

MULVANE CITY COUNCIL
REGULAR MEETING MINUTES

April 3, 2023

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: Tim Huntley, Kevin Cardwell, Amanda Ford, Brent Allen and Nancy Farber Mottola.

Others Present: Mike Robinson, Debra Parker, Kent Hixson, Chris Young, Joel Pile, J.T. Klaus, Kevin Baker, Dustin Lohmann, Rachael Blackwell, Mark Schmidt.

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

Approval of Regular Meeting Minutes Dated 3-20-23:

MOTION by Mottola, second by Ford to approve the Regular meeting minutes dated 3-20-23.

MOTION approved unanimously.

Correspondence: Councilmember Cardwell spoke with Steve Nichols regarding the City offering to buy the property at 616 W. Bridge. Mayor Steadman also spoke with Mr. Nichols. A letter referencing his concerns was forwarded to all council members.

Review and Closing of the Agenda: None

Appointments, Awards and Citations: None

OLD BUSINESS

None

NEW BUSINESS

1. Sedgwick Co. Notification System Agreement:

Mayor Steadman advised that since she is an employee of Sedgwick County, specifically employed under the Department of Public Safety, she will not be presenting this item and asked Council President, Nancy Farber Mottola, to call this agenda item.

In August, 2022, the city was notified by Sedgwick County regarding a mass notification platform for all cities in the county to use at no cost. This would allow the city to send alerts to citizens on an opt-in basis. The notification system will be primarily e-mail based but will also have the ability to send text messages for urgent communications. Under the current model, citizens can sign up for Public Safety Alerts, Public Health Alerts, and Community Bulletins. Two (2) staff members

will be administrators of the system. Training for these employees will be done by Sedgwick Co. next week if the agreement is approved.

The city currently has the ability to send phone messages to our utility customers through the Tyler Tech System. The city is charged .10 for each phone call made. The CivicReady System offered by the county will be free of charge and will allow other options of communication to our citizens. The citizens will need to opt-in/sign-up for these notifications. This will not replace our current Tyler Tech notification process, but will be in addition to it.

The council had questions on how we would notify customers of this service. A message can be printed on the utility bill, a notice can be placed on our website, and information can be placed in the Mulvane News.

MOTION by Huntley, second by Cardwell to approve the partnership agreement to utilize CivicReady Pro System between Sedgwick County, Kansas and the City of Mulvane, Kansas and authorize the President of the City Council to sign.

MOTION approved unanimously.

Mayor Steadman resumed the meeting.

2. 2024 – 2028 Capital Improvements Plan Review:

A capital improvements program is a plan to acquire or construct a number of major projects or equipment over a fixed period of time. The usual planning period is five years. This period is not fixed by law and can be adjusted to meet a community's needs and requirements when necessary. A CIP is not set in stone and can be changed or amended every year. Each project or equipment acquisition must still be reviewed on an individual basis each year and approved by the City Council before the funds are spent.

The Department Heads have completed detailed worksheets for the items on the draft CIP. This acts as a placeholder for funds for future projects or equipment needs. The council reviewed the draft CIP and asked questions for clarification. The council acknowledged this as a placeholder for funds, but also advised some projects or items could be delayed to not increase the budget.

The draft CIP will be sent to the Mulvane Planning Commission for their review. The PC acts only in an advisory capacity to make sure it conforms to the Comprehensive Community Development Plan. Once the PC has reviewed and commented on the CIP, the council will adopt it.

ENGINEER

1. Downtown Park – Review Design and Issue Notice to Proceed:

On January 16, 2023, the City Council approved a design-build agreement with Snodgrass & Sons Construction Co., Inc. to design and construct a “splash pad” park at the southwest corner of Main and Prather. On February 20, 2023, Snodgrass and their park engineers presented a conceptual layout for the park to the City Council. A revised layout was presented to the Council on March 6th.

Some of the comments and concerns raised by the Council on March 6th are summarized as follows:

- Width of the proposed metal arch entry and structure costs.
- Potential for odors from the restroom and ventilation.
- Screening panels along the west property line.
- Structural engineer's recommendations for adjacent (Laurie's Kitchen) wall.
- Seating benches/walls and general park amenities.

Construction design plans for the park will be completed in two packages: (1) Site Demolition and Utilities Package and (2) Park Improvements Package. Phasing the work will allow the Contractor to begin site work while park designers work out details on the park features (i.e., restrooms, splash pad, seating walls, landscaping, etc.). Accordingly, the Contractor is requesting approval of a Notice to Proceed with demolition and utilities based on the current park layout plan.

Dustin Lohmann with MKEC was present to review the revised design elements with the council which included the entry archway, restrooms, screening panels, seating benches/walls, and lighting. The council inquired about the screening panels extending all the way to the sidewalk. City Engineer, Chris Young, reviewed the location of the handicap parking with zero entry ramps. Drainage for the park will be through storm drains going to Styx Creek. City staff recommends approving a Notice to Proceed with demolition and utility installations.

MOTION by Allen, second by Huntley that the city approve a Notice to Proceed with Snodgrass & Sons Construction Co., Inc. for demolition and utility installations for the new downtown park and authorize the Mayor to sign.

MOTION approved unanimously.

2. Sewer Main "A" Phase 1 Construction – Issue Notice to Proceed:

On December 14, 2022, the city received bids for constructing the first phase of improvements to the Main "A" sanitary sewer. This portion of Main "A" will replace and upsize sewer lines from the WWTP to June Ave. The lowest bidder was Apex Excavating, LLC. On December 19th the City Council approved awarding the project to Apex and on December 20th contract documents and bond forms were sent to Apex for execution.

To address contractor workloads and limitations in supply chain and labor resources, the City included a provision in the bid documents to delay issuing a Notice to Proceed for up to (120) days. Based on the agreement signed with Apex and applying the maximum 120-days, the latest start date would be May 16, 2023.

Apex has requested to begin mobilizing the project site on May 1st. A Notice to Proceed document has been prepared for Council approval. The NTP will establish the start date as May 1, 2023, and a date of Substantial Completion as December 27, 2023. Apex estimates completing the Phase 1 improvements by mid-July.

MOTION by Mottola, second by Allen that the City approve a Notice to Proceed with Apex Excavating, LLC for Sewer Main "A", Phase 1 construction and authorize the Mayor to sign. MOTION approved unanimously.

2. Project Review and Updates:

Electric Sub-Station Improvements (111th Street Power Generation Facility):

A boundary survey of Lot 2, Mulvane Utility Park Addition (111th St. Power Plant) has been completed. Topographic field surveys of the area north of the existing power generation facility have been completed. Survey maps are being prepared and scheduled to be completed the week of April 3rd.

Main "A" Sanitary Sewer:

Staff submitted an application for a BASE grant to help fund this project. To date there have been no award announcements.

Public Works Director, Kevin Baker, advised that staff have completed everything they need to do, and parts have been purchased, in order for work to begin on Engine 11. The city is waiting on Wheeler World to begin the work.

LAND BANK

MOTION by Mottola, second by Ford to recess the 4-03-23 City Council meeting and convene as the Mulvane Land Bank Board of Trustees.

MOTION approved unanimously.

MOTION by Allen, second by Ford to approve the 3-20-23 Land Bank Trustee meeting minutes.

MOTION approved unanimously.

The City Attorney, J.T. Klaus, reviewed the Right of First Refusal with the Board. The Land Bank sold 201 W. Main to Eric and Rebecca Gilbert on October 23, 2020. Pursuant to a Special Warranty Deed, the Land Bank was provided a Right of First Refusal with respect to the Property if at any time the Gilberts received a bona fide offer to sell, lease, or otherwise transfer to such a purchaser or lessee, all of their rights, title, and interest in and to the Property. The Gilberts did purport to transfer their right, title and interest in the Property to Frazier Properties, LLC without compliance with the required terms of the Right of First Refusal set forth in the Original Deed and without communicating the required rights on the Subsequent Deed. If the Land Bank is willing to consent to the Subsequent Deed and the transfer to Frazier Properties, the City Attorney has drafted a Notice of Agreement and Right of First Refusal which includes the consent to the transfer and preserves the Land Bank's Right of First Refusal for subsequent transfers of the Property.

MOTION by Mottola second by Cardwell that the Mulvane Land Bank Trustees approve the Notice of Agreement and Right of First Refusal for property at 201 W. Main and authorize the Chair to execute same.

MOTION approved unanimously.

MOTION by Cardwell, 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 STAFF

City Clerk: Reminded the council that any changes to the Statement of Substantial Interest will be due between April 15th and 30th. The Clerk will send information to the council regarding this. The Annual Reports have been completed and digital copies sent to the council. Hard copies of the report are available upon request. The council was provided with an update on the LEAPS process.

City Administrator: The library is offering a class (Running for Local Office 101) on Thursday evening at 6:30 p.m. for anyone interested.

City Attorney: None

CONSENT AGENDA ITEMS 1 - 3:

MOTION by Mottola, second by Huntley to approve consent agenda items 1 - 3.

1. Payroll dated 3-31-23 (\$220,812.47).
2. Wastewater Treatment Plant - Approve the purchase of 30,000 lbs. of caustic soda for \$13,092.50 from Brenntag Southwest, Inc.
3. City Utility Bills (\$21,426.39).

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:

- Next council meeting – Monday, April 17th @ 7:30 p.m.

ADJOURNMENT:

MOTION by Allen, second by Mottola to adjourn the City Council meeting.

MOTION approved unanimously 8:26 p.m.

Minutes by:
Debra M. Parker, City Clerk