

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

October 17, 2022

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 at 7:30 p.m.

Council Members Present: Nancy Farber Mottola, Tim Huntley, Brent Allen, Kevin Cardwell.

Others Present: Mike Robinson, Debra Parker, Kent Hixson, J.T. Klaus, Chris Young, Gordon Fell, Lowell Ester, Herschel West, Mark Raccuglia, April Raccuglia.

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

Approval of Regular Meeting Minutes Dated 10-03-2022:

MOTION by Huntley, second by Mottola to approve the Regular meeting minutes dated 10-03-22.

MOTION approved unanimously.

Correspondence: Councilmember Allen and Huntley received a text message from Shawn Ebersole regarding the solid waste collection. Mayor Steadman received communication from Ebersole and met with him and Councilmember Allen regarding the solid waste collection. Mayor Steadman advised Ebersole of the consideration of the Resolution of Intent on the agenda for this meeting and expressed that the council would be considering the cost involved and requested an estimate for administrative costs. Mayor Steadman received a letter from a student at the Independent School expressing his interest in football and arithmetic.

Review and Closing of the Agenda: Mayor Steadman has questions and suggested updates regarding the adoption of the Disaster Guide. Suggested updates will be given to Public Safety Director, Gordon Fell. Fell will review this item, but no action will be taken at this meeting.

Appointments, Awards and Citations: None

OLD BUSINESS

1. Land Purchase Agreement – 109 W. Main:

The City of Mulvane is currently working on plans to develop a park using proceeds from the 1% Sales Tax. The park is located in the Mulvane Downtown across from the Pix Community Center. A concept plan for the park was developed in 2019.

To expand the park and fully utilize available space, city staff has approached the property owner of the “concrete slab” located at 109 W. Main (along the eastern edge of the proposed park) to inquire about purchasing the property. The property owner has executed a purchase agreement to

sell the property to the city for \$17,000. According to the title report, the property is owned by Dale G. Waller and Laurie M. Waller. The cost to purchase the property and demolish the structures is estimated to be less than \$20,000.

MOTION by Mottola, second by Huntley to approve the Purchase Agreement with Dale and Laurie Waller for the purchase of 109 W. Main for \$17,000 and authorize the mayor to sign; and authorize city staff to effectuate the documents necessary to complete the purchase of the property. MOTION approved unanimously.

2. Franchising Trash Service – Resolution of Intent:

A resident attending the August 1, 2022, City Council meeting asked the Council to consider limiting solid waste collection in the city to one provider, identifying potential benefits: (a) reduce monthly service fee for customers; (b) Reduce wear on city streets; and (c) expanding recycling services. The council would like to explore these benefits in addition to those that may not yet have been identified.

City Attorney, J.T. Klaus, reviewed the Resolution of Intent with the council. This would begin the process by declaring the city's intent to consider adoption of an organized collection service. Klaus reviewed the process and timeline with the council. The results of the 2008 RFP were given to the council for review. Klaus indicated that this was a lengthy and costly process and the council at the time elected not to proceed. Should the current council decide to start the process and later elect not to proceed, the cost of providing the legal service would be wasted.

Council asked about the cost of legal fees. Klaus indicated this would be a separate project billed hourly mostly at the associate level. Mayor Steadman asked if the council continues, can other councils reverse the decision. Klaus indicated once the ordinance is adopted, this will result in an agreement with the provider that is binding, however, future councils can choose to not renew the agreement. It was also noted that ending the service would create other issues.

Mayor Steadman advised concerns brought to her attention, was in regard to forcing citizens to participate in the service. The council proceeded because they did not intend to force anybody to take the service. After further discussion it was suggested to table this item when there is a full council to vote on the issue.

MOTION by Huntley, second by Cardwell to table this item until the next meeting.
MOTION approved 3-1 with Mottola opposed.

NEW BUSINESS

1. Animal Control – Tethering Dogs Ordinance:

Public Safety Director, Gordon Fell, reviewed the ordinance with the council. The City of Mulvane has not historically had an ordinance prohibiting or governing the tethering of dogs or other animals. Nearly all cities have such an ordinance as it is typically considered a cruelty issue. Fell recommended that the city adopt an ordinance to prevent tethering for more than two hours.

The proposed ordinance will bring the City of Mulvane in alignment with other cities in Kansas with respect to restricting the tethering of dogs.

MOTION by Allen, second by Huntley to adopt Ordinance No. 1568, governing the tethering of dogs within the city limits of Mulvane, Kansas.

MOTION approved unanimously.

ORDINANCE NO. 1568

AN ORDINANCE CREATING SECTION 205.325 OF ARTICLE III OF CHAPTER 205 OF TITLE II OF THE CODE OF THE CITY OF MULVANE FOR THE PURPOSE OF GOVERNING THE TETHERING OF DOGS.

2. Disaster Guide Update:

Public Safety Director, Gordon Fell, explained the purpose of the Disaster Guide with the council. This guide is a living document that consists of general responsibilities and tasks that may need to be addressed during a disaster. This is a city guide for specific operations to ensure the coordination of city departments and personnel to effectively respond to and recover from a natural or manmade disaster as soon as possible. Fell feels the Disaster Guide should be adopted since it relates to employees and their responsibilities. It was noted that the Sedgwick and Sumner County Emergency Management has a copy of our guide, and it is part of their hazardous mitigation plan.

Suggested updates will be addressed as referenced earlier in "Review and Closing of the Agenda," and brought back for councils' consideration.

3. Accept Kansas State Firefighter Recruitment and Safety Grant and Purchase Bunker Gear:

Replacement of outdated or worn bunker gear is a priority for MFR. Due to the expense of bunker gear, staff has included place holders for funds in the Capital Improvement Plan for annual replacement. The goal has been to replace a couple sets a year or the most severely damaged or non-fitting gear for new members.

Staff applied for and was awarded a grant for four complete sets of bunker gear. This was a 100% grant from the Office of the State Fire Marshall through the Kansas Firefighter Recruitment and Safety Grant Program in the amount of \$12,860.00. As part of this grant, two bids were submitted for bunker gear. Casco Industries was the low bidder. Staff seeks to purchase four sets of bunker gear to be reimbursed by the grant and an additional four sets to be funded under new equipment.

Councilmember Allen thanked Lowell Ester for his time and effort in obtaining the grant.

MOTION by Huntley, second by Allen to accept the Kansas State Firefighter Recruitment and Safety Grant from the Office of State Fire Marshall in the amount of \$12,860.00 to purchase four sets of bunker gear from Casco Industries in the amount of \$12,860.00.

MOTION approved unanimously.

MOTION by Huntley, second by Cardwell to purchase four additional sets of bunker gear from Casco Industries in the amount of 12,860.00.
MOTION approved unanimously.

ENGINEER

Project Review and Update:

City Engineer, Chris Young, reviewed the status of current projects with the council which include: Rock Road Lift Station Abandonment, Rock Road Mill & Overlay - Has been completed and waiting on a pay application, Main "A" Sanitary Sewer - Staff conducted a Pre-Bid meeting with prospective bidders. Contractors indicated they were experiencing supply chain delays in concrete structures and steel casing pipe. Due to these issues the bid date was extended to November 1st, and the contract time from 180 to 240 calendar days. Downtown Splash Pad Park - RFQ's were sent to four local design-build contractors.

City Clerk: None

City Administrator: None

City Attorney: Klaus indicated there is a change order on the production of the transformer purchased for the sub-station through KPP. Klaus has asked KPP to try to stop the production of the transformer and maintain our place in line to purchase a different transformer.

Consent agenda items 1, 2 & 3:

MOTION by Mottola, second by Allen to approve Consent Agenda items 1, 2 & 3.

1. Payroll dated 10-14-22 (\$217,838.09)
2. Warrant Register (\$1,190,888.94)
3. Approve the purchase of 30,000 lbs. of ferric chloride for \$13,375.00 and 30,000 lbs. of sodium hydroxide for \$13,585.00 at a total cost of \$26,960.00.

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:

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

ADJOURNMENT:

MOTION by Allen, second by Huntley to adjourn the city council meeting.

MOTION approved unanimously at 8:35 p.m.

Minutes by:
Debra M. Parker, City Clerk