

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

December 7, 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, Terry Richardson.
Remote attendance: Brent Allen, Kevin Cardwell.

Others Present: Kent Hixson, Mike Robinson, Debra Parker, Gordon Fell, Joel Pile, Brad Modlin, J.T. Klaus, Samantha Caywood, Gene Bradbury.
Remote attendance: Chris Young, Cathy Walker, Mike Howell.

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

Approval of Regular Meeting Minutes Dated 11-16-2020:

MOTION by Mottola, second by Richardson to approve the Regular meeting minutes dated 11-16-2020.

MOTION approved unanimously.

Correspondence: Councilmember Mottola received correspondence from Jim Scott regarding Maplewood Street and from another citizen regarding the meeting times for issues concerning Hidden Valley Addition.

Review and Closing of the Agenda: None

Appointments, Awards and Citations:

1. Employee Service Award:

Mayor Steadman read a certificate of appreciation to Pamela Turner for 30 years of service to the City of Mulvane. Pam was not present to receive her certificate.

2. Kansas All-Star Scholar Fund – Board Appointment:

The Kansas All-Star Scholarship Fund was created by the Kansas Star Casino in 2011. Funds are distributed to students, teachers, and families in Sumner County. Each K-12 student received \$100 for back-to-school shopping, teachers received \$500 to offset the costs associated with their classrooms and graduating seniors were given \$1,000 if they chose to continue their education.

The Fund is a separate entity, independent from the City or County. An autonomous, non-profit Board of Directors oversees the administration of the program. This panel is comprised of local business, education, and civic leaders. According to the by-laws the fund is governed by a five (5) member board serving staggered two-year terms. One of those board members is appointed by the Mulvane City Council. The only input the City has regarding the fund is the appointment of one person to the board. The appointee does not have to be a city council member.

Joe Johnson was the initial council appointment to the fund board and was reappointed in 2013, 2015, 2017 and 2019. The current term expires as of January 1, 2021.

MOTION by Richardson, second by Mottola to appoint Joe Johnson to a two-year term to the Kansas All-Star Scholar Fund, Inc.

MOTION approved unanimously.

OLD BUSINESS

1. Procurement Policy Review:

The City of Mulvane is the recipient of \$132,000.00 in Community Development Block Grant (“CDBG”) funds. These funds are to be distributed to local businesses who have suffered loss due to the COVID-19 shutdown.

All recipients of federal grant funds are required to have written procurement procedures. The proposed Procurement Policy that has been revised by the City attorney and City staff and follows the CDBG procurement procedure guidelines. This Procurement Policy was modified from a template provided by the Kansas Department of Commerce who administers the federal CDBG program. The City must have a procurement policy on file before the CDBG funds may be disbursed.

This Procurement Policy formalizes the procedure that City staff will follow to make purchases for the City. The Procurement Policy does not result in undue restrictions or burdens upon the City as it relates to purchasing necessary supplies and services. It was noted the spending authorization was increased to \$10,000 for the City Administrator.

MOTION by Mottola second by Richardson to adopt the City of Mulvane Procurement Policy.

MOTION approved unanimously.

NEW BUSINESS

1. Gallagher Benefits Services – Business Associate Agreement:

The City currently works with a Gallagher Benefit Services benefit consultant. The current business associate agreement with Mike Howell is outdated and was last signed when Mike Howell was with Hardman & Howell Benefit Consultants several years ago. An updated agreement with Gallagher Benefit Services needs to be approved.

Gallagher Benefit Services has business associate agreements with all the carriers and clients which outlines the security standards that are required when sharing “protected health information” (PHI). The business associate agreement outlines all the responsibilities of both Gallagher Benefit Services (business associate) and The City of Mulvane (covered entity).

Covered Entity and Business Associate understand and agree that the HIPAA Privacy Rules and Security Standards requires the Covered Entity and Business Associate enter into a Business

Associate Agreement which shall govern the use and/or disclosure of PHI and the security of PHI and ePHI.

MOTION by Allen, second by Richardson to approve the Business Associate Agreement with Gallagher Benefit Services and authorize the Mayor to sign.

MOTION approved unanimously.

2. Mulvane Senior Center – Renew Agreement with Sedgwick County for Level 1 Services:

Mayor Steadman announced that she has no affiliation with the Dept. of Aging and nothing to gain from this agreement financially. She is an employee of Sedgwick County, and will turn the meeting over to Council President, Nancy Mottola, for consideration of this item.

MOTION by Richardson, second by Allen to approve the agreement for the Mulvane Senior Center - Senior Center Level I between the City of Mulvane and Sedgwick County for 2021.

MOTION approved unanimously.

Council President, Mottola, turned the meeting back over to Mayor Steadman.

3. Wastewater Department – Purchase Sanitary Sewer Jetter Machine:

In 2000, the City purchased a sewer trailer jetter unit for cleaning sewer mains. This was the City's only sewer cleaning unit for 16 years, until we purchased a combination sewer truck which primary use is to remove grit and cleaning sewer distribution mains. The sewer trailer jetter is great for getting into areas that our big truck cannot. Plus, it serves as the weekend and on-call service unit, since one man can easily operate it. It has served the city extremely well for almost 20 years.

This last year, however, the electronic parts for the engine have failed. This unit is outdated and no longer supported by technical service. After trying many different options for repair, (\$3,837) it has been deemed unrepairable. This unit has been an essential part of the City's ability to maintain the integrity of the sewer system.

Bids were received from two sewer equipment vendors:

Red Municipal & Industrial Equipment Company - \$59,996.25

Key Equipment & Supply Co. - \$66,928.00

MOTION by Richardson, second by Mottola to approve the purchase of one Vecjet VJ750 Sewer Jetter Trailer in the amount of \$59,996.25 from Red Municipal & Industrial Equipment Company for the Wastewater Dept.

MOTION approved unanimously.

4. Sumner Co. EMS Agreement Renewal and City of Belle Plaine EMS Agreement Renewal:

This is the annual updating of EMS agreements with Sumner County and the City of Belle Plaine. The agreements include the area of response and financial responsibility for each entity.

The Belle Plaine EMS agreement covers the response area as the city limits of Belle Plaine and the financial payment of \$60,000.00 annually. In 2019 this area accounted for 11% (128) of our calls.

The Sumner County EMS agreement covers the response areas commonly known as Belle Plaine Rural Area, Clearwater Area, Mulvane Rural Area; and the financial payment of 228,333.00 annually. In 2019 this area accounted for 22% (259) of our calls. The City of Mulvane accounted for 67% (807) of our calls.

Public Safety Director, Gordon Fell, reviewed the 2019 expenses and subsidies with the Council and explained the cost per square miles vs. cost per capita. Council asked about 2018 expenses. Finance Director, Cathy Walker, reviewed this with the council. Council would like to continue to monitor the costs to prevent any losses and make sure the citizens are not funding services outside the City.

MOTION by Allen, second by Richardson to approve the EMS agreement with Sumner County and the City of Mulvane.

MOTION approved unanimously.

MOTION by Mottola, second by Richardson to approve the EMS agreement with the City of Belle Plaine, KS. and the City of Mulvane.

MOTION approved unanimously.

ORDINANCES AND RESOLUTIONS

1. Resolution of Public Sale of Bonds:

City Attorney, J.T. Klaus, reviewed the bond refunding with the council. As currently recommended by the City's Financial Advisor, Raymond James & Associates, Inc. a current refunding of certain of the City's General Obligation Refunding and Improvement Bonds, Series A, 2015 will be refinanced by the bond issue. The proposed resolution authorizes the Mayor and City Clerk to approve the lowest bid (provided certain parameters are met) at a public sale of those bonds on Thursday, January 14, 2021 subject to the authorization and issuance of the Bonds at the City's meeting on January 18, 2021. The resolution authorizes the publication and sending of the Notice of Bond Sale to prospective bidders of the bonds with an expected closing date for the new bonds on or about February 11, 2021.

The Bonds will be paid in part from special assessments related to the projects financed by the Refunded Bonds. Any portions of the Bonds not payable or paid by special assessments will be payable from the City's general ad valorem taxes. The City's Financial Advisor is projecting interest rate savings resulting from the refinance of the Refunded Bonds of approximately \$170,000. The amount of such savings, if any, cannot be determined for certain until the new interest rates are set at the public sale.

MOTION by Allen, second by Richardson to adopt Resolution No. 2020-8 authorizing the public sale of approximately \$3,710,000 in the City's General Obligation Refunding Bonds, Series A, 2021, setting the date, time and place of the sale of the bonds.

MOTION approved unanimously.

RESOLUTION NO. 2020-8

A RESOLUTION OF THE CITY OF MULVANE, KANSAS, AUTHORIZING AND PROVIDING FOR THE PUBLIC SALE OF THE CITY'S GENERAL OBLIGATION REFUNDING BONDS, SERIES A, 2021, IN A TOTAL PRINCIPAL AMOUNT OF APPROXIMATELY \$3,710,000; SETTING FORTH THE DETAILS OF SAID PUBLIC SALE; AND PROVIDING FOR THE GIVING OF NOTICE THEREOF.

ENGINEER

1. E. Mulvane Street Drainage Improvements:

On 11/2/20 the council accepted the low bid from H. Excavating for the E. Mulvane Street Drainage Improvements. The next step is to sign the construction agreement and issue a Notice to Proceed.

MOTION by Mottola, second by Richardson that the City enter into a construction agreement with H. Excavating, LLC in the amount of \$141,042.88 for the E. Mulvane St. Drainage improvements as presented and issue a Notice to Proceed with the work and authorize the Mayor to sign.
MOTION approved unanimously.

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, Homestead Phase 2 Development, and Hidden Valley Addition – (The platting engineer submitted revised plat documents showing a change in the layout of Jeannette Dr. and Maplewood).

MULVANE LAND BANK

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

MOTION approved unanimously.

MOTION by Mottola, second by Richardson to approve the 10-19-2020 Land Bank Trustee meeting minutes.

MOTION approved unanimously.

MOTION by Mottola, second by Richardson to approve the final utility bill from the City of Mulvane in the amount of \$35.77 for the building at 201 W. Main Street.

MOTION approved unanimously.

MOTION by Mottola, second by Richardson to approve the invoice from Triplett Woolf Garretson, LLC in the amount of \$378.00 for a Land Bank related legal matter.

MOTION approved unanimously.

MOTION by Richardson, 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.

City Clerk: None

City Administrator: None

City Attorney: None

Consent Agenda Items 1-12:

MOTION by Mottola second by Allen to approve Consent Agenda items 1-6 & 8-12.

1. Payroll dated 11-27-2020 (\$221,679.35)
2. A CMB license for Dollar General Store
3. A CMB license for Mulvane Fastrip
4. A liquor license for Partyline Liquor
5. A liquor license for American Legion Post 136
6. A liquor license for Wyldewood Cellars
7. A liquor license for Luciano's Restaurant
8. Approve the purchase of a DR 633 regen blower in the amount of \$7,040.48 plus freight from AMETEK Technical & Industrial Products.
9. Approve the purchase of a Gardner Denver 4518 blower from Excelsior Blower Systems in the amount of \$7,881.00 plus freight.
10. Approve the purchase of 30,000 lbs. of ferric chloride for \$6,784.00 from Brenntag Southwest, Inc.
11. City Utility Bills (\$16,145.76)
12. Wichita-Sedgwick Co. MABCD – Monthly Building Permits Invoice (\$5,888.39)

MOTION approved unanimously.

MOTION by Richardson, second by Cardwell to approve Item 7 on the Consent Agenda.

MOTION approved with a yes vote by Mayor Steadman. Mottola abstained.

ANNOUNCEMENTS, MEETINGS AND NEXT AGENDA ITEMS:

- Monday, December 21st - next council meeting @ 7:30 p.m.

ADJOURNMENT:

MOTION by Richardson, second by Mottola to adjourn the City Council meeting at 8:33 p.m.

MOTION approved unanimously.

Minutes by:
Debra M. Parker, City Clerk