

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

December 3, 2018

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, Kevin Cardwell, Nancy Mottola and Barry Fleming.

Others Present: Debbie Parker, Kent Hixson, J.T. Klaus, Gordon Fell, Mike Robinson, Joel Pile, Cathy Walker, Brad Modlin, Jason Mundell, Amy Mundell, Kayla Mundell, Mike Mundell, Nancy Mundell, Lowell Ester, Samantha Caywood, Sean Darnell, Chris Young, Gary Brownlee, Tony Meek.

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

Approval of Regular Meeting Minutes Dated 11-19-18:

MOTION by Allen, second by Fleming to approve the Regular meeting minutes dated 11-19-18. MOTION approved unanimously.

Correspondence: None

Review and Closing of the Agenda: None

Appointments, Awards and Citations:

1. Planning Commission Appointment:

MOTION by Fleming, second by Mottola to confirm the appointment of Lance Brashear to fill the vacant Sedgwick County-City position on the Mulvane Planning Commission and Board of Zoning Appeals.

MOTION approved unanimously.

2. Volunteer Firemen – 25 Year Service Awards:

Mayor Steadman commended Jason Mundell for his valuable service to the City and presented him with a 25 year service plaque.

Aaron Mattson has also served the City for 25 years, however was unable to attend the meeting.

OLD BUSINESS

1. Amend City Budget – Public Hearing:

The City needs to amend the 2018 budget for the following reasons:

- The Transportation Impact Fund's actual cash carryover after the 2017 audit is \$46,718 more than was budgeted in 2018 (\$3,229). To utilize the cash carryover difference for resurfacing and street improvements, the City needs to amend the 2018 budget to \$49,947.
- The Park Impact Fund's actual cash carryover after the 2017 audit is \$65,724 more than was budgeted in 2018. To utilize the cash carryover difference for the Rockwood Park improvements, the City needs to amend the 2018 budget to \$66,724.

At the November 19, 2018 council meeting, motion was made to set a public hearing for the purpose of amending the 2018 annual City budget for Monday, December 3, 2018. The public hearing notice was published in the November 22nd edition of the *Mulvane News*.

MOTION by Allen, second by Mottola to recess the city council meeting for a period not to exceed five (5) minutes for the purpose of conducting a public hearing regarding amending the 2018 annual City budget.

MOTION approved unanimously.

There was no one present to speak regarding amending the City budget.
The Mayor closed the public hearing.

MOTION by Cardwell, second by Fleming to reconvene the regular city council meeting.

MOTION approved unanimously.

MOTION by Mottola, second by Cardwell to approve amending the 2018 City budget as provided.

MOTION approved unanimously.

2. After Hours Reconnect Policy:

At the November 5, 2018 council meeting there was discussion to discontinue after hours reconnects for customers who have been disconnected for non-payment, unless a life-threatening emergency exists. Staff was to research possible solutions and bring back to council. Staff recommends maintaining the current after hours reconnect policy.

There were no additional comments from council members on the issue. No changes will be made to the after hours disconnect policy.

NEW BUSINESS

1. Garry Steddum – 520 Emery: Mr. Steddum was not present.

2. American Legion Post 136 – Request to Refund Liquor License Fee:

The council has waived the liquor license fee for the American Legion for the past several years. The Legion usually asks the council to waive the fee as part of the license application process before it is approved by the council and never paid the fee to the City. This is the first year the Legion has paid the fee and then asked for a refund. It was noted there would be some administrative costs associated with processing a refund.

Samantha Caywood and Sean Darnell answered questions from the council regarding qualifications for membership, guests of members and membership fees. It was explained that due to recent changes, the process for asking to waive the license fee was overlooked. They will make the request ahead of time in the future.

MOTION by Fleming, second by Cardwell to approve the request from American Legion Post 136 for a refund of the annual liquor license fee.

MOTION approved unanimously.

3. Copier Maintenance Agreement with Galaxie Equipment:

City Clerk explained this was the annual maintenance agreement. It covers maintenance and toner for 5 copier/printers in the Administration office. There was a slight increase in the cost for the main printer that is used to print utility bills.

Council asked about the possibility of having this type of equipment uniform in each department to provide for overall maintenance instead of it being separate. Staff has been looking into this for possible future consolidation of vendors.

MOTION by Mottola, second by Cardwell to approve the Copier Maintenance Agreement with Galaxie Business Equipment for the period covered from October 27, 2018 to October 27, 2019.

MOTION approved unanimously.

ORDINANCES & RESOLUTIONS

1. Continuing Disclosure Ordinance:

City Attorney explained the necessity of this ordinance. This Ordinance is designed to address concerns by certain bidders that the current disclosure ordinance may not be “specific enough” with regards to the “operating data”. Accordingly, the new Ordinance specifies that the City means to provide the operating data contained in its CAFR. Also, next April, a new Rule is taking effect which will basically require the City to report “loans” and “private placements” as material events; this ordinance accommodates these changes as well.

The City cannot sell its Bonds or Notes through eligible underwriters, without compliance with the Rule. The draft Ordinance completely restates the previous Ordinance, so that it is not necessary to provide both or include both in Official Statements hereafter published. The new Ordinance will stand on its own, and can be provided to underwriters and published in-lieu-of Ordinance Nos. 1182, 1343 and 1369.

MOTION by Cardwell, second by Fleming to adopt Ordinance No. 1509, an ordinance amending and restating Ordinance No. 1182, as necessary to evidence the City’s undertaking to provide ongoing disclosure in the municipal securities market.

MOTION approved unanimously.

ORDINANCE NO. 1509

AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 1369 OF THE CITY OF MULVANE, KANSAS.

2. Redemption Resolution:

On November 20, 2018, the City of Mulvane, Kansas (the “City”) issued \$612,000 of its General Obligation Renewal Notes, Series A, 2018 (the “Series A, 2018 Notes”) in order to temporarily refinance the construction of Villa Maria Senior Housing Addition Improvements and the Cedar Brook Phase 5 Improvements for the benefit of the Villa Maria Senior Housing Subdivision, the Cedar Brook Subdivision and the Cedar Brook 2nd Subdivision. The Series A, 2018 Notes are still outstanding and are callable at any time and can be prepaid at any time.

The City is in the process of issuing general obligation bonds, in part to permanently finance these construction costs and pay the principal and interest on the Series A, 2018 Notes. In order to complete the process of providing permanent financing for above-referenced improvements, it is necessary for the City Council to adopt a resolution authorizing the redemption of the Series A, 2018 Notes on December 31, 2018 and the delivery of prior notice of such redemption. The redemption will be contingent upon the issuance of the general obligation bonds.

The Resolution authorizes City Staff to take all necessary preliminary steps to redeem the Series A, 2018 Notes, including the execution, delivery and waiver of any required notices.

MOTION by Allen, second by Fleming to adopt Resolution No. 2018-7, a resolution declaring it necessary and advisable to redeem, and provide or waive notice of redemption of, the City’s Series A, 2018 Notes.

MOTION approved unanimously.

RESOLUTION NO. 2018-7

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS DECLARING IT NECESSARY AND ADVISABLE TO REDEEM, AND GIVE OR WAIVE NOTICE OF REDEMPTION OF, THE CITY’S GENERAL OBLIGATION RENEWAL NOTES, SERIES A, 2018.

MULVANE LAND BANK

MOTION by Mottola, second by Fleming to recess the Mulvane City Council meeting and convene as the Mulvane Land Bank.

MOTION approved unanimously.

MOTION by Cardwell, second by Allen to approve the Land Bank Board of Trustees meeting minutes dated 11-19-18.

MOTION approved unanimously.

Joel Pile gave an update on the building at 201 W. Main. Repairs are complete and there were no change orders. The building has been cleaned and ready for occupancy. We will be marketing for a buyer.

MOTION by Mottola, second by Allen to approve the City utility bill for Land Bank owned property in the total amount of \$71.89 for 201 W. Main.

MOTION approved unanimously.

MOTION by Mottola, second by Fleming to approve the expenditure of \$55.00 payable to Sumner County Register of Deeds to record the Termination of Option Agreement for 110 W. Main.

MOTION approved unanimously.

There was discussion on the two proposals previously presented to the Board for the buildings at 100 and 102 W. Main. The Board has had a chance to review and research information provided. City Attorney stated the Land Bank could not grant some of the requests from the second proposal. The requests can only be done by the City Council. If an agreement is drafted, he suggested including staggered payments as it pertained to different aspects of repair. The Land Bank cannot obligate payments outside the current budget year. The buyback option was also discussed.

MOTION by Fleming, second by Allen to instruct the City Attorney to draft a real estate purchase agreement for 100 & 102 W. Main between the Mulvane Land Bank and Larry Beck upon the terms and provisions as agreed by both parties as discussed by the Board of Trustees.

MOTION approved, Keck abstained.

MOTION by Allen, second by Mottola to adjourn the meeting of the Mulvane Land Bank Board of Trustees and reconvene as the Mulvane City Council.

MOTION approved unanimously.

ENGINEER

Project Review and Update: Chris Young, City Engineer reviewed the project report with the council. English Park and Styx Creek Drainage Improvements, Decommissioning of the Boxelder Power Plant, Water Distribution GIS mapping, Meadow Crossing and Headquarters Addition.

Young distributed copies of the notification from FEMA for the approval of the Flood Mitigation Grant.

City Clerk: Reminded the council to sign the amended budget form.

City Administrator:

1. Employee COLA Discussion:

Information was provided to the council pertaining to a 2019 COLA. This will provide the council a chance to review the information and ask questions prior to the December 17th meeting when the council would take any action on the issue.

Allen asked for a dollar amount on the history of COLA increases and projected dollar amounts for 2019.

City Attorney: Reviewed the permanent bond issue. Special assessment notices have been mailed. A separate notice was sent to the owners of a lot split. Sub-division regulations are still being researched concerning councilmember Kecks inquiry on building a garage on a lot.

Consent Agenda - Items 1 - 3:

MOTION by Keck, second by Allen to approve Consent Agenda items 1 – 3.

1. Payroll Dated 11/30/18 (\$209,731.17)
2. Approve the purchase of 48,000 lbs. of ferric chloride for \$10,409.00. This price includes insurance surcharge and fuel cost.
3. City Utility Bills - \$20,822.75

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

- Monday, Dec. 17th - Next council meeting @ 7:30 p.m.

ADJOURNMENT:

MOTION by Cardwell, second by Fleming to adjourn the City Council meeting at 8:50 p.m.

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk