

**MULVANE CITY COUNCIL
REGULAR MEETING MINUTES**

March 4, 2024

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 Brent Allen, who called the meeting to order.

COUNCIL MEMBERS PRESENT: Trish Gerber, Tim Huntley, Grant Leach, Todd Leeds.

OTHERS PRESENT: Austin St. John, Debra Parker, J. T. Klaus, Mike Robinson, Chris Young, Joel Pile, Tom Burkhart, Gordon Fell, Gary McGuire, Terry Lane, Sherry Leach, Floyd Parks.

PLEDGE OF ALLEGIANCE: All stood for the Pledge of Allegiance led by Mayor Allen.

APPROVAL OF SPECIAL MEETING MINUTES:

MOTION by Gerber, second by Leach to approve the Special meeting minutes dated February 15, 2024.

MOTION approved unanimously.

MOTION by Leach, second by Leeds to approve the Special meeting minutes dated February 26, 2024.

MOTION approved unanimously.

APPROVAL OF REGULAR MEETING MINUTES:

MOTION by Leeds, second by Leach to approve the Regular meeting minutes dated February 21, 2024.

MOTION approved unanimously.

CORRESPONDENCE: The Mayor and several council members were contacted regarding the noise from a weekend event held at the Mulvane Saddle Club. The loud volume of noise was heard throughout the town until late into the evening and early morning hours. The council feels it would be a good idea to have a noise ordinance in place. Councilmember Huntley was contacted by a citizen concerned about not being notified about the placement of a fiber optics box. This issue has been resolved.

PUBLIC COMMENTS: Floyd Parks addressed the council with concerns about the loud volume of noise from a weekend event at the Mulvane Saddle Club. The volume of noise and the time of the event was a concern. Parks also had concerns regarding the events held at Soggy (Sandy) Bottoms. Collier Street is used as a thorough fare to get to the recreational area, and he is concerned about the safety of children. Parks would like to show support for these events but would like to see some guidelines put in place to address these issues.

APPOINTMENTS, AWARDS AND CITIATIONS: None

OLD BUSINESS

None

NEW BUSINESS

1. Renewal of Property and Casualty Insurance:

Tom Burkhart with Carson Insurance Group reviewed the 2024-2025 renewal with the council and answered questions. Travelers Insurance was also solicited to bid on the insurance policy but declined to provide pricing for the Commercial Output (Power Plant) and were not competitive with the property limits and deductibles.

Burkhart advised that property is driving the cost of insurance in the marketplace. The City's Blanket Replacement Cost limit has increased from \$66,826,614 to \$74,215,228. The deductible remains the same at \$25,000 per occurrence for all perils, however the Commercial Output deductible increased to \$75,000. The experience modification for Workers Compensation increased from .76 to .98 for this renewal period. The final cost of the Ambulance Malpractice has not been received at this time but is estimated to be around \$15,000. Overall, the EMC Insurance renewal had an increase of 3.1% which Burkhart felt was good since the trend has shown up to a 10% increase.

MOTION by Huntley, second by Gerber to approve the Property and Casualty Insurance Renewal for 2024-2025 with Carson Insurance Group.

MOTION approved unanimously.

2. Right of Entry Agreement with Evergy:

Planning and Zoning Director, Joel Pile, reviewed the agreement with the council. The City is currently working with Evergy and KPP to build a new substation on the property north of the existing Power Plant located at 1402 N. Utility Park Circle. The new substation will be fed by a new Evergy transmission line. The project requires Evergy to build a new switching station to energize the city's new substation. The Right of Entry Agreement will allow Evergy to access the site in advance of construction to perform tests, surveys and studies related to construction of their infrastructure.

MOTION by Leeds, second by Huntley to approve the Right of Entry Agreement with Evergy Kansas South, Inc. and authorize the Mayor to sign.

MOTION approved unanimously.

3. Police Department Vehicle Purchase:

Public Safety Director, Gordon Fell, reviewed the current fleet of police vehicles with the council. The police vehicles are outfitted by SERV (Superior Emergency Response Vehicles) located in Andover, Ks. To maintain a reliable fleet, Fell is requesting to purchase a 2023 Ford Police Interceptor Utility vehicle and will decommission unit 170 a Patrol 2012 Chevy Tahoe. The radar, camera system, and radios will be transferred from the old vehicle.

MOTION by Leeds, second by Huntley to accept the quote #4785 from SERV for \$59,879.15 to purchase and upfit a 2023 Ford Police Interceptor Utility as a marked police unit.

MOTION approved unanimously.

4. Agreement with Rural Water District #3:

City Attorney, J.T. Klaus, reviewed the agreements with the council. The Rural Water District #3 (RWD #3) currently serves some of the areas around the City and has an established territory surrounding much of Mulvane, even if it is not served. In order for the City to serve any areas currently in the RWD #3 territory, it has been recently required to purchase the rights to serve the area from RWD #3.

The proposed Master Agreement from RWD #3 has a cost of \$1,500 per acre of annexed area and \$1.00 per inch per foot of a line that the district deems abandoned. The contract also has a cost of \$12,500 per benefit unit currently existing on the tract. The Master Agreement would set the price for future water service territory the City wishes to acquire from RWD #3 for the next five years.

A special Service Area Agreement would still be required for each development. The Murdock Water Service Agreement encompasses 41.89 acres the City has annexed and includes a cost of \$1,500 per acre which equals \$62,835 for the amount of acres of water service territory being acquired. Since there are no service lines being abandoned, nor any service units, those prices do not apply in this agreement. This property has been platted and labeled as the "Harvest Point Addition." The City has historically split the costs for the water rights half and half with property developers. The developer has paid fifty percent (50%) of the costs and the City will have thirty (30) days to pay for the acquired territory.

MOTION by Leeds, second by Leach to have the City accept the Water Service Agreement for Compensation for Territory Transferred to City Water Service from Rural Water District #3, Sedgwick County, Kansas.

MOTION approved unanimously.

MOTION by Gerber, second by Leach to have the City accept the Water Service Area Agreement for Compensation for the Murdock Properties/Harvest Point Addition.

MOTION approved unanimously.

5. Ordinance Changing Council Meeting Time:

At its February 21, 2024, meeting, the City Council requested the City Attorney to prepare an ordinance changing the meeting time to 6:00 p.m. and to include language to allow for a monthly workshop on the 4th Monday of each month. If a workshop is scheduled the Mayor shall announce the selected location of the workshop meeting at the preceding regular meeting. The Council shall be permitted to conduct any business which comes before it during any one of the three monthly meetings.

MOTION by Leach, second by Leeds to adopt and approve Ordinance No. 1577 amending Title 1, Chapter 105, Section 105.020 of the Code of the City of Mulvane, Kansas to set a meeting time of 6:00 p.m. for the regular meetings of the City Council and add a workshop meeting on the fourth Monday at each month at the same time.

MOTION approved unanimously.

ORDINANCE NO. 1577

AN ORDINANCE OF THE CITY OF MULVANE, KANSAS AMENDING
TITLE I, CHAPTER 105, SECTION 105.020 REGARDING REGULAR
MEETINGS OF THE CITY COUNCIL.

LAND BANK

MOTION by Huntley, second by Leach to recess the 3/4/2024 City Council meeting and convene as the Mulvane Land Bank.

MOTION approved unanimously.

MOTION by Gerber, second by Leach to approve the 2/21/2024 Land Bank Trustee meeting minutes.

MOTION approved unanimously.

MOTION by Gerber, second by Leach to approve the payment of \$730.50 to Triplett Woolf Garretson Law Firm for payment of Land Bank matters.

MOTION approved unanimously.

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

MOTION approved unanimously.

ENGINEER

1. Project Review and Update:

Phase 2 Main "A" Sanitary Sewer – Work is progressing normally.

GIS Mapping – An addendum to the RFP will be prepared to extend the submission deadline from 3/7/24 to 3/14/24.

Phase 1 Harvest Point Addition Infrastructure – KDHE permit applications and submittals should be completed this week.

West Main Street Drainage Improvements – Continuing to work on bid documents.

Stormwater Management Plan – Staff has formed a workgroup to work on the new Stormwater Management Plan. The 2023 MS4 annual report has been submitted.

CITY STAFF

City Clerk: None

City Administrator: None

City Attorney: City Attorney, J.T. Klaus, requested an Executive Session for a period of five (5) minutes to discuss matters deemed privileged in the attorney-client relationship.

MOTION by Huntley, second by Leeds to recess this meeting to an Executive Session to discuss matters deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2) for the purpose of consultation with the City Attorney for a period not to exceed five (5) minutes to include the Mayor, City Council, City Administrator, and City Attorney and return to open session at approximately 8:30 p.m.

MOTION approved unanimously at 8:25 p.m.

MOTION by Huntley, second by Leach to return to open session.

MOTION approved unanimously at 8:33 p.m.

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

MOTION by Huntley, second by Gerber to accept a settlement offer from Old Dominion Trucking and Cox Communications in the amount of \$62,500 as full settlement for the damage caused to the city owned electrical facilities located at the USD 263 Administrative Offices.

MOTION approved unanimously.

CONSENT AGENDA ITEMS:

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

1. Payroll Dated 3/1/24 - \$261,322.89
2. Purchase of Caustic Soda from Brenntag - \$12,850.00
3. City Utility Bills - \$30,640.34

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:

Next City Council Meeting – Monday, March 18, 2024, at 6:00 p.m.

ADJOURNMENT:

MOTION by Leach, second by Huntley to adjourn the regular meeting of the Mulvane City Council.

MOTION approved unanimously at 8:36 p.m.

Debra M. Parker

Minutes by:
Debra M. Parker, City Clerk