

MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES

July 2, 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, Joel Pile, Mike Robinson, Gordon Fell, Chris Young, Cathy Walker, Rachael Blackwell, Matt Cartwright, Spencer Branine, J. T. Klaus, Shanna Smith, Elizabeth Thornton.

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

**Approval of Regular Meeting Minutes Dated 6/18/18:**

MOTION by Allen, second by Fleming to approve the Regular meeting minutes dated 6/18/18 to include the Land Bank amendment as presented.

MOTION approved unanimously.

**Correspondence:**

Mayor Steadman reviewed a letter from USD 263 BOE President, Jeff Ellis, in response to the letter that was drafted.

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

**Appointments, Awards and Citations:**

**1. Employee Service Award:** Award for Matt Schmidt was postponed due to vacation.

**2. Tree Board Appointment:** The recommendation of the Tree Board is to appoint Nancy Reed to a three year term.

MOTION by Mottola, second by Allen to appoint Nancy Reed to a three year term on the Mulvane Tree Board.

MOTION approved unanimously.

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. Rivers Property (NW corner of 111<sup>th</sup> & Webb Road): Review Proposal to Farm City Owned Land:**

The City has been contacted by a few individuals expressing an interest in farming the approximately 30 acres of land the City owns on the NW corner of 111<sup>th</sup> & Webb Road. The City requested the individuals submit their offer in writing, to be presented to the council for consideration. One offer was received from Spencer Branine. He proposed to cash lease the property for \$40 per acre making two semi-annual payments per year.

After discussion and comments, the Council instructed the City Attorney to draft a farming lease agreement granting Mr. Branine the right to conduct farming operations on the undeveloped tract of land the city owns.

**2. Background Check Service Agreement:**

When the City hires a new full-time employee one of the processes is to run a background check on the individual. This is a pre-employment Credit Check and a Work Comp Report. The company which offered this service to the City is no longer in business as of the end of May.

The City Clerk has contacted a company in Wichita NATSB (National Screening Bureau). There are other area cities that use this Company. The City Clerk is requesting permission to accept the service agreement with NATSB.

MOTION by Keck, second by Fleming to approve the service agreement with NATSB and allow the City Clerk to sign up for their service. Further discussion was heard. Councilmember Allen would like to see what other screening reports may be available. The City Clerk will send him the information.

MOTION approved unanimously.

**ORNINANCES & RESOLUTIONS**

None

**LAND BANK**

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

MOTION approved unanimously.

MOTION by Mottola, second by Fleming to approve the Land Bank Board of Trustees meeting minutes dated 6/18/18 with the amendment previously noted.

MOTION approved unanimously.

MOTION by Fleming, second by Allen to approve the City of Mulvane utility bill in the amount of \$1.25 for 209 W. Main.

MOTION approved unanimously.

MOTION by Allen, second by Fleming to approve the invoice from Triplett Woolf Garretson in the amount of \$522.00 for legal services.

MOTION approved unanimously.

MOTION by Mottola, second by Fleming to approve the invoice from 1-800-BoardUp to secure the front of 201 W. Main in the amount of \$1,181.45.

MOTION approved unanimously.

Joel Pile gave an update of the Land Bank properties. The sale of the buildings at 110 ½, 112 and 209 W. Main is complete. Pile updated the Board on the building at 201 W. Main. On June 24<sup>th</sup> there was a partial front wall collapse on the 2<sup>nd</sup> story of the building. 1-800-BoardUp was

contacted to secure and board up the opening exposed from the collapse. Fencing has been placed around the area for safety issues and a structural engineer was contacted to provide recommendations for the safety and repair of the building. Pile has contacted contractors, however has not received anyone interested in providing a bid for repairs. The Board would like a structural engineer to provide a comprehensive report with plans and a cost estimate for the repairs needed for the entire building. Once this information is received, contractors may be more interested in providing a bid. This would need to be done as quickly as possible. The Board could have a special meeting to approve any bids if one was needed. Once the building is secure, clean-up of the bricks and debris can begin. The tenant at 201 W. Main, Megan Bryant, was allowed to use the Pix Community Center until another suitable location is available for her dance studio. The City's light pole at the intersection was slightly damaged, but is still operational.

Cathy Walker, Finance Director, reviewed the 2019 Land Bank Budget with the Board. The budget worksheet was prepared before the second story front wall collapse at 201 W. Main. With this extra expense, the Board may wish to make recommendations other than what was prepared. It was the consensus of the Board to table setting the public hearing for the 2019 Land Bank Budget until the next meeting to see if additional information was available on the cost of repairs at 201 W. Main. This would allow time to better determine the needs in 2019 or if the 2018 budget would need to be amended.

MOTION by Mottola, 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.

### **PUBLIC BUILDING COMMISSION**

MOTION by Mottola, second by Fleming 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 5/7/18.

MOTION approved unanimously.

Matt Cartwright of MJC Architects reviewed the needs assessment for remodeling the building at 410 E. Main. Cartwright reviewed the architectural plans and also potential future expansions of the building. Cartwright asked Simpson Construction to look at the facility and make recommendations for an approximate budget amount needed for the scope of work planned for the remodel. Cartwright discussed the differences between the design/build and the design/bid/build process. If there are no time restraints, the design/bid/build process may help save money due to more contractors bidding on the job. The Board would like to proceed with the design/bid/build process. This would add an additional amount of \$1,500 to the initial proposal of \$13,400 from MJC Architects.

MOTION by Mottola, second by Allen to approve the proposal from MJC architects in the amount of \$14,900 to provide architectural and engineering services for the renovation of 410 E. Main and authorize the PBC chair to sign.

MOTION approved unanimously.

MOTION by Allen, second by Keck to adjourn the Public Building Commission meeting and reconvene as the Mulvane City Council.

MOTION approved unanimously.

## **ENGINEER**

### **1. Emerald Valley Estates Change Order #1:**

Chris Young, City Engineer, reviewed the Charge Order request from Flint Hills Materials (FHM). FHM is the contractor for Emerald Valley Estates, Phase 1 Street and Storm Sewer Improvements. FHM has requested a change order for additional costs and time for the project. FHM's storm sewer contractor (Nowak Construction) indicated that additional labor costs were needed to address conflicts between storm sewer installations and buried electric lines. The electric lines were not in place and electric line alignments were unknown at the time Nowak submitted their bid to FHM. FHM indicated they were not able to order materials until the shop drawings were approved and the sales tax exemption form were provided. Also FHM lost some days due to weather and days lost to long lead times for receiving pre-cast storm sewer inlets. The change order request would bring the construction cost to \$308,324.00 which is still less than the estimated construction cost in the petition.

MOTION by Allen, second by Fleming to approve Change Order No. 1 with Flint Hills Materials, LLC increasing the construction costs by \$6,000.00 and increasing the contract time by 17 calendar days, and authorize the Mayor to sign.

MOTION approved unanimously.

### **2. Project Review and Updates:**

Chris Young, City Engineer, reviewed several projects: Emerald Valley Estates, Decommissioning of the Boxelder Power Plant, Rock Road Water Line, Water Distribution System GIS Mapping, Rock Road Crosswalk and English Park and Styx Creek Drainage Improvements. Young will have a conference call with FEMA regarding the Flood Mitigation Grant.

## **BUDGET WORKSHOP**

### **2019 Annual Budget Workshop:**

Staff reviewed the estimated General Fund Revenues and proposed 2019 budget. Cathy Walker, Finance Director, reviewed the Budget Revenue and Funds Definitions with the Council. Walker prepared three budget options for the Council to review and consider.

Option 1: To accommodate all the department heads and library's funding requests for 2019, a 3.848 mill levy increase (from 44.304 to 48.152) would be needed.

Option 2: If the council did not want to increase the mill levy, the department heads would be asked to reduce spending for the remainder of 2018 to allow for a larger cash carry over for 2019. The department heads have agreed to these reductions. The agreed upon reductions to the 2018 budget would mean all the 2019 requests could be granted.

Option 3: The council could increase the mill levy a few mills, putting the increase into the Capital Improvements Fund to help with some of the projects the City has coming up. This still requires the department heads to reduce spending in 2018.

Walker reviewed a mill levy increase comparison with the council to show the difference in taxes based on assessed value. The council expressed interest in option three, but would like to table setting the public hearing until the next meeting to have time to review the information provided. Walker also advised the council these options were made before the building collapse at 201 W. Main. Options would be handled differently depending on if any mill levy increase was to be used for Capital Improvements or Land Bank expenses.

**City Clerk:** None

**City Administrator:** None

**City Attorney:**

Reminded the council that under the Kansas Open Meetings Law, when Kent sends an informational e-mail to the council to not “reply all” to the e-mail. Otherwise it could be considered a private meeting.

Regarding the building at 201 W. Main, the Land Bank owns the building not the City, as indicated in the paper. It may be beneficial to file a claim with the Land Bank insurance to cover the city’s damaged light pole.

Fencing is needed around the building at 201 W. Main instead of barricades to keep pedestrians from entering the area. *(This has been completed).*

**Consent Agenda – Items 1 – 6:**

MOTION by Mottola, second by Keck to approve Consent Agenda items 1 – 6:

1. Payroll dated 6/29/18 – \$291,911.51
2. Wastewater Treatment – Purchase of 48,000 lbs. of ferric chloride for \$10,400.50 from Brenntag Southwest, Inc.
3. City Utility Bills - \$19,085.68
4. Emerald Valley Estates – Pay App. #3 to Flint Hills Materials - \$86,877.81
5. Gilberts Addition – Pay App. #1 to Dondlinger Const. - \$14,876.00
6. Public Works Dept. – Purchase of approximately 5270 gallons of CSS-1h road oil for street slurry sealing from Vance Brothers in the amount not to exceed \$11,900.00

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

Monday, July 16<sup>th</sup> – Next council meeting at 7:30 p.m.

**ADJOURNMENT:**

MOTION by Fleming, second by Mottola to adjourn the City Council meeting at 9:35 p.m.

MOTION approved unanimously.

Minutes by:  
Debra M. Parker, City Clerk