

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

March 16, 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: Jenean Keck, Barry Fleming, Nancy Farber Mottola and Kevin Cardwell.

Others Present: Kent Hixson, Mike Robinson, Debra Parker, J.T. Klaus, Gordon Fell, Joel Pile, Brad Modlin, Kevin Baker, Chris Young, Michael Mangus, Marlene Mangus, Tom Burkhart, Gary McGuire, Kendra Walls, Amanda Ford, Gerald McCoy, Carol Irvin, Lacie Leatherman, Jeri Myers, David Myers.

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

Approval of Regular Meeting Minutes Dated 3-02-2020:

MOTION by Fleming, second by Cardwell to approve the Regular meeting minutes dated 3-02-2020.

MOTION approved unanimously.

Correspondence: Mayor Steadman advised she had a brief meeting with representatives from the Kansas Star Casino and the details of that meeting will be discussed later when addressing the COVID-19 issue.

Review and Closing of the Agenda: Hixson would like to add under Ordinances and Resolutions an Appropriations Ordinance and there is a correction to the warrant register total on the consent agenda.

Appointments, Awards and Citations:

- 1. Employee Service Award** – Mayor Steadman presented Kendra Walls of the Public Works Dept. with a certificate of appreciation recognizing her fifteen years of service to the City and thanked her for her hard work.

Brent Allen arrived at 7:35 p.m.

City Attorney, J.T. Klaus, arrived at 7:36 p.m.

2. Library Board Appointment:

Mayor Steadman recommended Pamela Bruce for the appointment.

MOTION by Mottola, second by Keck to appoint Pamela Bruce to fill the unexpired term of Nancy Reece on the Mulvane Public Library Board.

MOTION approved unanimously.

OLD BUSINESS

None

NEW BUSINESS

1. De-Annexation Request – Michael and Marlene Mangus Property at 1491 N. Hydraulic:

Michael and Marlene Mangus own 3.4 acres of property which sits in the middle of 65 acres that was annexed in 2008. The Mangus's have requested the 3.4 acres be de-annexed. They did not feel they were getting any benefit from the City and that de-annexation would lower their property tax. There is a legal process for a landowner to request de-annexation. Before the Mangus's pursue the request, they would like to know if this is something the council would consider.

There was discussion about the ISO rating and fire / police protection. Also, if de-annexed the property would go back into the Belle Plaine Township. If the 3.4 acres were de-annexed, the Mangus property would create an "island" and be surrounded by the City limits.

It was the consensus of the council to deny the de-annexation request.

2. Transient Guest Tax Applications:

Hixson advised the council that The Heart of America Chapter has postponed the event and have withdrawn their application. There was discussion regarding if an event was not held, TGT funds would need to be returned. Kansas High School Rodeo Assoc. State Finals still has a request for \$2,000 on the agenda.

MOTION by Cardwell, second by Fleming to approve the Transient Guest Tax fund request for Kansas High School Rodeo Assoc. State Finals.

MOTION approved unanimously.

3. City Hall Remodel:

The City Clerk reviewed an itemized proposal from Van Asdale Construction to remodel the front desk and entrance area of city hall. At the December 16, 2019 meeting, \$38,000 was transferred from the Administration Budget in the General Fund to the Administration Municipal Equipment Replacement Fund to pay for this remodel.

MOTION by Fleming, second by Keck to approve the proposal from Van Asdale Construction, LLC for Entry/Reception Remodel to include the glass atrium at City Hall in the amount of \$38,879.00.

MOTION approved unanimously.

4. City Property & Casualty Policy Renewal:

This item was moved down on the agenda and will be addressed upon the arrival of Tom Burkhart of Carson Insurance Group.

ORDINANCES & RESOLUTIONS

City Attorney, J.T. Klaus, reviewed the Appropriation Ordinance with the council. To combat and limit the spread of COVID-19 this ordinance allows for the appropriation of City fund accounts for the remainder of Fiscal Year 2020 in case the City must suspend future City Council meetings.

ORDINANCE NO. 1523

AN ORDINANCE APPROPRIATING THE AMOUNTS SET UP IN EACH FUND IN THE BUDGET FOR THE REMAINDER OF CALENDAR YEAR 2020, PROVIDING FOR THE PAYMENT OF ALL CLAIMS AND CHARGES AGAINST THE ACCOUNTS PROVIDED FOR THEREIN.

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, E. Mulvane Street Drainage and Sports Complex Maintenance Building.

2. Sports Complex – Site Plan for New Storage Bldg. – Engineers Agreement:

Public Works Director, Kevin Baker, would like to enter into an agreement with Young and Associates to develop a site plan for a maintenance building at the Sport Complex. This building would be on the NE corner of the complex property. Some of the interior finishing work and exterior land work would be preformed by the Public Works Dept. The Mulvane Planning Commission must review and approve the site plan.

City Engineer, Chris Young, advised some items to be addressed would be drainage, drive approach, utilities, and would likely require some vacating of complete access control at Webb Rd. The site plan is also intended to maintain visually appealing community appearances and to control the aesthetics of the developments in the City.

Council had questions regarding the color schemes for the outside of the building and roof and how this would effect the line of sight for anyone in the batters box. Staff will continue to keep the council up to date.

MOTION by Allen second by Fleming that the City enter into an agreement with Young & Associates, P.A. in the amount of \$13,262.00 for providing Site Civil Engineering Services for a new Sports Complex Maintenance Building to be in the northeast corner of the Mulvane Sports Complex.

MOTION approved unanimously.

MULVANE LAND BANK

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

MOTION approved unanimously.

MOTION by Keck, second by Fleming to approve the Land Bank Board of Trustees meeting minutes dated 3-02-2020.

MOTION approved unanimously.

MOTION by Mottola, second by Cardwell to approve the invoice from Triplett Woolf Garretson LLC in the amount of \$496.00 for Land Bank related legal matters.

MOTION approved unanimously.

The Board reviewed an offer to purchase 201 W. Main from Lacie Leatherman. Leatherman presented her proposal to the Board and explained LML Ventures manages and operates three independent businesses. Heartland Heritage is a Midwest clothing brand, ZipSip is a patent protected beverage holder and LML Headwear produces ball caps with a patent protected Snapback closure. Leatherman reviewed her plans for the building and indicated her investment in the building will total over \$225,000. LML Ventures has offered \$100 to purchase the building.

The appraised value of the property is \$133,520. In June 2018, a portion of the north facing brick wall collapsed. The Land Bank spent approximately \$65,000 on engineering and construction to rebuild the wall. The Board felt the \$100.00 offer from both interested parties would not be enough. Board Chair, Shelly Steadman, advised she was grateful for the interest and time of both interested parties and welcomed them to come back with a new offer.

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

MOTION approved unanimously.

NEW BUSINESS ITEM #4 City Property & Casualty Policy Renewal:

Tom Burkhart of Carson Insurance Group presented the 2020-2021 insurance policy renewal and reviewed changes to the coverages.

MOTION by Fleming, second by Mottola to renew the City's property and casualty insurance policy (policy period from 4/1/2020 to 4/1/2021) with Carson Insurance Group in the premium amount of \$341,049.00.

MOTION approved unanimously.

City Clerk: None

City Administrator:

1. COVID 19 Employee Leave and Prevention Policy Discussion:

Council reviewed recommendations in order to minimize the threat of Novel Coronavirus (COVID-19) for the citizens of the City of Mulvane. There was concern regarding the high risk at the Sr. Center and ensuring the director and citizens were protected. These concerns were addressed and added to Item #1. Mayor Steadman advised the MRC discontinued services and there are no sports activities in reference to Item #2. Modifications and final updates are as follows:

Mulvane Coronavirus COVID-19 Updates

Based on recommendations from Sedgwick County and the Kansas Department of Health and Environment (KDHE), as well as recommendations from Centers for Disease Control and Prevention (CDC) in order to minimize the threat of the Novel Coronavirus (COVID-19) for citizens of the City of Mulvane, Kansas (the “City”), the City Council has made the following decisions to protect the public health that effective March 17, 2020 beginning at Noon through close of business on April 6, 2020 and thereafter until the next meeting of the City Council:

1. All City-owned facilities will be temporarily closed to the general public, except by advance appointment. All essential City services will be maintained, including electricity, water, wastewater, and emergency services. All City employees who exhibit no symptoms will continue to report to work. Online bill pay is strongly encouraged, but utility and court payments will continue to be received only via drive-thru service during normal business hours. Senior meals and commodities will continue to be provided solely for “pick up” at the Senior Center, if they are provided to the City.
2. Public Parks shall remain open, but all organized gatherings, City activities, and facility rentals or reserved uses will be closed or cancelled during this time period. This includes youth sports, adult sports, senior activities, special population activities, and community events scheduled to take place in any City building or park.
3. The Mulvane Public Library is requested to be closed to the public (like all other municipal buildings) and shall consider appropriate extensions for returns and on hold items (subject to use of the outside book drop and curbside pick-up) all upon approval by the Library in its discretion. Room reservations should be appropriately cancelled during this time period.
4. The City Council, Planning Commission and Municipal Court shall continue to meet at their discretion. The Mayor shall be permitted to call a telephonic conference call of the City Council (in lieu of “in person” regular or special meetings) and City Staff shall assure all conversations are broadcast in City Council chambers by speakerphone in compliance with all Kansas Open Meetings laws. Whether “in-person” or by telephonic broadcast, the City Council will enforce recommended social distancing measures at any public hearing and encourages its other public bodies to consider applying the same:

- a. Necessary appearances shall continue to be required at your scheduled time, unless you have contacted the public body or Court Clerk in advance.
 - b. All persons should check in the exterior atrium when you arrive. The clerks or officers will advise as to social distancing measures (6 feet), which may include limiting the number of individuals in the chambers at one time. Following check-in, you may be asked to wait in the atrium or outside the building until called.
 - c. If you are represented by an attorney and you cannot attend a scheduled appointment, your attorney must phone the appropriate clerk prior to your scheduled time. Phone or video appearances may be scheduled in the clerk's discretion (all as instructed by the Municipal Judge, in the case of the Court Clerk).
5. The Pix Community Center will remain closed to the public through close of business on April 6, 2020. Any deposits or use fees shall be refunded. All activities, programs, and facility uses are cancelled during this time, except for use for essential municipal/court functions.
 6. The City shall enforce the orders of the Sedgwick County Local Health Officer on a City-wide basis for all City-owned property (currently prohibiting gatherings of over 50 persons). This shall include City property located in Sumner County which may additionally be subject to other Sumner County orders not yet issued in the future.
 7. Water and electric utility shutoffs (for non-payment) shall be suspended during this time period to assure a potable water supply to citizens for sanitation. This shall not affect other utilities.
 8. The Mayor shall be authorized to cancel non-essential regular meetings in her discretion.

MOTION by Allen, second by Cardwell to adopt policy provisions listed as items 1 – 8 with the defined modifications until April 6, 2020 and thereafter until the next City Council meeting.

MOTION approved unanimously.

Mayor Steadman spoke with Casino representatives regarding any actions they are taking due to the high volume of people on the floor. The Casino website has actions they have taken so far and are waiting for direction from the State regarding any closing. Mayor Steadman also asked the chamber director to provide guidance to businesses to include social distancing at eating establishments, strongly recommend carry out and any currency exchanges should be with gloves.

Employee Leave Policy:

There was discussion regarding guidelines for employees who would need to be gone due to COVID-19. Items of discussion were: Would the employee need to use their accrued leave while off, take leave without pay and if the employee would need a doctor's note to return to work. If the employee did not have enough accrued time, would this effect their job and what guidelines to follow if the City put an employee on administrative leave. It was the consensus of the council to make sure the employee was not terminated for reasons involving COVID-19. The council would like suggestions from the Department Heads, and this can be addressed at the next council meeting.

MOTION by Mottola, second by Fleming to continue all existing policies and procedures now in place with an exception that between now and next council meeting that no employee shall be terminated for reasons involving COVID-19 for exhausting their leave and the policy requiring a physician's note following 3 days of leave shall be waived.

MOTION approved unanimously.

There was concern by staff regarding the sanitary aspect of employees that use tobacco products especially chewing tobacco and spitting in the trash cans while at work or on City property. Staff would like to see something in place to prohibit the use of tobacco products. City Attorney, J.T. Klaus, will draft something for the next meeting.

City Attorney:

The City Attorney requested an Executive Session for discussion of matters involving Land Acquisition under K.S.A. 75-4319(b)(6) for the purpose of discussing potential land acquisition for a period not to exceed fifteen (15) minutes, to include the Mayor, City Council, City Administrator, City Attorney and City Engineer.

MOTION by Fleming, second by Keck to recess the City Council meeting to an Executive Session for discussion of matters involving Land Acquisition under K.S.A. 75-4319(b)(6) for the purpose of discussing potential land acquisition for a period not to exceed fifteen (15) minutes, to include the Mayor, City Council, City Administrator, City Attorney and City Engineer to reconvene at approximately 10:35 p.m.

MOTION approved unanimously at 10:20 p.m.

MOTION by Mottola, second by Keck to reconvene the council meeting.

MOTION approved unanimously at 10:38 p.m.

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

Consent Agenda Item 1 - 2:

MOTION by Mottola, second by Allen to approve Consent Agenda items 1-2.

1. Payroll dated 3-06-2020 (\$207,756.03)
2. Warrant Register for February 2020 (\$1,442,068.94)

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

- Monday, April 6 - next council meeting @ 7:30 p.m.

ADJOURNMENT:

MOTION by Allen second by Keck to adjourn the City Council meeting at 10:39 p.m.

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk