

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

November 2, 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: Nancy Farber Mottola, Kevin Cardwell, Brent Allen, Jenean Keck, and Terry Richardson.

Others Present: Kent Hixson, Mike Robinson, Debra Parker, Gordon Fell, Chris Young, J.T. Klaus, Rose Mary Saunders, Crystal Hinnen, Joel Pile, Taylor Matzek.

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

Approval of Regular Meeting Minutes Dated 10-19-2020:

MOTION by Mottola, second by Keck to approve the Regular meeting minutes dated 10-19-2020. MOTION approved unanimously.

Correspondence: None

Review and Closing of the Agenda: None

Appointments, Awards and Citations: None

OLD BUSINESS

1. Community Development Block Grant – Consultant Recommendations:

The City of Mulvane was awarded \$132,000 as part of the Community Development Block Grant (CDBG) special Coronavirus stimulus round of funding also known as CDBG-CV. CDBG-CV funds applied for and received by Mulvane are to be used to help businesses in Mulvane affected by COVID-19, retain jobs for low-to-moderate income employees, and to help businesses who are struggling to reopen due to the pandemic.

Rose Mary Saunders, with Ranson Financial, reviewed the Procurement Policy with the council and answered questions. The Procurement Policy is required by HUD on any CDBG projects ran through the State. This policy would be used as a guideline and apply to all city funds. This puts it in written form and covers the four areas of procurement. The council had several questions regarding the policy which included, who would be named the purchasing agent, who would sign contracts, the purchasing limit of the City Administrator, a correction to wording for Item 3, the procedure for opening a RFP, and emergency need purchases. Council would like to have the policy consistent with our current practices. City staff and the City Attorney will review the policy

and make the necessary changes. The revised policy will be considered at the next council meeting.

Ten (10) businesses have applied for CDBG funds. The business needs to be in the City limits to receive funds. The council had questions regarding the difference between the CDBG funds and SPARKS funds. The SPARKS funds have different documentation requirements. Council was advised that four (4) additional applications have been received for review.

MOTION by Allen, second by Cardwell to award the ten businesses that have currently qualified and have all documentation submitted, each awards of \$10,000 to include – Jane’s Landing, Empire Tacos, Mulvane News, Set Free Dance, Sip Brands, Lil Deuce Scoop, Main Street Nutrition, Merle’s Barber Shop, Heather Lane and Royal Enterprises.
MOTION approved unanimously.

MOTION by Cardwell, second by Mottola to approve the CDBG payment application #1 which included funds for the ten businesses and the first Ranson Financial invoice in the amount of \$6,000.00.
MOTION approved unanimously.

2. Pix Events Center – Review Use Policy:

At the 8/17/20 council meeting it was the consensus of the council to keep the Pix Center closed for private events through November 2nd and to be revisited at the October 5th meeting for the November and December usage.

At the 10/5/20 council meeting the council discussed having no control over the enforcement of guidelines, the effect on a business should Mulvane have an outbreak, and the health and welfare of citizens. Hixson reviewed some of the scheduled events at the PIX for November and December. It was the consensus of the council to revisit this item at the November 2nd meeting.

There was much discussion regarding the current rise in the COVID-19 cases, hospitals reaching capacity, and the difficulty for businesses to operate with reduced staff. It was also discussed that people were going elsewhere for their functions, and they should be responsible for themselves. After much discussion, it was the consensus of the council to keep the Pix Center closed and revisit this item at the first meeting in January.

NEW BUSINESS

None

ORDINANCES & RESOLUTIONS

1. Ordinance Amending City Code – Allow UTVs on City Streets:

At the 10/5/20 council meeting it was the consensus of the council to have the City Attorney work on an ordinance with input from Fell, similar to the Golf Cart Ordinance with a 45-mph speed limit designation.

Public Safety Director, Gordon Fell, and City Attorney, J.T. Klaus, reviewed the ordinance and summary of rules with the council. UTV's may not be operated on any designated Kansas Highway or any street or road with a posted speed limit in excess of 45 mph. Children who require a safety seat are not permitted to ride in the UTV. The registration fee would be \$100, and a small license plate would be issued. Other items of discussion included seat belt requirements, rearview mirrors, lights, turn signals, accident statistics, and the number of states that allow them. If the County requests a list of the registrations, these vehicles may be subject to personal property tax.

These vehicles are not as safe as cars and the individual operating the vehicle will be assuming all the risk. The City is not intending to accept any responsibility.

The council would like to see the ordinance modified to include the provision that the driver must be 18 years of age or older.

MOTION by Mottola, second by Keck to approve the UTV Ordinance No. 1531 modified with the provision added that operators must be 18 years of age or older.

MOTION approved 4 – 1 with Allen opposed.

ORDINANCE NO. 1531

AN ORDINANCE AUTHORIZING THE OPERATION OF WORK-SITE UTILITY VEHICLES (UTV) ON THE STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF MULVANE, KANSAS; PROVIDING FOR LICENSING AND REGISTRATION FEES THEREFOR; AND PROVIDING FOR RELATED RESTRICTIONS, INCLUDING PENALTIES FOR VIOLATION THEREOF.

ENGINEER

1. E. Mulvane Street Drainage Project – Review Bids:

On January 27, 2020, the City received a signed petition from Unified School District No. 263 requesting the installation of storm sewer and drainage improvements to address outflow from their existing detention pond. These improvements would construct an outfall pipe and drainage swale from the detention pond (located north of Mulvane Street) to the north side of Main Street.

Construction plans and specifications (bid documents) were distributed to prospective bidders and bids were received at City Hall on Tuesday, October 27th at 10:00 AM. The lowest of five bids was received from H. Excavating, LLC. for \$141,042.88.

The total estimated project cost provided in the District's petition is \$404,000, with 25% paid by the City at Large and 75% assessed to the Benefit District (USD 263 is 100% of the Benefit District). All bids received were below the estimated construction costs provided in the petition.

Staff recommends accepting the low bid submitted by H. Excavating in the amount of \$141,042.88. Following Council acceptance and issuance of a Notice of Award, the Contractor

will prepare the necessary construction agreement, bonds and insurance certificate for review and approval.

Councilmember Mottola excused herself briefly.

MOTION by Cardwell, second by Richardson to accept the low bid submitted by H. Excavating in the amount of \$141,042.88.

MOTION approved unanimously.

Councilmember Mottola returned to the meeting.

2. Project Review and Update:

City Engineer, Chris Young, reviewed the project update with the council which included: E. Mulvane Street Drainage, Sanitary Sewer Study Update, Rock Road Water Line, Flood Mitigation Grant – English Park and Styx Creek Drainage Improvements, Decommissioning the Boxelder Power Plant, Sports Complex Maintenance Building, Homestead Phase 2 Development, and Hidden Valley Addition.

City Clerk: None

City Administrator: Planning and Zoning Director, Joel Pile, briefed the council on the Post Office relocation issue. Post Office officials were contacted on Sept. 23rd and they are aware of the expiration of their current lease. They asked for and received an extension from the landlord. They indicated they will be reaching out to the Mayor to request a community meeting via mail, due to the current COVID situation. They are trying to go through the process of selecting a new site.

City Attorney: None

Consent Agenda Items 1 and 2:

MOTION by Mottola second by Keck to approve Consent Agenda items 1 and 2.

1. Payroll dated 10-30-2020 (\$206,490.58)
2. Wastewater Plant - approve the purchase of 30,000 lbs. of caustic soda for \$7,152.50 from Brenntag Southwest, Inc.

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

- Monday, November 16th - next council meeting @ 7:30 p.m.

ADJOURNMENT:

MOTION by Richardson, second by Mottola to adjourn the City Council meeting at 8:58 p.m.

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk