof of purchase and the amount paid. The court will grant a credit towards their fines for double the amount paid for the toys, up to a maximum of \$20.00, which credits \$40.00 towards their fines. This opportunity is only available one time per defendant. The program would run for the month of November.

MOTION by Fleming, second by Cardwell to approve Toys for Municipal Court Fines from November 1<sup>st</sup> to November 29<sup>th</sup>, 2019.

MOTION approved unanimously.

## **ORDINANCES & RESOLUTIONS**

None

## **ENGINEER**

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

Chris Young reviewed the project updates with the council which included the FEMA grant related to English Park and Styx Creek Drainage, Decommissioning the Boxelder Power Plant, Rock Road Water Line Extension, Downtown Park/Splash Pad, Homestead Senior Housing Phase 2 (waiting on information regarding utilities, drainage and a possible retaining wall).

Young received communication from Jeremy Wegner with BNSF. They have developed an estimate on the culvert pipe and are working on the agreement with the City. They hope to have the new pipe installed by the end of November.

**City Clerk:** None

**City Administrator:**

**1. Employee Health Insurance Renewal:**

The City's BCBS Health plan expires December 31, 2019. To stay with the current plan, the BCBS quote showed a 17% increase in the premium. The City budgeted for a 10% increase for 2020. Kent Hixson, City Administrator, gave an overview to the council. The City currently pays 92% of the medical insurance premiums and the employee pays 8%. In addition, the City contributes \$1,000 for a single or \$1,500 for a family, into a Flexible Spending Account for each enrolled employee. The current Medical Loss Ratio is at 100% of the premium, 62% of the claims are from 4.2% of the members and prescription drugs account for 68% of the cost. The amount budgeted from 2015 – 2020 was reviewed along with the actual premium paid. Hixson pointed out that although the city budgeted for a 10% increase for 2020, there were sufficient funds in the budget to cover the cost of the premium.

Mike Howell, Gallagher Benefit Services, reviewed several options with the Council on health plans. This included increasing the deductible, offering other plans, increasing the employees share of the premium, etc.

Howell previously met with the benefits committee (department heads) and reviewed several options. It was recommended the City switch health insurance providers by accepting the quote from Aetna. The Aetna quote would mean a 4.3% premium increase (\$56K) which is within the budgeted amount for 2020. There is no maximum coinsurance amount with Aetna, also the Delta Dental coverage will have a slight decrease in premium.

Council had questions about the maximum out of pocket expense to employees and how employees would be affected. There were also questions regarding the new prescription tier proposed with Aetna and the cost to employees.

No action taken – For information only. This item will be addressed again at the November 4<sup>th</sup> meeting, at which time council may ask more questions or take action if they are satisfied with the information provided.

**2. Annual Chamber Dinner:** If any council members would like to attend the Annual Chamber Dinner, please RSVP to the Chamber office. The City will pay for the council member plus one.

**City Attorney:**

**Executive Session:**

City Attorney requested an executive session under the justification of K.S.A. 75-4319(b)(2) for the purpose of consulting with our city attorney on matters deemed privileged in the attorney/client relationship for a period not to exceed 15 minutes to include the Mayor, City Council, City Attorney and City Administrator.

MOTION by Keck, second by Fleming to recess the regular city council meeting for an executive session under the justification of K.S.A. 75-4319(b)(2) for the purpose of consulting with our city attorney on matters deemed privileged in the attorney/client relationship for a period not to exceed 15 minutes to include the Mayor, City Council, City Attorney and City Administrator and to reconvene in open session at approximately 9:25 pm.

MOTION approved unanimously at 9:10 p.m.

MOTION by Mottola, second by Keck to reconvene the regular City Council meeting.

MOTION approved unanimously at 9:25 p.m.

Mayor Steadman announced that no decisions were made during the Executive Session.

**Consent Agenda Item 1:**

MOTION by Mottola, second by Fleming to approve Consent Agenda item 1.

1. Payroll dated 10-18-19 (\$208,155.28)

MOTION approved unanimously.

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

- Monday, November 4<sup>th</sup> - next council meeting @ 7:30 p.m.
- Mayor Steadman advised she may be late or absent at the November 18<sup>th</sup> meeting.

**ADJOURNMENT:**

MOTION by Mottola second by Fleming to adjourn the City Council meeting at 9:26 p.m.

MOTION approved unanimously.

Minutes by:  
Debra M. Parker, City Clerk