

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

December 17, 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, Nancy Mottola and Barry Fleming.

Others Present: Debbie Parker, Kent Hixson, J.T. Klaus, Gordon Fell, Mike Robinson, Joel Pile, Chris Young, Clayton Kelley, Joe Johnson, Levi Nord, Liz Kosjer.

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

Approval of Regular Meeting Minutes Dated 12-03-18:

MOTION by Allen, second by Mottola to approve the Regular meeting minutes dated 12-03-18.

MOTION approved unanimously.

Correspondence: None

Review and Closing of the Agenda: None

Appointments, Awards and Citations:

1. Kansas All-Star Scholarship Fund – Board Appointment:

Joe Johnson was present and confirmed he wished to continue to serve on the Board.

MOTION by Fleming, second by Keck to appoint Joe Johnson to a two-year term to the Kansas All-Star Scholarship Fund, Inc.

MOTION approved unanimously.

OLD BUSINESS

1. Arkansas River Access Agreement with Kansas Wildscape LLC:

Joel Pile explained there were still some ownership issues to be resolved for the property in question. A piece of the property was an old government lot. A title search needs to be conducted and tax records researched to determine property ownership. Information could be available at the January 7th council meeting.

MOTION by Mottola, second by Allen to table the item.

MOTION approved unanimously.

2. FEMA Hazardous Mitigation Grant:

Joel Pile reviewed this item with the council. Properties lying within the existing FEMA floodway, from K-15 to K-53 are predominantly private residential. The Styx Creek Watershed

No. 1 Mitigation Project seeks to provide flood storage through detention and to stabilize eroded channel banks through the installation of BMP's, rip-rap and storm sewer improvements.

The city has submitted and was awarded (award notice provided December 3, 2018) a project for advanced assistance, which will provide 75% of the funding, to develop supporting data to prove the Benefit Cost Analysis BCA for the Styx Creek Watershed project. If the BCA meets the required FEMA threshold for viability, the City will likely be awarded a Flood Mitigation Grant to design and construct the Styx Creek Watershed No. 1 Mitigation Project.

The estimated project cost is \$26,200 (25% city share \$6,550 + 75% grant funding \$19,650). Funds have been budgeted in the Capital Improvement Fund for this project.

MOTION by Keck, second by Allen to approve the Hazard Mitigation Assistance Grant Agreement and authorize the Mayor to sign.

MOTION approved unanimously.

NEW BUSINESS

1. Headquarters Plat Addition – Accept Dedications:

Planning and Zoning Director, Joel Pile, reviewed this item with the council. The Headquarters Addition Plat is a two-lot small tract plat of 20 acres located in Sedgwick County, west along Webb Road north of 103rd Street. The plat is outside of the city limits but within the extraterritorial jurisdiction of the city and was prepared by Certified Engineering Design, P.A.

The plat was reviewed by the Subdivision Committee on December 6, 2018. The committee recommended forwarding it to the Planning Commission for consideration and approval. The plat was considered and reviewed by the Planning Commission on December 13, 2018. The commission approved the plat and recommended the city council accept the dedications, if any, shown on the plat.

MOTION by Allen, second by Mottola to accept all dedications, if any, shown on the plat of the Headquarters Addition and authorize the Mayor to sign.

MOTION approved unanimously.

2. Public Safety Dept: Transfer of Funds to Municipal Equipment Replacement:

Public Safety Director, Gordon Fell, reviewed this item with the council. Due to the tax lid law, public safety budgets need to be zeroed out. In order to easily track excess public safety funds and allow for those funds to be spent on public safety the Finance Director, Cathy Walker, requested excess funds be transferred to Municipal Equipment Reserve Fund.

MOTION by Keck, second by Mottola to authorize the fund transfer of up to \$130,000 from the 2018 Public Safety Budgets to the Municipal Equipment Reserve Fund.

MOTION approved unanimously.

3. Public Safety Dept: New Police Station – Purchase Surveillance Equipment:

Public Safety Director, Gordon Fell, reviewed this item with the council. An essential need at the new Police Station is surveillance equipment. An assessment of 410 East Main was conducted. The focus is to ensure a safe working environment for our personnel as well as those we serve. This surveillance coverage will also provide coverage to protect assets inside and outside the premises.

The new system proposed is an eleven-camera surveillance system. All camera footage will be recorded and stored on an 8 terabyte Exacq Network Video Reorder.

MOTION by Keck, second by Fleming to accept the bid from Gateway Wireless & Network Services for the purchase of a new surveillance system in the amount of \$19,686.00 for 410 E. Main.

MOTION approved unanimously.

Councilmember Allen inquired about providing a “safe place” at the new Police Station. Public Safety Director, Gordon Fell, indicated there would be a designated place with signage and information provided to the public.

4. Public Safety Dept.: New Police Station – Purchase Access Control Equipment:

Public Safety Director, Gordon Fell, reviewed this item with the council. Access to a facility is an important part to the security of a building. As an effort to limit the issuance of keys, it is proposed that a proxy card system be installed to monitor access. Door access keys will be printed on ID cards. If an ID card is lost or misplaced, it can be deactivate and a new card reissued. When Station 1 and Station 2 are added to the proxy card system, we will be able to add access to the appropriate ID cards. The cost to add Station 1 and 2 would be approximately \$1,800 per door.

MOTION by Keck, second by Allen to accept the bid from Gateway Wireless & Network Services for the purchase of an access control system, in the amount of \$7,892.00 for 410 E. Main.

MOTION approved unanimously.

5. Use of the Pix Community Center by the Community Theater Group:

Levi Nord and Liz Kosjer were present to speak on this item. Before hearing any information for this item, Mayor Steadman requested guidance from the City Attorney about any conflict of interest issues that may need to be considered. Since several councilmembers also serve in some capacity on either the Community Foundation or the Theater Board, and not having a quorum, it was decided to table this issue until the next meeting.

MOTION by Allen, second by Fleming to table the item.

MOTION approved unanimously.

ORDINANCES & RESOLUTIONS

On November 5, 2018, the City Council authorized the public sale of approximately \$2,265,000 of the City's General Obligation Bonds, Series 2018 (the "Bonds") to permanently finance the following special assessment projects (i) water, sewer and street improvements in Cedar Brook Subdivision and Cedar Brook 2nd Subdivision, (ii) water and sewer improvements in Villa Maria Senior Housing Addition, (iii) water, sewer, paving and drainage improvements in Nottingham Estates at Hunters Pointe, (iv) water, sewer, street, storm sewer, mass grading and detention pond improvements in Emerald Valley Estates, and (v) sewer and storm sewer improvements in Gilberts Addition (collectively, the "Improvements"). All the Improvements were temporary financed with temporary improvement notes.

The final costs of the Improvements have been certified. On November 19, 2018, the City passed Ordinance No. 1508 levying special assessments for a portion of the costs of the Improvements against the properties benefitting from the Improvements. The City is ready to move toward the issuance of Bonds to pay the temporary notes and permanently finance the Improvements.

The Bonds issued to finance the Improvements will be paid from the collection of special assessments against the benefited properties, and if the same are insufficient, from general taxes of the City. The City Council must adopt the Bond Ordinance and Bond Resolution to provide for the issuance of the General Obligation Bonds, Series 2018 in order to permanently finance the Improvements.

MOTION by Mottola, second by Fleming to accept the low bid for the Bonds received from Baker Group for the purchase of the Series 2018 Bonds.

MOTION approved unanimously.

MOTION by Allen, second by Fleming to adopt Ordinance No. 1510, an ordinance authorizing the issuance of General Obligation Bonds, Series 2018, all as prepared by Bond Counsel and provided for our consideration.

MOTION approved unanimously.

ORDINANCE NO. 1510

AN ORDINANCE OF THE CITY OF MULVANE, KANSAS, AUTHORIZING THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2018, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$2,265,000, FOR THE PURPOSE OF FINANCING THE OTHERWISE UNPAID COSTS OF MULTIPLE CAPITAL IMPROVEMENTS IN THE CITY; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO.

MOTION by Fleming, second by Mottola adopt Resolution No. 2018-8, a resolution establishing the terms and provisions governing the City's General Obligation Bonds, Series 2018 as

previously authorized by Ordinance, all as prepared by Bond Counsel and provided for our consideration.

MOTION approved unanimously.

RESOLUTION NO. 2018-8

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2018, IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF \$2,265,000, OF THE CITY OF MULVANE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 1510 OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

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.

Fleming asked if any further information had been received from the Railroad. Young will try to contact them again before Spring.

City Clerk: None

City Administrator:

1. Employee COLA Discussion:

Information was provided to the council pertaining to a 2019 COLA for city employees. There was discussion among council.

MOTION by Keck, second by Mottola to approve a 2.5% COLA for employees.

MOTION not approved with Allen, Fleming and tie vote from Mayor Steadman – No.

MOTION by Fleming, second by Allen to approve a 2.0% COLA for employees.

MOTION approved 3 – 2 with Keck and Mottola - No, and tie vote from Mayor Steadman – Yes.

City Attorney:

1. City of Augusta Lawsuit:

J. T. Klaus announced to the City Council that Mulvane had prevailed before the Court of Appeals in its defense of the lawsuit filed by the City of Augusta seeking to either increase Mulvane's water rates or otherwise void Augusta's 27-year old contract to provide Mulvane's water.

2. Executive Session:

City Attorney requested an executive session under the justification of discussion matters privileged in the Attorney/Client Relationship pursuant to K.S.A. 75-4319(b)(2) for the purpose of discussing pending litigation and legal matters for a period not to exceed fifteen (15) minutes to reconvene at approximately 8:45 p.m. to include the Mayor, City Council, City Administrator, and City Attorney.

MOTION by Fleming, second by Mottola to recess the City Council meeting for an executive session under the justification of discussion matters privileged in the Attorney/Client Relationship pursuant to K.S.A. 75-4319(b)(2) for the purpose of discussing pending litigation and legal matters for a period not to exceed fifteen (15) minutes to reconvene at approximately 8:45 p.m. to include the Mayor, City Council, City Administrator, and City Attorney.

MOTION approved unanimously at 8:30 p.m.

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

MOTION approved unanimously at 8:47 p.m.

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

Consent Agenda - Items 1 - 3:

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

1. Payroll Dated 12-14-18 (\$201,338.58)
2. November Warrant Register (\$1,455,786.69)
3. Approve the purchase of 30,000 lbs. of caustic soda for \$6,950.50 from Brenntag Southwest, Inc.

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

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

ADJOURNMENT:

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

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk