

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

February 18, 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, Kevin Cardwell and Barry Fleming.

Others Present: Kent Hixson, J.T. Klaus, Gordon Fell, Mike Robinson, Joel Pile, Chris Young, Cathy Walker, Brian Cunningham, Kimberly Cunningham, Greg Vahrenberg, Debbie Parker, Kevin Baker.

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

Approval of Regular Meeting Minutes Dated 2-04-19:

MOTION by Allen, second by Fleming to approve the Regular meeting minutes dated 2-04-19. MOTION approved unanimously.

Correspondence: None

Review and Closing of the Agenda: None

Appointments, Awards and Citations:

1. **Twenty-Year Service Award:** Mayor Steadman presented Public Works Dept. Foreman Brian Cunningham, with a twenty-year service award and thanked him for his service to his country and community.
2. **Certificate of Achievement for Excellence in Financial Reporting:** The Government Finance Officers Assoc. recognized the City for excellence in Financial Reporting. The City has received this recognition every year since 1995. Mayor Steadman presented this award to the City's Finance Director, Cathy Walker, and stated the City is grateful for her experience and dedication.

OLD BUSINESS

None

NEW BUSINESS

1. Bond Refunding Proposal – Municipal Advisor Agreement:

Greg Vahrenberg of Raymond James and Associates, provided a Debt Profile, Refunding Considerations and Market Overview handout, which he reviewed with the council. Given the current favorable interest rates, the City would benefit from a refinancing of the Series A, 2013 and A, 2014 Bonds. The average interest rate on the outstanding Series A, 2013 and A, 2014 Bonds is 3.62% and the estimated rate on the proposed refunding bonds is 3.12%. This

reduction in interest rate equates to a savings of approximately \$221,865 for the City, which is net of all costs and the actual amount that the City will save over the remaining life of the bonds.

The process for completing the proposed bond refinancing begins with providing permission to the Financial Advisor and Bond Counsel to begin working on the refinancing. This permission is given through the adoption of an authorizing resolution for the proposed issuance of the bonds and execution of an engagement agreement.

The cost of the financial advisory services provided by Raymond James and Associates is approximately \$20,000. This cost is contingent upon completion of the refinancing, achieving an acceptable level of savings and will be paid from the proceeds of the proposed bond issue.

MOTION by Allen, second by Cardwell that the City approve the engagement agreement with Raymond James and Associates for financial advisory services related to the Series A, 2019 General Obligation Refunding Bonds being issued by the City of Mulvane, Kansas and authorize the Mayor to sign.

MOTION approved unanimously.

2. Transient Guest Tax Request:

The council reviewed an application from the USA Wrestling Tournament to be held at the Kansas Star Arena in the amount of \$800.00.

MOTION by Fleming, second by Keck to approve the Transient Guest Tax fund request in the amount of \$800.00 from the USA Wrestling-Kansas.

MOTION approved unanimously.

ORDINANCES & RESOLUTIONS

1. Enhanced Cereal Malt Beverage Ordinance:

City Attorney, J.T. Klaus, reviewed the ordinance with the council. In 2017, the Kansas Legislature amended the cereal malt beverage (CMB) laws to allow retailers with a CMB license to also sell “beer” containing not more than 6% alcohol by volume. Grocery and convenience stores will still apply to the city for a CMB license but, beginning April 1, 2019, the CMB license issued by the city will allow the businesses to sell CMB and “beer” containing not more than 6% alcohol by volume. Only liquor stores will be able to sell certain craft “beer” with higher alcohol content.

City Attorney also addressed the sales tax issues. Retail liquor stores will continue to collect the Liquor Tax, while the CMB retailers will collect retailer’s sales tax. It was also explained that “beer” containing not more than 6% alcohol by volume will be defined as “Enhanced Cereal Malt Beverage”. The proposed ordinance is a code amendment which will allow cereal malt beverage retailers to sell enhanced cereal malt beverages after April 1, 2019.

MOTION by Cardwell, second by Allen to adopt and approve Ordinance No. 1512 amending Title VI, Chapter 600 of the Code of the City of Mulvane, Kansas amending the licensing of retailers to sell cereal malt beverages.

MOTION approved unanimously.

ORDINANCE NO. 1512

AN ORDINANCE REPEALING AND AMENDING CERTAIN SECTIONS OF ORDINANCE NO. 1411, ORDINANCE NO. 1467, AND ORDINANCE NO. 1487 OF THE CITY OF MULVANE, KANSAS TO AMEND CERTAIN SECTIONS OF TITLE VI, CHAPTER 600 OF THE CODE OF THE CITY OF MULVANE, KANSAS.

PUBLIC BUILDING COMMISSION

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

MOTION approved unanimously.

MOTION by Fleming, second by Allen to approve the PBC meeting minutes dated 2-04-19.

MOTION approved unanimously.

MOTION by Allen, second by Fleming to approve Pay Application #2 with Van Asdale Construction in the amount of \$42,019.20 for the remodel of 410 E. Main.

MOTION approved unanimously.

Joel Pile updated the Board on the progress of the remodel at 410 E. Main.

MOTION by Cardwell, second by Fleming to adjourn the Public Building Commission meeting of 2-18-19 and reconvene as the Mulvane City Council.

MOTION approved unanimously.

MULVANE LAND BANK

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

MOTION approved unanimously.

MOTION by Keck, second by Cardwell to approve the Land Bank Board of Trustees meeting minutes dated 1-21-19.

MOTION approved unanimously.

MOTION by Keck, second by Fleming to approve paying the invoice from The Mulvane News in the total amount of \$123.50 for legal publications related to Land Bank business.

MOTION approved unanimously.

Joel Pile gave an update to the Board on the upcoming closing of the property at 100 & 102 W. Main. We continue to actively market the property at 201 W. Main.

MOTION by Fleming, second by Keck to adjourn the meeting of the Mulvane Land Bank Board of Trustees and reconvene as the Mulvane City Council.
MOTION approved unanimously.

ENGINEER

1. 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, Homestead Sr. Living and Sports Complex Maintenance Facility.

Council asked about the model differences with FEMA on the flood mitigation plan. Also, we are waiting on an action plan from KDHE for the Boxelder Power Plant. There has been no further information received from the Railroad and the size of the Sports Complex Maintenance Facility was discussed.

City Clerk: None

City Administrator: None

City Attorney:

1. Executive Session:

City Attorney requested an executive session under the justification of discussion of matters privileged in the Attorney/Client Relationship pursuant to K.S.A. 75-4319(b)(2) for purpose of discussing legal matters for a period not to exceed 10 minutes, to include the Mayor, City Council, City Administrator and the City Attorney.

MOTION by Cardwell, second by Keck to recess the City Council meeting to an executive session under the justification of discussion of matters privileged in the Attorney/Client Relationship pursuant to K.S.A. 75-4319(b)(2) for purpose of discussing legal matters for a period not to exceed 10 minutes, to include the Mayor, City Council, City Administrator and the City Attorney, and to reconvene at approximately 8:17 p.m.

MOTION approved unanimously at 8:07 p.m.

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

MOTION approved unanimously at 8:20 p.m.

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

Consent Agenda Items 1 - 3:

MOTION by Keck, second by Fleming to approve Consent Agenda items 1 – 3 with a correction on the payroll date to 2-8-19.

1. Payroll Dated 2-8-19 (\$198,096.91)
2. Warrant Register for January (\$902,348.41)
3. So. Central Mechanical HVAC Preventative Maintenance Agreement for City Buildings (\$5,130.56)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

- Monday, March 4th- next council meeting @ 7:30 p.m.

ADJOURNMENT:

MOTION by Allen, second by Fleming to adjourn the City Council meeting at 8:23 p.m.

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk