

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

February 3, 2020

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, Nancy Farber Mottola, Barry Fleming and Kevin Cardwell.

Others Present: Kent Hixson, J.T. Klaus, Mike Robinson, Debra Parker, Gordon Fell, Chris Young, Joel Pile, Paul Banzet, Mike Mundell, Kimber Fleming.

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

Approval of Regular Meeting Minutes Dated 1-20-2020:

MOTION by Mottola, second by Fleming to approve the Regular meeting minutes dated 1-20-2020.

MOTION approved unanimously.

Correspondence: None

Review and Closing of the Agenda: None

Appointments, Awards and Citations:

1. Planning Commission Service Award for Outgoing Members:

Mayor Steadman presented outgoing Planning Commission members Paul Banzet and Mike Mundell with a Certificate of Appreciation for their service on the Planning Commission and thanked them for their hard work and dedication to the community.

OLD BUSINESS

1. Downtown Park Concept Plan Summary Report:

Planning and Zoning Director, Joel Pile, reviewed the Downtown Park Concept Plan. The next step will be to obtain quotes for the project.

NEW BUSINESS

1. Transient Guest Tax Applications:

Mayor Steadman asked about the \$2,000 limit. This was applied to help make the money go further. It was asked how many applicants were from outside the City. It was requested to have a budget included with the applications for future reference.

MOTION by Mottola, second by Allen, to approve the Transient Guest Tax funds for the Collegiate Baseball Team (i.e. The Patriots) for \$2,000.00.

MOTION approved unanimously. Cardwell abstained.

MOTION by Fleming, second by Mottola to approve the Transient Guest Tax funds for the Mulvane Old Settlers Celebration for \$2,000.00.

MOTION approved unanimously.

MOTION by Allen, second by Fleming to approve the Transient Guest Tax funds for the Doc Sunback Film Festival for \$2,000.00.

MOTION approved unanimously. Mottola abstained.

MOTION by Mottola, second by Fleming to approve the Transient Guest Tax funds for Showdown in the Valley Car Show for \$2,000.00.

MOTION approved unanimously. Cardwell abstained.

MOTION by Fleming, second by Mottola to approve the Transient Guest Tax funds for Mulvane Old Settlers Rodeo & Bull Riding for \$2,000.00.

MOTION approved unanimously.

2. EMS Dept. – Purchase a new support vehicle:

Public Safety Director, Gordon Fell, reviewed the bid for a 2020 Dodge Durango AWD Pursuit Vehicle. This will replace the 2011 Chevy Impala.

MOTION by Allen, second by Cardwell to accept the quote from SERV in the amount of \$38,613.48 to purchase a 2020 Dodge Durango AWD Pursuit Vehicle for Mulvane EMS.

MOTION approved unanimously.

ORDINANCES & RESOLUTIONS

1. Resolution of Intent to Issue \$4.1 million in Housing Revenue Bonds for Homestead Ph.

2:

City Attorney, J.T. Klaus, explained the Developer is requesting a formal Resolution of Intent indicating the City's intent to issue taxable Multi-Family Housing Revenue Bonds to finance the project. The issuance of IRBs would provide the Developer and Project a 100% sales tax exemption for construction costs and up to 100% property tax abatement on the project for ten years. The Developer plans to ultimately make the property tax abatement permanent.

MOTION by Cardwell, second by Fleming to adopt Resolution No. 2020-1 indicating the City's intent to issue not to exceed \$4,100,000 of Taxable Multi-Family Housing Revenue Bonds for the construction of senior independent living facilities to be leased to Homestead Senior Residences Mulvane Phase II, LLC.

MOTION approved unanimously.

RESOLUTION NO. 2020-1

A RESOLUTION INDICATING THE INTENT OF THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS TO ISSUE CERTAIN TAXABLE MULTI-FAMILY HOUSING REVENUE BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED FOUR MILLION ONE HUNDRED THOUSAND DOLLARS (\$4,100,000) FOR THE PURPOSE OF PURCHASING, ACQUIRING, CONSTRUCTING, FURNISHING AND EQUIPPING AN AFFORDABLE SENIOR INDEPENDENT LIVING FACILITY TO BE LOCATED IN THE CITY.

Councilmember Jenean Keck arrived at 7:55 p.m.

2. USD 263 Petition for Drainage Improvements, Resolution and Work Ordinance:

City Attorney, J.T. Klaus, reviewed this agenda item with the council. The City has received a petition for drainage improvements to serve the USD 263 3rd Addition. The petition requests the improvements be made by the City and that 75% of the costs be “specially assessed” against the Unified School District No. 263 and 25% of the costs be payable by the City-at-Large. The USD has requested the 35% letter of credit requirement be waived. In addition to waiving the letter of credit requirement, the USD has placed a 6% limit on the escalator clause in the petition.

MOTION by Allen, second by Fleming to accept the one petition for Drainage Improvements necessary to serve the USD 263 3rd Addition.

MOTION approved unanimously.

MOTION by Mottola, second by Allen to adopt Resolution No. 2020-2, determining the advisability of making certain Improvements consisting of Drainage Improvements in the USD 263 3rd Addition.

MOTION approved unanimously.

RESOLUTION NO. 2020-2

A RESOLUTION DETERMINING THE ADVISABILITY OF MAKING CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MULVANE, KANSAS; SETTING FORTH THE GENERAL NATURE OF THE IMPROVEMENTS, THE ESTIMATED OR PROBABLE COSTS THEREOF, THE EXTENT OF THE BENEFIT DISTRICT TO BE ASSESSED FOR THE COSTS THEREOF, THE METHOD OF ASSESSMENT AND THE APPORTIONMENT OF THE COSTS BETWEEN THE BENEFIT DISTRICT AND THE CITY-AT-LARGE; AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH THE FINDINGS OF THE GOVERNING BODY; AND DIRECTING THE PUBLICATION AND RECORDING OF THIS RESOLUTION (USD 263 DRAINAGE IMPROVEMENTS).

MOTION by Cardwell, second by Fleming to adopt Ordinance No. 1522, authorizing the construction of Drainage Improvements in the USD 263 3rd Addition.

MOTION approved unanimously.

ORDINANCE NO. 1522

AN ORDINANCE AUTHORIZING THE CONSTRUCTION OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF MULVANE, KANSAS, AS HERETOFORE DETERMINED ADVISABLE AND AUTHORIZED TO BE MADE BY RESOLUTION NO. 2020-2 OF THE CITY, UNDER THE AUTHORITY OF K.S.A. 12-6a01 *ET SEQ.*, AS AMENDED AND SUPPLEMENTED; PROVIDING FOR THE PAYMENT OF THE COSTS OF SAID IMPROVEMENTS; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE PAYMENT OF THE COSTS OF SAID IMPROVEMENTS AND AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF TEMPORARY IMPROVEMENT NOTES FROM TIME TO TIME AS FUNDS ARE NEEDED FOR THE ORDERLY CONSTRUCTION OF SAID IMPROVEMENTS.

ENGINEER

1. Project Review and Update:

Chris Young reviewed the project updates with the council which included the Sanitary Sewer Study Update, Rock Road Water Line, Flood Mitigation Grant – English Park and Styx Creek Drainage Improvement, Decommissioning the Boxelder Power Plant, Homestead Phase 2 and E. Mulvane Street Drainage.

2. E. Mulvane Street Drainage – School District Petition:

With the acceptance of the petition from the School District for Storm Sewer and Drainage Improvements on E. Mulvane Street, Young reviewed a preliminary timeline with the council for completing the project.

MULVANE LAND BANK

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

MOTION approved unanimously.

MOTION by Mottola, second by Keck to approve the Land Bank Board of Trustees meeting minutes dated 1-20-2020.

MOTION approved unanimously.

MOTION by Fleming, second by Mottola to approve the invoice from Triplett Woolf Garretson, LLC in the amount of \$550.00 for legal services related to land bank business.

MOTION approved unanimously.

Joel Pile updated the Board on the purchase of 108 N. Second. On January 6, 2020, the Mulvane Land Bank entered into a Real Estate Purchase Agreement to acquire the property at 108 N. Second

for \$55,000. Arrangements have been made to close on the property on February 7, 2020. As soon thereafter as possible, the building will be demolished, and the site cleared and graded. Public Works will begin establishing a stand of grass on the site to create a “greenway open space” area.

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

MOTION approved unanimously.

City Clerk: None

City Administrator: None

City Attorney:

Executive Session:

City Attorney, J.T. Klaus, requested an executive session to discuss matters involving Land Acquisition under K.S.A. 75-4319(b)(6) for the purpose of preliminary discussion relating to the acquisition of real property for a period not to exceed ten (10) minutes to include the Mayor, City Council, City Administrator and the City Attorney.

MOTION by Mottola, second by Keck to recess the city council meeting to an executive session to discuss matters involving Land Acquisition under K.S.A. 75-4319(b)(6) for the purpose of preliminary discussion relating to the acquisition of real property for a period not to exceed ten (10) minutes to include the Mayor, City Council, City Administrator and the City Attorney and to return to open session at approximately 8:30 p.m.

MOTION approved unanimously at 8:20 p.m.

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

MOTION approved unanimously at 8:37 p.m.

No decisions were made during the Executive Session.

Consent Agenda Item 1 - 5:

MOTION by Fleming, second by Mottola to approve Consent Agenda items 1-5.

1. Payroll dated 1-24-20 (\$204,120.59)
2. City Utility Bills 2-05-20 (\$20,794.68)
3. Utility Dept. - Approve the payment to Altec Industries Inc. for replacement of hydraulic hoses and leveling cables in unit #271 bucket truck not to exceed the amount of \$10,000.00.
4. Utility Dept. - Approve payment of sales tax to the State of Kansas for final amount (not to exceed \$1,000.00) of Altec Industries Inc. invoice for 70' Bucket Truck, Unit #271.
5. Wastewater Treatment Plant - Approve the purchase of 48,000 lbs. of ferric chloride for \$10,383.50 and 48,000 lbs. of sodium hydroxide for \$9,807.50 at a total cost of \$20,191.00.

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

- Monday, February 17th - next council meeting @ 7:30 p.m.

ADJOURNMENT:

MOTION by Allen second by Mottola to adjourn the City Council meeting at 8:38 p.m.

MOTION approved unanimously.

Minutes by:

Debra M. Parker, City Clerk