

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

November 4, 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, Mike Robinson, Debra Parker, Gordon Fell, Chris Young, Jay Ensley, Brad Canfield, Jeremy Gilson, Brad Modlin, Amber Roper, Joel Pile, Jeff Ellis, Vanessa Ballard, Amy Houston, Jeri Myers, Martin Martinez.

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

**Approval of Regular Meeting Minutes Dated 10-21-19:**

MOTION by Mottola, second by Fleming to approve the Regular meeting minutes dated 10-21-19.

MOTION approved unanimously.

**Correspondence:** None

**Review and Closing of the Agenda:** None

**Appointments, Awards and Citations:**

1. Mayor Steadman presented dispatcher Amber Roper with a Certificate of Appreciation from the League for ten years of service. A statement from Chief Fell was also read thanking Roper.

**OLD BUSINESS**

**1. Executive Session:**

Mayor Steadman entertained a motion to recess to an Executive Session to discuss matters privileged in the attorney/client relationship for a period not to exceed 15 minutes.

MOTION by Mottola, second by Keck to recess the council meeting to an executive session for a period not to exceed 15 minutes to discuss matters privileged in the attorney/client relationship to include the Mayor, Council, City Administrator and City Attorney and to return at approximately 7:50 p.m.

MOTION approved unanimously at 7:35 p.m.

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

MOTION approved unanimously at 7:52 p.m.

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

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

Mayor Steadman asked if anyone present from the School District wished to make any comments. There were none.

Mayor Steadman asked if there were any comments from the City Council. The council would like to see the project move forward but did not feel the city residents should pay more for the drainage improvements. It was the consensus of the council to possibly have a 25/75 split with the city paying for 25%.

Jay Ensley, USD 263, thanked the council for their consideration and time. He will present the information to the Board and report back to the council with their thoughts and discussion.

No action taken.

**3. Employee Health Insurance Renewal:**

Jeremy Gilson, Gallagher Benefit Consultant, reviewed the health insurance plan options with the council and answered questions. At the 10-21-19 council meeting plans from BCBS and Aetna were reviewed. On 10-28-19, Mike Howell received a quote from United Health Care. Although the premium is lower the difference in copays, deductible and co-insurance are higher than the quote from Aetna. Most importantly the out of pocket maximum to the employees would be significantly higher. The increased liability to employees equals \$402,500 of additional out of pocket exposure. The savings in premiums are not significant enough to off-set the exposure.

Council thought the out of pocket expense to employees was important and did not feel they needed further information to decide on a health plan.

MOTION by Keck, second by Fleming to accept the quote from Aetna to provide health insurance for the city employees for 2020.

MOTION approved unanimously.

**4. Waste Management – Renew Service Agreement:**

The City sent out RFP's for our solid waste service in February 2018. The City received four proposals from Waste Link, Waste Connections, Waste Management and Air Capital. In May 2018, the council accepted the low bid from Waste Management and approved the agreement for that service.

The initial term of the Agreement is from June 1, 2018 to December 31, 2019, and the City has the option to extend the term of the Agreement for three (3) successive renewal terms of one (1) year each with a 3% increase annually. The current agreement expires on 12-31-19 and needs to be renewed.

MOTION by Allen, second by Keck that the City exercise its option to continue the Municipal Solid Waste Collection Agreement renewal with Waste Management, Inc. for an additional year and authorize the City Administrator to notify Waste Management.

MOTION approved unanimously.

Councilmember Cardwell asked about the possibility of obtaining a recycle bin which was once located at City Hall. Hixson will research the possibility and any costs involved.

## NEW BUSINESS

### 1. Sanitary Sewer Collection System – Main Lining Program:

Wastewater staff sent out RFP's on 9-24-19 for the sanitary sewer main rehabilitation of two sections of sewer main within the City's sewer collection system. Much of the system south of K-15 was constructed between 50 and 100 years ago of clay tile pipe.

The rehabilitation process, known as Cured in Place Pipe (CIPP), is accomplished by inserting a 1/25-inch-thick resin-impregnated flexible felt tube into the existing sewer main. This tube is inflated with compressed air and cured with steam, or hot water to form a monolithic, structural-grade lining inside the existing pipe. After the new lining is in place, a robotic camera and router is used to cut new openings for the customer's service lines. This new lining seals out tree roots and groundwater infiltration. The process reduces maintenance requirements and extends the useful life of the sewer main.

The areas of collection main that have been prioritized for rehabilitation in 2019 are the two sections of sewer main, approximately 2,511 feet, located on the west side of Sharon Lane and from Olive St. between Emery and Helbert St.

Bids were received from three Companies:

Insituform Technologies USA, LLC	\$67,294.80	\$26.80/feet
SAK Construction, LLC	\$67,400.55	\$26.84/feet
Utility Maintenance Contractors, LLC	\$97,900.00	\$38.99/feet

CIPP is included in the current CIP as an ongoing expense every two years. Funds are available to complete this project in the Sewer Budget line item #513-12-705. Modlin advised we have used Insituform before and they are a good company. Chris Young, City Engineer, advised the council of a sewer flow study he is working on.

MOTION by Keck, second by Mottola to approve the bid from Insituform Technologies USA, LLC in the amount of \$67,294.80 to rehabilitate approximately 2,511 feet of sanitary sewer collection main using the Cured-In-Place pipe method.

MOTION approved unanimously.

**2. Volunteer Transportation Services Agreement with Sedgwick County:**

Mayor Steadman stated that although she does not participate in providing any senior center services, nor is an employee of the City, she is an employee of Sedgwick County and would abstain from the discussion and voting on the agreement.

The Mulvane Senior Center currently utilizes RSVP (Retired Senior Volunteer Program) volunteers who provide transportation services for seniors 60 years of age and older. The City originally signed an agreement with the Sedgwick County Department on Aging in October 2015 and then renewed the agreement in 2016, 2017 and 2018 to provide the Senior Center with some reimbursement for volunteer drivers in the transportation program. The contract between the Mulvane Senior Center and the Sedgwick County Department on Aging's Transportation Program must be renewed in order to continue to receive reimbursement.

MOTION by Mottola, second by Allen to renew the contract between the City and Sedgwick County's Department on Aging for providing transportation services pursuant to the RSVP Transportation Program and authorize the Mayor to sign.

MOTION approved unanimously.

**ORDINANCES & RESOLUTIONS**

**1. Resolution to Adopt Temporary Street Closing Policy:**

A more formal procedure for the temporary closing of city streets for use by local or civic groups was previously reviewed by the council. The final policy and resolution needs adopted.

MOTION by Cardwell, second by Mottola to adopt the temporary street closing policy.

MOTION approved unanimously.

**RESOLUTION NO. 2019-10**

**A RESOLUTION APPROVING A TEMPORARY STREET CLOSING POLICY.**

**2. Resolution Requesting the Public Building Commission Redeem Bonds:**

On June 24, 2014, the City held a special election asking the voters of the City to approve a retailers' sales tax in the amount of one percent (1.0%) for the purpose of issuing \$4,200,000 of City of Mulvane, Kansas Public Building Commission, Revenue Bonds, Series A, 2014 to construct, equip and pay for a 14,000 square foot public library. The sales tax went into effect on the October 1, 2014 and will expire upon the earlier of October 1, 2024 or the redemption in full of the Series A, 2014 Bonds.

City Attorney, J.T. Klaus, explained the balance in the sales tax fund has grown to a sizeable amount and is expected to be approximately \$1,111,000 after the December 1, 2019 debt service payment. While it is important for the City to maintain a reasonable fund balance in the sales tax fund to protect against fluctuations in future collections, the current balance is large enough that a significant portion can be used to redeem a portion of the Series A, 2014 Bonds early and still leave a balance of roughly \$200,000.

If the City decides to use a portion of the Library Sales Tax excess collections to redeem a portion of the Series A, 2014 Bonds early, it is recommended to use \$910,730 from the existing sales tax fund balance to call and prepay the 2023 and 2024 principal maturities. The City would save approximately \$84,875 in interest costs.

Since the Library Sales Tax can only be used for the repayment of the Series A, 2014 Bonds, it is in the City's best interest to pay such bonds as soon as possible. By redeeming bonds early and reducing interest expense, this helps the City repay the bonds more quickly. Based upon current cashflow projections, it appears that the City will have collected enough Library Sales Tax funds to redeem and pay all outstanding bonds on October 1, 2021, which is approximately three years earlier than originally projected.

MOTION by Allen, second by Keck to accept the recommendation of Raymond James (Financial Advisor) to redeem the 2023 and 2024 maturities of the Series A, 2014 Library Bonds and adopt Resolution No. 2019-11 requesting the City of Mulvane, Kansas Public Building Commission to do the same.

MOTION approved unanimously.

#### RESOLUTION NO. 2019-11

A RESOLUTION OF THE CITY OF MULVANE, KANSAS REQUESTING THE REDEMPTION OF CERTAIN CITY OF MULVANE, KANSAS PUBLIC BUILDING COMMISSION REVENUE BONDS, SERIES A, 2014 (PUBLIC LIBRARY).

#### **PUBLIC BUILDING COMMISSION**

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

MOTION approved unanimously.

MOTION by Allen, second by Keck to approve the PBC meeting minutes dated 9-16-19.

MOTION approved unanimously.

MOTION by Fleming, second by Keck to accept the request from the City and authorize the issuance of a notice of redemption to call the 2023 and 2024 maturities of the Library Bonds on December 15, 2019, or as soon thereafter as possible and authorize the Secretary to execute said notice.

MOTION approved unanimously.

MOTION by Mottola, second by Allen to adjourn the Public Building Commission meeting of 11-04-19 and reconvene as the Mulvane City Council.

MOTION approved unanimously.

## 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 and E. Mulvane Street Drainage.

Young advised the Flood Mitigation Grant Program is no longer funding projects and FEMA is requesting a Phase 2 which includes preparing and submitting CLOMR's to confirm the project is viable for additional funding through their Advanced Assistance Funding. The Council asked about a timeline for Phase 2, projected costs of the project and requested a map of properties that may possibly be removed from the floodplain.

**City Clerk:** None

### **City Administrator:**

#### **1. New Sales Tax – Sunset of Library Sales Tax:**

The City Administrator presented a letter from the City's financial advisor regarding when the current City 1% sales that is being used to pay for the new library will sunset (2021). If the council wants to go to the citizens to vote on a new sales tax, that election process should start in May 2020 in order to have an election in July 2020. Council can provide input on projects they would like to consider.

Council asked about regulations for side-by-side utility vehicles on city streets. Hixson will check into this. If the council has any questions regarding the sign ordinance, Hixson asked them to come to City Hall to review the changes. Council had questions on the repair of the bridge expansion joints on Rock Road.

### **City Attorney:**

#### **Executive Session:**

The City Attorney requested an executive session to discuss matters involving land acquisition for the purpose of preliminary discussion related to the acquisition of property to include the Mayor, City Council, City Administrator and City Attorney for a period not to exceed 15 minutes.

MOTION by Fleming, second by Keck to recess the council meeting for a period not to exceed 15 minutes to discuss matters involving land acquisition for the purpose of preliminary discussion related to the acquisition of property to include the Mayor, City Council, City Administrator and City Attorney and to reconvene at approximately 9:12 p.m.

MOTION approved unanimously at 8:57 p.m.

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

MOTION approved unanimously at 9:15 p.m.

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

**Consent Agenda Item 1 - 6:**

MOTION by Fleming, second by Allen to approve Consent Agenda items 1-6.

1. Payroll dated 11-01-19 (\$218,956.19)
2. Approve the purchase of three 4518 Gardner Denver Duroflow, HR Blowers for a total of \$22,256.40 with additional charges for freight.
3. City Utility Bills - (\$16,543.49)
4. Purchase of one SEL751A relay including labor from Mid-States Energy Works, Inc. in the amount of \$5,425 plus any applicable tax.
5. **Cereal malt beverage licenses for:**
  - Casey's Retail Company
  - Dillon Companies, LLC
  - Pizza Hut of Southeast Kansas, Inc.
6. **Liquor licenses for:**
  - Empire Tacos, LLC
  - Kansas Star Casino, LLC

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

- Monday, November 18<sup>th</sup> - next council meeting @ 7:30 p.m.
- Hixson reminded the council to make reservations to the Chamber dinner if not already done so and select your meal choice.
- Reminder to vote on November 5<sup>th</sup>.

**ADJOURNMENT:**

MOTION by Mottola second by Keck to adjourn the City Council meeting at 9:17 p.m.  
MOTION approved unanimously.

Minutes by:  
Debra M. Parker, City Clerk