

MULVANE CITY COUNCIL
REGULAR MEETING AGENDA
Monday April 1, 2024

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Pledge of Allegiance	
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ADJOURNMENT:	

**MULVANE CITY COUNCIL
REGULAR MEETING MINUTES**

March 18, 2024

6:00 p.m.

The Mulvane City Council convened at the City Building at 211 N. Second at 6:00 p.m. Presiding was Mayor Brent Allen, who called the meeting to order.

COUNCIL MEMBERS PRESENT: Trish Gerber, Tim Huntley, Todd Leeds, Kurtis Westfall.

OTHERS PRESENT: Austin St. John, Debra Parker, J. T. Klaus, Mike Robinson, Chris Young, Joel Pile, Gordon Fell, Kaylie Mistretta, Brittany Kruger, Rachael Blackwell.

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

APPROVAL OF REGULAR MEETING MINUTES:

MOTION by Huntley, second by Leeds to approve the Regular meeting minutes dated March 4, 2024.

MOTION approved unanimously.

CORRESPONDENCE: Councilmember Leeds received an email regarding the crosswalk issue on Second Street. City staff is working on a proposal and will be bringing recommendations to the City Council for consideration. Councilmember Gerber was contacted by a business owner inquiring about the digging occurring in town. Gerber advised them it was for installation of fiber optics. The business owner was excited to have this service available. Councilmember Huntley was asked about the painting of streets at stop signs. Staff will be working on this project when temperatures warm up.

PUBLIC COMMENTS: None

APPOINTMENTS, AWARDS AND CITIATIONS: None

OLD BUSINESS

1. IdeaTek Update:

Representatives from IdeaTek were not present. City Administrator, Austin St. John, reviewed the progress of this project with the council. The project is moving fast and IdeaTek is working well with the Public Works Department on locates for the installation of conduit for fiber optics.

NEW BUSINESS

1. RSVP Agreement Between Sedgwick Co. and Mulvane Sr. Center:

Senior Center Director, Kaylie Mistretta, reviewed the Agreement with the council. The Mulvane Senior Center currently utilizes RSVP (Retired Senior Volunteer Program) volunteers who provide transportation services for seniors 60 years of age and older. The City originally signed an

agreement with the Sedgwick County Department on Aging in October, 2015 and then has renewed the agreement each year to provide the Senior Center with the reimbursement for volunteer drivers in the transportation program.

The agreement will compensate the Mulvane Senior Center on a fee-for-service basis, which is seven dollars (\$7) per single one-way ride, not to exceed \$2,500 per year. The Agreement between the Mulvane Senior Center and the Sedgwick County Department on Aging's Transportation Program must be renewed in order to continue to receive reimbursement.

Mistretta indicated this program is utilized a lot with well over 1,000 trips last year. The council asked if this program would be affected after we receive the transportation bus. Mistretta indicated the RSVP program would not be affected.

MOTION by Leeds, second by Westfall to enter into the Volunteer Transportation Services Agreement between the City of Mulvane, Kansas and the Department of Aging of Sedgwick County for reimbursing volunteer transportation services pursuant to the Retired Senior Volunteer Program and authorize the Mayor to sign.

MOTION approved unanimously.

2. Request for Street Closure:

Mulvane Chamber Director, Brittany Kruger, reviewed this item with the council. The Mulvane Chamber of Commerce is planning to re-establish a farmers' market in the Mulvane Downtown. The current plan is to have vendor booths set up along Prather Street between the PIX and Nessly Auto Park.

Kruger is requesting permission to close a portion of Prather Street from 10:00 a.m. to 5:00 p.m. the second Sunday of each month beginning April 2024 through October 2024 for the purpose of holding the monthly "Market on Main." During the specified closure period, local two-way traffic on the remaining portion of Prather Street would be permitted for access of the six Prather St. residences.

Councilmember Westfall asked if there would be a better location where we would not have to close a street. Kruger indicated the proposed location would bring people downtown and had availability to restrooms at the Nessly Auto Park. The council asked how vendors would be contacted about the event and if notification would be given to the residents on Prather Street. Kruger indicated that she used to work for the Old Town Farm and Art Market in Wichita and knows several vendors which she has already contacted. Kruger will go door to door to notify residents along Prather Street and hand out information sheets.

MOTION by Leeds, second by Westfall to approve the closure of a portion of Prather Street on the second Sunday of each month from 10:00 a.m. through 5:00 p.m. beginning April 2024 through October 2024.

MOTION approved unanimously.

3. Credit Card Payment Processing:

Finance Director, Rachael Blackwell, reviewed this item with the council. The City of Mulvane uses Tyler Technologies for accounting software, the platform is responsible for nearly all aspects of the city's bookkeeping. Tyler Technologies partnered with Elavon to provide integrated credit

card processing services, but recently elected to discontinue their relationship with Elavon effective December 31, 2024. As the partnership deadline between Tyler Tech and Elavon approaches, the level of support between the two companies has diminished. In addition to a lack of compatibility and lack of technical support, the city's credit card readers are at end-of-life and often malfunction. Attempts to replace credit card readers compatible with the current system have been unsuccessful.

Tyler Technologies is discontinuing their partnership with Elavon because credit card verification processes are not being followed in accordance with accepted standards. Failure to follow specific standards leaves the city vulnerable to fraudulent credit card charges and charge back fees. After the December 31, 2024, deadline, the city will be unable to process or post credit card payments directly to customers accounts because Tyler Technologies will no longer be partnered with Elavon.

The city processes approximately 850 credit card payments each month. Staff recommends maintaining the ability to process and post credit card payments directly to customers account with Tyler Technologies. Tyler Technologies intends to partner with Chase Bank to provide integrated credit card processing services. The transition to the new system would cause the city's payment processing system to be down for less than one day. The transition would be scheduled during off-peak time to minimize customer inconvenience.

The transition to Tyler Technologies' new integrated partnership would help make the City of Mulvane PCI Compliant with credit card transactions. (PCI compliance is compliance with The Payment Card Industry Data Security Standard, a set of requirements intended to ensure that all companies that process, store, or transmit credit card information maintain a secure environment.)

Credit card fees will be directly passed on to the customer when paying with a card and not absorbed by the City. The City will need to make a one-time purchase of two card readers (for use by the municipal court and utilities) for a total of \$1,058.00. There will be a recurring annual fee of \$360.00 for services provided.

MOTION by Gerber, second by Huntley to approve the agreement with Tyler Technologies for Tyler Payments.

MOTION approved unanimously.

4. Noise Ordinance:

City Attorney, J.T. Klaus, reviewed the proposed ordinance with the council. The City Code of the City of Mulvane does not currently address the prevention or minimization of "noise" pollution. The City received several complaints from residents about loud music from a local business being played well past 10:00 p.m.

The proposed City Code amendment would provide the Police Department with an objective, constitutional method for dealing with noise pollution. Noise ordinances require the acquisition of a decibel meter and are the subject of constitutional challenges. The City Attorney has attempted to include suitable exemptions but may not have included all possible exclusions.

The City Attorney reviewed the exceptions included in the ordinance. There was also discussion about the enforcement of the ordinance, purchase of a decibel meter, calibration of the meter, and

officer training. Council thought it would be better to have the ordinance and not need it than to need it and not have it. Staff felt that good communication and working with organizers of large events was key in controlling noise complaints. The council would like to see the time in the ordinance changed to 7:00 a.m. to 10:00 p.m. during the week, and 7:00 a.m. to 12:00 a.m. (midnight) on Friday and Saturday. The City Attorney will make the requested changes to the ordinance for council's consideration at the next regular meeting.

MOTION by Leeds, second by Westfall to table the review of the city's noise ordinance until the next City Council meeting. MOTION approved unanimously.

5. APPA Mutual Aid Agreement:

City Administrator, Austin St. John, reviewed this item with the council. KPP Energy is assisting member communities in attaining the APPA Reliable Public Power Provider (RP3) designation. The RP3 program provides guidance for public power providers to be reliable, safe, encourage workforce development, and improve systems.

There are multiple steps to achieve the RP3 designation. One of the steps includes signing on to a national mutual aid agreement. One of the options of a national mutual aid agreement is the one provided by APPA.

The APPA Mutual Aid Agreement provides guidance for supplying mutual aid to those requesting. The Agreement does not require aid to be provided every time it is called for, it merely agrees on the manner of payment and how services will be charged. This agreement will fulfill one of the requirements in attaining the RP3 designation through APPA.

The Agreement does not commit any resources from the City of Mulvane but provides the City a choice to provide resources if mutual aid is requested.

MOTION by Huntley, second by Gerber to approve the APPA Mutual Aid Agreement with the Mayor to sign.

MOTION approved unanimously.

6. Consideration of Schmeidler Estates Dedications:

Planning and Zoning Director, Joel Pile, reviewed this item with the council. The Mulvane Planning Commission voted to recommend approval of the Schmeidler Estates Final Plat at the regular meeting on February 8, 2024. This plat is a small tract plat outside of the city limits, but within three miles of the city limits. The governing body must agree to accept the dedications, if any, shown on the plat or refer the plat back to the Planning Commission. The plat is required to go before the Sedgwick County Commission for review and acceptance of any dedications. The gross acreage of the plat is 154.24 acres with eleven (11) total number of lots.

MOTION by Leeds, second by Huntley having reviewed the final plat for the Schmeidler Estates filed as S/D 2023-03, I move to accept the dedications, if any, shown on this plat and authorize the Mayor to sign.

MOTION approved unanimously.

ENGINEER

1. Project Review and Update:

Phase 2 Main “A” Sanitary Sewer – The Contractor has completed construction at Bridge St./K-53 and Boxelder. The boring under the BNSF has been initiated.

GIS Mapping – City staff received two proposals for the Request for Proposal (RFP). Proposals are being reviewed.

Phase 1 Harvest Point Addition Infrastructure – Water line plans have been completed and sent to KDHE for approval. Staff is working on Bid Package No 1.

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

2. Pay Application #1 for Sanitary Sewer Main “A” Phase 2:

Pay Application #1 from Apex Excavation represents 14.4% of the total contact amount. Staff has verified the quantities requested and agree with the account of \$167,259.18.

MOTION by Huntley, second by Leeds, to approve pay application #1 from Apex Excavating LLC in the amount of \$167,259.18 for Phase 2 Main “A” Sanitary Sewer Improvements.

MOTION approved unanimously.

CITY STAFF

City Clerk: None

City Administrator: City Administrator, Austin St. John, reviewed the Financial Report with the council.

City Attorney:

1. Executive Session: City Attorney, J.T. Klaus, requested an Executive Session for a period of ten (10) minutes to discuss matters pertaining to the acquisition of real property pursuant to K.S.A. 75-4319(b)(6); for the purpose of discussing acquisition of land.

MOTION by Huntley, second by Westfall to recess this meeting to an Executive Session for a period of ten (10) minutes to discuss matters pertaining to the acquisition of real property pursuant to K.S.A. 75-4319(b)(6); for the purpose of discussing acquisition of land, to include the Mayor, City Council, City Administrator and the City Attorney, and to reconvene in open session at approximately 7:25 p.m.

MOTION approved unanimously at 7:15 p.m.

MOTION by Huntley, second by Leeds to reconvene the regular meeting of the City Council.

MOTION approved unanimously at 7:25 p.m.

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

RETURN TO OLD BUSINESS

1. IdeaTek Update: Representatives from IdeaTek arrived.

MOTION by Huntley, second by Leeds to return to Old Business Item #1 to allow IdeaTek to present an update.

MOTION approved unanimously.

IdeaTek Public Relations Manager, James Krstolich and Construction Project Manager John Murrow, reviewed the construction update with the council. The backbone infrastructure, which extends from Country Walk Lane and Rock Road to Central Ave. and East Main Street, has been successfully completed by J&S. This backbone serves as the primary framework for the subsequent phases of construction, providing essential support and connectivity which was essential to being the first phase of the project.

Other areas currently under construction are Fairview Addition, Hunters Point, and Woodlands Addition. It is anticipated that this project will consist of nineteen (19) different phases. Construction is expected to be completed by September 30th unless progress is hampered by unforeseen circumstances. There are two boring companies in town working on this project. IdeaTek is very appreciative of the hard work from Public Works Department employees for their work on locates.

IdeaTek is currently testing an 8 GB product and is excited to be in town. A ribbon cutting is scheduled for April 9th. IdeaTek is hoping to have service available to customers in September.

Return to City Attorney

City Attorney:

2. Executive Session: City Attorney, J.T. Klaus, requested an Executive Session for a period of twenty (20) minutes to discuss matters pertaining to nonelected personnel pursuant to K.S.A. 75-4319(b)(1) for the purpose of discussing personnel issues.

MOTION by Huntley, second by Leeds to recess this meeting to an Executive Session for a period of twenty (20) minutes to discuss matters pertaining to nonelected personnel pursuant to K.S.A. 75-4319(b)(1); for the purpose of discussing personnel issues, to include the Mayor, City Council, City Administrator, Director of Public Safety, and the City Attorney, and to reconvene in open session at approximately 8:00 p.m.

MOTION approved unanimously at 7:40 p.m.

MOTION by Huntley, second by Westfall to reconvene the regular meeting of the City Council.

MOTION approved unanimously at 8:07 p.m.

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

MOTION by Huntley, second by Leeds to recess this meeting to an Executive Session for a period of ten (10) minutes to discuss matters pertaining to nonelected personnel pursuant to K.S.A. 75-4319(b)(1); for the purpose of discussing personnel issues, to include the Mayor, City Council, City Administrator, Director of Public Safety, and the City Attorney, and to reconvene in open session at approximately 8:20 p.m.

MOTION approved unanimously at 8:10 p.m.

MOTION by Huntley, second by Leeds to reconvene the regular meeting of the City Council.
MOTION approved unanimously at 8:25 p.m.

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

CONSENT AGENDA ITEMS:

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

1. Payroll Dated 3/15/24 - \$240,917.78
2. Warrant Register for February - \$1,098,358.04
3. Everygy Bill for 110 N. Oliver - \$10,282.63

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:

There will be no council workshop in March.

Next City Council Meeting – Monday, April 1, 2024, at 6:00 p.m.

ADJOURNMENT:

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

MOTION approved unanimously at 8:26 p.m.

Minutes by:
Debra M. Parker, City Clerk

CITY COUNCIL MEETING
April 1, 2024

TO: Mayor and City Council
FROM: City Staff
SUBJECT: Amending City Code to adopt a “Noise” Ordinance
ACTION: **Approve Code Amendment**

Background:

The City Code of the City of Mulvane, Kansas (the “City Code”) does not currently address the prevention or minimization of “noise” pollution.

The City of Mulvane, Kansas (the “City”) received several complaints from residents about loud music from a local business being played well past 10:00 p.m.

This City Code amendment would provide the Police Department with an objective, constitutional method for dealing with noise pollution.

Financial Considerations:

Other than the cost of publication of the summary of the Ordinance and the purchase of a decibel meter, there will be no further cost to the City.

Legal Considerations:

Noise ordinances require the acquisition of a decibel meter and are the subject of constitutional challenges. The City Attorney has attempted to include suitable exemptions but may not have included all possible exclusions.

Recommendation/Action:

I move we adopt and approve Ordinance No. 1578 amending Title II, Chapter 215 of the Mulvane City code creating Article IV, Sections 215.270 through 215.320 of the Code for the prevention or minimization of noise pollution.

(Ordinance Summary published in The Mulvane News on April 4, 2024 and the full text of the Ordinance made available at www.mulvanekansas.com for a minimum of one (1) week from the date of publication.)

ORDINANCE NO. 1578

AN ORDINANCE AMENDING TITLE II, PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 215, AND CREATING ARTICLE IV, TITLED NOISE POLLUTION.

WHEREAS, it has been determined by the governing body of the City of Mulvane, Kansas (the “City”) that it is in the best interest of the City to amend Title II, Chapter 215 and create Article IV of the Municipal Code of the City of Mulvane (the “Code”), so as to secure and promote public health, comfort, convenience, safety, welfare, peace and quiet by preventing or minimizing noise pollution.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MULVANE, SEDGWICK AND SUMNER COUNTIES, KANSAS:

SECTION 1. Title II, Chapter 215, Article IV, Sections 215.270 through 215.320 are hereby created to read as follows:

ARTICLE IV - NOISE POLLUTION

Section 215.270. Purpose.

The purpose of this article is to secure and promote public health, comfort, convenience, safety, welfare, peace and quiet by preventing or minimizing noise pollution as herein defined.

Section 215.280. Definitions.

Wherever used in this article, the following words and phrases shall have the meaning ascribed to them in this section unless the context clearly requires another meaning:

1. “ANSI” means the American National Standards Institute” or its successor bodies.
2. “Boundary” means the line of demarcation which separates the real property owned by one person from that owned by another person.
3. “Daytime Hours” means 7:00 a.m. until 10:00 p.m., local time (Sunday through Thursday) and 7:00 a.m. until Midnight (Friday and Saturday).
4. “dB(A)” represents the abbreviation for the sound level in decibels determined by the A-weighting network of a sound level meter.

5. “Emergency” means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage which demands immediate action.
6. “Emergency Signal Equipment” means any siren, whistle, air horn or similar device when used on any vehicle as a warning device, used in connection with an emergency warning system, or used in connection with an alarm or warning system intended to produce an audible signal upon unauthorized entrance by a person into a building, structure or motor vehicle.
7. “Emergency Work” means any work necessary to restore real property to a safe condition following a public calamity, or work required to protect persons or real property from an imminent exposure to danger.
8. “Nighttime Hours” means 10:00 p.m. of one day through 7:00 a.m. of the next day, local time.
9. “Noise” means loud, harsh or discordant sound.
10. “Noise Pollution” means the presence of noise, whether from a single source or from multiple sources, the intensity, loudness or character of which is, or may be predicted with reasonable certainty to be, injurious to human health or which unreasonably interferes with the quiet enjoyment of property or with any lawful business or activity. Noise at sound pressure levels exceeding those permitted in any zone pursuant to the ordinance codified in this article are conclusively presumed to constitute noise pollution.
11. “Person” means any person, firm, association, organization, partnership, business, trust, corporation, company, contractor, supplier, installer, user, owner, or operator and shall include municipalities and its officers or employees.
12. “Sound Level” or “Noise Level” means the weighted sound pressure level, in decibels, measured by the use of a sound level meter satisfying the requirements of ANSI SI.4, 1971, Specifications for Sound Level Meters.
13. “Sound Level Meter” means an instrument meeting ANSI SI.4, 1971, Specifications for Sound Level Meters, consisting of microphone, an amplifier, an output meter and frequency weighting network or networks, used for the measurement of sound pressure levels in a specified manner.
14. “Source” means any person or property, real or personal, contributing to noise pollution.

Section 215.290. Loud and unnecessary noise prohibited.

1. It shall be unlawful for any person to make, continue, maintain or cause to be made or continued any excessive, unreasonable or unusually loud noise which

annoys, disturbs, injuries or endangers the repose, health, peace or safety of others within the city.

- a. The following acts, which enumeration shall not be deemed to be exclusive, are hereby declared to be noise nuisances in violation of this section and are unlawful:
 - i. The playing or permitting or causing the playing of any radio, radio receiving set, television, loudspeaker, drum, musical instrument, sound amplifier or similar device which produces, reproduces, or amplifies sound when done in such a manner or with such volume, intensity, or with continued duration so as to annoy, to distress, or to disturb the quiet, comfort, or repose of any person of reasonable sensibilities with in the vicinity or hearing thereof.
 - ii. Motor Vehicles. The use of any motor vehicle, motorcycle, bus, or other vehicle so out of repair or in such a manner as to create loud, unnecessary grating, grinding, rattling, or other noise which shall annoy, distress, or disturb the quiet comfort, or repose of any person within the vicinity.
2. No person shall be part of a gathering of people from which sound emanates of a sufficient volume so as to disturb the peace, quiet or repose of nearby residents. A police officer may order all persons present at any location where a gathering or party exists in violation of this this section to immediately disperse in lieu of being charged under this section. Failure to so disperse shall make such person equally responsible with the person in charge of the premises and/or the person causing the disturbance. The owners, tenants or occupants of the property shall immediately abate the disturbance under this subsection and, upon their failure to do so, shall be in violation of this subsection.

Section 215.300. Prohibited Noise Levels.

1. Except as otherwise provided herein, noise from any source, when measured as provided herein at a level equal to or in excess of the maximums established for the following zones and time periods, is hereby declared to constitute noise pollution in violation of this article:

Zone	Daytime Hours – dB(A)	Nighttime Hours – dB(A)
Residential (zoned R-1, R-1A, R-2, R-3, RS-1, MH-1 and MH-2)	65	50
Business (zoned B-1, B-2, B-3, B-4)	65	50
Industrial (zoned I-1 and I-2)	80	50

2. When Noise can be measured from more than one zone, the maximum permissible Sound Level of the more restrictive zone shall apply.

Section 215.310. Noise Measurement.

1. For the purposes of this article the following test measurements and requirements maybe applied:
 - a. Noise shall be measured at the property line of the property on which the Noise source is located.
 - b. Measurements with Sound Level Meters shall be made when the wind velocity at the time and place of such measurement is not more than ten (10) miles per hour, or twenty-five (25) miles per hour if a wind screen is used.
 - c. In all Sound Level measurements, consideration shall be given to the effect of the ambient Noise Level of the environment from all sources at the time and place of such Sound Level measurement.
 - d. Noise shall be measured on the “A” weighting scale on a Sound Level Meter of standard design and quality and having characteristics established by the ANSI.

Section 215.320. Exemptions.

1. This article shall not apply to:
 - a. Devices used solely for the purpose of warning, protecting or alerting persons of potential danger or in case of Emergency;
 - b. Municipally owned, operated, or contracted equipment used to operate, construct, repair or maintain municipal infrastructure systems;

- c. Operations by, or sanctioned by, the proper city, state or federal authorities for the protection of persons or property, where imminent physical trauma or property damage demands immediate action;
- d. Sound emanating from duly authorized athletic contests, parades, approved fireworks, and municipally-sanctioned or municipally-approved public events;
- e. Household tools used in normal usage during Daytime Hours;
- f. Normal daytime use of lawn care and yard maintenance equipment if used and maintained in accordance with the manufacturer's recommendations;
- g. Trains and aircraft;
- h. Emergency utility operation (including generators);
- i. Construction Noise;
- j. Repair of personal use vehicles during Daytime Hours; or
- k. Home repair of place of residence during Daytime Hours.

Section 215.330. Penalty.

Violation of any provision of this article shall be punishable by a fine not to exceed Five Hundred Dollars (\$500.00).

SECTION 3. This Ordinance shall take effect on and be in full force after its adoption by the governing body of the City, approval by the Mayor and either (a) publication once in the official newspaper of the City, or (b) publication of a summary hereof certified as legally accurate and sufficient by the City Attorney.

[Remainder of Page Intentionally Left Blank]

PASSED AND APPROVED by the governing body, not less than a majority of the members elect voting in favor thereof, of the City of Mulvane, Kansas on the 1st day of April, 2024.

CITY OF MULVANE, KANSAS

[seal]

Brent Allen, Mayor

ATTEST:

Debra M. Parker, City Clerk

(Ordinance Summary published in The Mulvane News on April 4, 2024 and the full text of the Ordinance made available at www.mulvanekansas.com for a minimum of one (1) week from the date of publication.)

Ordinance No. 1578 Summary

On April 1, 2024, the City of Mulvane, Kansas adopted Ordinance No. 1578 amending Title II, Chapter 215 of the Mulvane City code creating Article IV, Sections 215.270 through 215.320 of the Code for the prevention or minimization of noise pollution. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 211 N. 2nd or at www.mulvanekansas.com. This summary is certified legally accurate and sufficient by the Mulvane City Attorney pursuant to K.S.A. 12-3001 *et seq.*

SUMMARY CERTIFIED:

City Attorney

Date: _____

April 1, 2024
City Council Meeting

TO: Mayor and City Council
FROM: City Administrator
RE: Transient Guest Tax Application
ACTION: **Review, discuss and authorize the distribution of TGT funds**

Background:

In 2008, the governing body of the City of Mulvane, Kansas passed Charter Ordinance No. 26 which established a 5% Transient Guest Tax (“TGT”).

In 2011, the City Council adopted a policy that defines how the Transient Guest Tax shall be used and disbursed. As required by State law, the policy specifies tax proceeds shall primarily be spent on convention and tourism promotion primarily on activities and organizations which encourage increased lodging facility occupancy (i.e., stays at the Hampton Inn).

In April 2022, the City Council amended the “Transient Guest Tax” Resolution. The amendment increased the Transient Guest Tax from 5% to 8% of gross receipts. The amendment restated the city’s intent to grant priority to request funds for convention and tourism promotion to the Kansas Star for the first 5% of annual gross receipts. This priority will remain in effect until use of the Transient Guest Tax Funds by the Kansas Star reaches \$3.8 million. To date, the Kansas Star has received \$2,267,000.00 of Transient Guest Tax for promotion and support of conventions and tourism.

Fund Application Process:

According to City policy, applicants must apply to the City (on forms obtained from the City Administrator) for events or activities which meet the statutory requirements of K.S.A. 12-1692 *et seq.* The City Administrator approves the request and then places it on the City Council agenda. The completed Program/Event Application is attached.

Financial Considerations:

Since the TGT has been increased to 8%, a partial amount of the difference between 5% and 8% collected is used to provide funding assistance for qualifying events or activities. Below is a list of local events approved by the City Council and funded with TGT funds to date in 2024.

2024 TGT Local Events Granted to date:

1. Mulvane Marauders Car Club - \$2,000.00.
2. Kansas Association of Chief of Police - \$2,000.00.

Legal Considerations:

As per the City Attorney.

Recommendation:

1. Motion to authorize the City Administrator to approve the 2024 request from The Mulvane Alumni Association for Transient Guest Tax funds in the amount of \$1500.00.
2. Motion to authorize the City Administrator to approve the 2024 request from Mulvane Old Settlers Association for Transient Guest Tax funds in the amount of \$2,000.00.



In accordance with Resolution No. 2011-9 of the City of Mulvane, Kansas (the "City"), the undersigned ("Applicant") hereby requests a grant for the following described program or event and certifies that said program or event will likely result in increased lodging facility occupancy within the City. Grant is based on availability of funds.

- Limit request to no more than \$2,000.00.
- Request must include a \$1.00 to \$1.00 match.
- One application per calendar year per event:
- The funds must be expended in the 2024 calendar year.
- Class reunions will not be funded.

Brief Description of Program/Event: Mulvane High School Alumni Banquet

Date and Time of Program/Event: Saturday, May 25, 2024 4:00 -- 8:00 PM

Amount of Grant Requested: \$1500.00

Brief Description explaining why Program/Event could result in overnight stays: Invitation for Banquet extended to all MHS graduates. Many attendees come from out of town and will need hotel accommodations for the night.

Description of Total Program/Event Costs and Other Sources of Funds, if any: See attached Excel spreadsheet

Submit a copy of the total program budget.

Submitted this 13th day of March, 2024.

APPLICANT:

By Beckie Bowers

Authorized Requestor (Printed Name) Beckie Bowers

Title Treasurer, Mulvane Alumni Association

Mailing Address: 716 Edgemore Dr. - Mulvane, KS. 67110

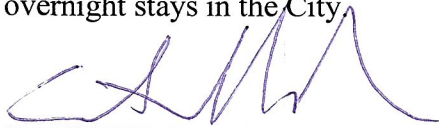
Phone #: 316-220-3403

Email: beckie.bowers@carsonbank.com

[For City of Mulvane Use Only]

Date Request Received: 3-14-24

The City Administrator hereby certifies his personal belief the request meets the criteria of Charter Ordinance No. 26, for programs or events which could result in increased tourism and possible overnight stays in the City.



City Administrator

☒ Yes ☐ No

[Initial One]

I believe this request qualifies for consideration under the written policy of the City.

	A	B
1	Mulvane High School Annual Alumni Banquet 2024 - Budget	
2		
3	Income:	
4		
5	Meal Tickets Sold in 2023 (105 x \$25.00 each)	\$ 2,625.00
6		
7	Total Income	\$ 2,625.00
8		
9	Expenses:	
10		
11	Caterer (130 x \$17.00 each)	\$ 2,210.00
12	Tip to drivers who deliver banquet meal (2 drivers @ \$50.00 each)	\$ 100.00
13	Payment to janitor for prep and cleanup at high school	\$ 100.00
14	Door prizes (6 at \$25.00 each)	\$ 150.00
15	Name tags for banquet	\$ 30.00
16	Marcia Hanson - pianist participating in part of the entertainment	\$ 60.00
17	Golf Carts to transport attendees from parking lot to high school	\$ 225.00
18	Alumni Booklet for each attendee	\$ 250.00
19	Rental of MHS Building	\$ -
20		
21	Total Expenses	\$ 3,125.00
22		
23		



PROGRAM/EVENT APPLICATION
Transient Guest Tax Grant Fund

In accordance with Resolution No. 2011-9 of the City of Mulvane, Kansas (the "City"), the undersigned ("Applicant") hereby requests a grant for the following described program or event and certifies that said program or event will likely result in increased lodging facility occupancy within the City. Grant is based on availability of funds.

- Limit request to no more than \$2,000.00.
- Request must include a \$1.00 to \$1.00 match.
- One application per calendar year per event:
- The funds must be expended in the 2024 calendar year.
- Class reunions will not be funded.

Brief Description of Program/Event: Mulvane Old Settlers celebration. Carnival, parade, road race, entertainers, arts & crafts, concessions, school performances, etc.

Date and Time of Program/Event: Aug 23-25, 2024

Amount of Grant Requested: \$2,000.00

Brief Description explaining why Program/Event could result in overnight stays: MOS is a Mulvane tradition dating back over 150 years. Generations of families return annually to participate, perform, view, and attend. Craft and concessions vendors travel to town from various locations.

Description of Total Program/Event Costs and Other Sources of Funds, if any: Major costs include entertainment, parade organization, prizes, insurance. Sources of funds are carnival proceeds, vendor rental, and advertising. Costs often outweigh income generated.

Submit a copy of the total program budget:

Submitted this 20th day of March, 2024.

APPLICANT:

By: Christy Carpenter

Authorized Requestor (Printed Name) Christy Carpenter

Title: MOS Treasurer

Mailing address and contact information for applicant:

Mailing Address: PO Box 141, Mulvane, KS 67110

Phone # : _____ 316-215-2009 _____

Email: _____ mulvaneos@cox.net _____

[For City of Mulvane Use Only]

Date Request Received: 3/20/24

The City Administrator hereby certifies his personal belief the request meets the criteria of Charter Ordinance No. 26, for programs or events which could result in increased tourism and possible overnight stays in the City.



City Administrator

☒ Yes ☐ No

[Initial One]

I believe this request qualifies for consideration under the written policy of the City.

	2024
Arts & Crafts	5,500.00
Book/Advertising	4,500.00
Button Sales	4,000.00
Carnival Proceeds	11,000.00
Concessions	3,200.00
Interest Income	250.00
Shirt Sales	3,500.00
Total Sales	31,950.00

Advertising Expense	1,500.00
Book Expense	3,500.00
Business Fees	200.00
Button Expense	1,000.00
Committee Expense	1,000.00
Entertainment	7,000.00
Insurance Expense	1,800.00
Parade Expense	1,500.00
Postage Expense	100.00
Prizes	8,000.00
Rental Expense	3,000.00
Sales Tax	500.00
Shirt Expense	1,800.00
Storage	780.00
Total Expenses	31,680.00

Net Inome (Loss) 270.00

**City Council Meeting
April 1, 2024**

To: Honorable Mayor Brent Allen and City Council

Fr: Joel Pile, Planning & Zoning Administrator

Subject: Interlocal Agreement w/ Sumner County for Neighborhood Revitalization Program

Background: The Neighborhood Revitalization Plan (NRP) is authorized by (K.S.A. 12-17,114 *et seq.*) and is intended to create an incremental tax rebate program intended to encourage reinvestment and improvement of areas of decline or areas of architectural or historical significance within the community. The components of the plan include establishing the Neighborhood Revitalization Area boundaries, proposals for improving municipal services and establishing local eligibility criteria and application procedures for the tax rebate program. A tax rebate incentive based on the incremental increase of qualified improvements will be available to property owners in the designated Neighborhood Revitalization District.

The NRP serves as a component of Sumner County's strategy to stimulate and promote the revitalization of areas in the County through the rehabilitation, conservation or redevelopment of the area in order to protect the public health, safety or welfare of the residents of the Neighborhood Revitalization Area and the County as a whole.

The city had previously elected to participate in the Sumner County NRP ten years ago, the current plan is set to expire on June 30, 2024. Sumner County is in the process of renewing the NRP for an additional ten-year period. Tax rebates are subject to approval of each taxing unit, each taxing entity must have adopted to the Tax Rebate Program of the NRP. Tax rebates are based on the increase in assessed value the first full year following completion. The assessed value may change up or down depending on the change in market value.

10-year property tax rebate may be given based on the increase in appraised value caused by the improvements on a property within the NRP boundary.

- **95% rebate for the five years.**

Legal Consideration: Only areas identified in Sumner County are eligible to participate in the NRP. Taxing entities wishing to begin their participation or withdraw from the Neighborhood Revitalization Program may be added or withdrawn by giving 60-day notice to the County Clerk's Office by July 1 and would be effective the following tax year.

Recommendation:

Motion to approve the Interlocal Agreement between the City of Mulvane and the Sumner County Board of County Commissioners renewing the Neighborhood Revitalization Program and authorizing the Mayor to sign.

INTERLOCAL AGREEMENT

THIS AGREEMENT by and between the City of Mulvane, Kansas, a municipal corporation and A TAXING DISTRICT OF SUMNER COUNTY, KANSAS, as a party of the first part, hereafter referred to as the “Municipality”, and BOARD OF COUNTY COMMISSIONERS, SUMNER COUNTY, KANSAS, as party of the second part, hereafter referred to as “County”.

WHEREAS, K.S.A. 12-2904, and amendments thereto, allows any public agency to enter into a contract with any other public agency to perform any governmental service, activity, or undertaking which each contracting public agency is authorized by law to perform.

WHEREAS, all parties are public agencies as defined in K.S.A. 12-2903(a) capable of entering into inter local agreements and the Municipality is a municipality as defined in K.S.A. 12-17,115(b) and K.S.A. 10-1101, and amendments thereto, capable of adopting a neighborhood revitalization plan; and

WHEREAS, the Kansas Neighborhood Revitalization Act, K.S.A. 12-17, 114 *et seq.* (KNRA), provides a program for neighborhood revitalization by a municipality and the Inter Local Cooperation Act, K.S.A. 12-2901 *et seq.*, allows the use of contracts or agreements between public agencies to further neighborhood revitalization; and

WHEREAS, it is the desire and intent of the parties hereto to provide the maximum economic development incentive as provided in the KNRA by acting jointly in approving and adopting a neighborhood revitalization plan pursuant to the KNRA; and

NOW, THEREFORE IN CONSIDERATION OF THE MUTUAL CONVENANTS, PROMISES AND AGREEMENTS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

SECTION I SUMNER COUNTY NEIGHBORHOOD REVITALIZATION PLAN (PLAN)

The party of the first part “Municipality” and the party of the second part “County” separately and individually have adopted the Sumner County Neighborhood Revitalization Plan pursuant to KNRA (the Plan). A copy of the Plan (Exhibit “A”) is attached to this Agreement and is incorporated herein as part of this Agreement.

SECTION II

ADMINISTRATION OF THE PLAN

The parties agree that the County, acting through the County Clerk's Office, shall administer the Plan. It is agreed that the County shall be responsible for creating and administering a Neighborhood Revitalization Fund as defined in K.S.A. 12-17, 118(a) and amendments thereto. It is further agreed that a \$100.00 application fee as well as an administrative fee of up to a maximum of 10% of the increment, as defined in K.S.A. 12-17, 118(d) and amendments thereto, shall be collected from each applicant and utilized by the County to pay for administrative costs incurred by the County in implementing and administering the Plan. The administrative fee may be reviewed and amended annually by the County.

SECTION III

AMENDMENT AND EFFECTIVE DATE(S)

This Agreement shall become effective upon the accomplishment of each of the following: (1) approval by Kansas Attorney General, (2) filing with the Sumner County Register of Deeds, and (3) filing with the Kansas Secretary of State. This Agreement shall terminate ten (10) years from its effective date. The effective date and termination date shall be provided forthwith to the parties hereto by the Sumner County Clerk. This Agreement may be amended with written consent of the parties.

SECTION IV

MISCELLANEOUS

The Agreement may be executed in several counterparts which, together, shall constitute a binding agreement on all executing parties. Any municipality which does not execute this Agreement shall not be considered a party. This Agreement and the Plan shall be liberally construed to achieve the economic development objectives and purposes of this Agreement and the Plan.

If any provisions of this Agreement held to be inoperative or unenforceable as applied in any particular case or to any particular participating party, or in all cases because it conflicts with any other provision or any other constitution or statute, or for any other such reason, then such circumstances shall not render the provision in question inoperative or unenforceable to any other case or circumstance or render any other provision invalid or inoperative or unenforceable to any extent. The effect and meaning of this Agreement, the Plan and the rights of all participating parties shall be governed by and construed according to the laws of the State of Kansas.

It is not the purpose of this Agreement to assume, acquire or dispose of any property, whether real or personal, for the use of the Municipality (ies). If property acquisition or disposal becomes an objective of the parties, said parties agree herein that this Agreement will require amendment to provide for the same.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed by their respective appropriate representatives.

BOARD OF COUNTY COMMISSIONERS, SUMNER COUNTY, KANSAS

DATE: _____

BY: _____
Steve Warner, Chairman
1st District

BY: _____
Jim D. Newell
2nd District

BY: _____
John Cooney
3rd District

CITY OF MULVANE, KANSAS,
a Kansas municipal corporation, A TAXING DISTRICT OF SUMNER COUNTY,
KANSAS

Authorized Signature: _____

Print Name: _____

Title: _____

Date: _____

***** Please provide minutes, resolution or ordinance authorizing this action *****

INSERT EXHIBIT "A" – the Plan

SUMNER COUNTY NEIGHBORHOOD REVITALIZATION PLAN

**For additional information
Please contact:**

Sumner County Appraiser's Office

**Samantha Hyde
Appraisal Clerk I
501 N Washington Room G09
Wellington, Kansas 67152
Phone: 620-399-1022
shyde@co.sumner.ks.us**

Sumner County website <http://co.sumner.ks.us>

SUMNER COUNTY NEIGHBORHOOD REVITALIZATION PLAN PURPOSE AND FACTUAL FINDINGS

This plan is intended to promote the revitalization of the area of Sumner County through the rehabilitation, conservation or redevelopment of the area in order to protect the public health, safety or welfare of the residents of the County. K.S.A. 12-17, 115 defines the meaning of a neighborhood revitalization area more completely. A tax rebate incentive will be available for certain rehabilitation, improvement and new construction within the area. In accordance with the provisions of K.S.A. 12-17, 114 et seq., the County Commission has held a public hearing and considered the existing conditions and alternatives with respect to the designated Area, the criteria and standards for a tax rebate and the necessity for interlocal cooperation among the other taxing units. Accordingly, the Commission has carefully reviewed, evaluated and determined the Area meets one or more of the conditions to be designated as “neighborhood revitalization area/dilapidated structure”.

Our 2002 Sumner County Comprehensive Plan addressed **housing as a priority**. The goal was to assure adequate supply of structurally sound, visually pleasing housing consistent with the needs and desires of the citizens. The objectives of the Comprehensive Plan are:

- Maximize the opportunity for each family or individual to rent or purchase safe, sanitary and decent housing within their economic means.
- Assure equal opportunity in choice of housing for all people regardless of race, religion, age or sex.
- Encourage development of neighborhoods designed for maintenance of a high quality living environment.
- Develop programs that will encourage and promote rehabilitation of existing housing.
- Cooperate with area communities in the effort to encourage affordable housing in all its forms.
- Continue to seek participating funding for development and improvement of the county-wide housing stock through the various grant funding sources.

Lack of housing, the dilapidation, deterioration and obsolescence of residential, commercial, and industrial structures, low housing vacancy rates, lack of rentals, limited population growth, limited real income growth all contribute to the need for a neighborhood revitalization plan.

There is a direct relationship between the age of a home and its general physical condition. The following table shows the number of existing housing units by each decade from 1950 to 2010.

<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1980</u>	<u>1990</u>	<u>2000</u>	<u>2010</u>
7,701	8,222	8,977	10,356	10,769	10,877	10,865

The growth of housing has been very slow and between 2000 & 2010 we lost housing. With slow housing growth, the overall age of the homes in Sumner County is slowly creeping up. Vacant housing units in 2010 due to dilapidation or other factors totaled 1,411 or 13% of the total housing units. This is up from 2000 when vacant homes were only 9.1% of the housing stock. The following table as published by the American Community Survey shows the age of Sumner County homes by years. The table indicates a very high percentage of homes built before 1939. This suggests that there are many homes in the county that are in need of rehabilitation due to their age.

<u>Year's</u>	<u>Number</u>	<u>%</u>
2000 to 2010	529	4.9
1990 to 2000	986	9.0
1980 to 1990	1,078	9.9
1970 to 1979	1,561	14.0
1960 to 1969	755	6.9
1950 to 1959	1,509	13.9
1940 to 1949	658	6.0
1939 or earlier	3,845	35.0

There has always been a need for all types of housing in Sumner County. Low vacancy rate for rentals exist throughout Sumner County which makes it hard for low to medium income families to find decent housing. Most rental housing consists of old homes or apartments that are in need of rehabilitation. There is a need for new or improved multi-family and individual living rental units for low to medium income families with children and senior citizens. There is also a need of incentives for developers in the construction of new multi-family and single family units. For owners of existing homes, there is a need for incentives to rehabilitate existing housing to make them safer, more energy efficient and preserve their structural condition for generations to come.

Population has declined in Sumner County since 2000 yet employment opportunities have increased. Much of this could be attributed to the lack of adequate housing; people are driving in from other counties to fill the available jobs. According to the 2010 US Census, we have an inflow of 1,624 workers daily and that figure was prior to the approximately 1,000 new jobs at the Kansas Star Casino or the projected increase in activity from the oil and gas industry. Many of these individuals might live in the county if there were adequate housing options. Therefore, the need for new housing and rehabilitation of existing housing will continue to be crucial. The population of the county over the next 10 years is projected to decline – inadequate housing is a major contributing factor.

Per capita income has increased marginally from \$20,880 in 2000 to \$22,718 in 2010, an overall increase of 8.8%. Employment of Sumner County residents has increased from 12,395 workers in 2000 to 12,453 in 2010.

Many of the commercial buildings in the downtown districts of the towns in Sumner County are over 50 years of age and in major need of rehabilitation for safety, health and conservation reasons. Many of our cities have experienced first hand, the cost of having to remove a dilapidated building from their main street and the eyesore it leaves. The incentive of the tax rebate program for the owners of main street buildings has helped make some needed improvements to conserve and revitalize the down town areas of Sumner County, however more can be done to improve this situation.

As indicated above, the primary economic development priority from the Sumner County Strategic Plan was housing. People across the County during planning community meetings expressed their concern for the lack of good quality housing. Therefore, one of the solutions that is offered to reverse or improve the trends above is the renewal of the previous Sumner County Neighborhood Revitalization Plan.

PART 1

LEGAL DESCRIPTION OF THE SUMNER COUNTY NEIGHBORHOOD REVITALIZATION AREA

Beginning at the Northeast corner of Section 1, Township 30 South, Range 2 East of the 6th P.M., thence Westerly along the North line of Township 30 to the Northwest corner of Section 6, Township 30 South, Range 4 West of the 6th P.M., thence Southerly along the West Line of Townships 30, 31, 32, 33, 34, and 35 South, Range 4 West of the 6th P.M., to the Southwest corner of Section 18, Township 35 South, Range 4 West of the 6th P.M., said point being on the Kansas-Oklahoma border, thence Easterly along the Kansas-Oklahoma border to the Southeast corner of Section 13, Township 35 South, Range 2 East of the 6th P.M., thence Northerly along the East line of Townships 35, 34, 33, 32, 31 and 30, Range 2 East of the 6th P.M. to the place of beginning, unless exceptions which are notated under Part 6 Commercial Industrial Section along with the following exceptions:

ORIGINAL TOWN, WELLINGTON, S14, T32, R01W, BLOCK 47, LOT W70' 13-14;
AKA – 219 W 8TH ST - EMERGENCY PREPAREDNESS

ORIGINAL TOWN, WELLINGTON, BLOCK 47, S14, T32, R1W;
AKA- 320 N JEFFERSON AVE - RAYMOND FRYE COMPLEX

ORIGINAL TOWN, WELLINGTON, LTS 17-20 & E 70' LTS 13-16 BLK 47, S14, T32,
R01W; AKA – 217 W 8TH ST – HEALTH COMPLEX

LAW ENFORCEMENT DET CTR, LOT 1, ACRES 8.0, S 11, T 32, R 01W;
AKA- 610 E HILLSIDE ST - LAW ENFORCEMENT CENTER

ORIGINAL TOWN, WELLINGTON, ACRES 2.1, LTS 1-24 & VAC ALLEY BLK 31 S14,
T32, R1W; AKA- 500 N WASHINGTON AVE - SUMNER COUNTY COURTHOUSE

ORIGINAL TOWN, WELLINGTON, N5' OF E 65' LT 23 & E 65' LT 24 BLK 40, S 14, T32,
R01W; AKA -110 E 10TH ST – SUMNER COUNTY PLANNING & ZONING

FAIRVIEW ADD, LTS 19-21, & S 20' LT 22 BLK 3, S23, T32, R1W;
AKA -1233 SOUTH C - SUMNER COUNTY ROAD & BRIDGE

S23, T32, R01W, ACRES 8.2, 769.6'X489.9' BEG ON S INTER OF BOTKIN ST & W INTER
OF RLY ROW TH SWLY462' ALG W RLY ROW W380', S30', W360', N490', E770' TO
POB; AKA- 206 E BOTKIN ST - SUMNER COUNTY SHOPS

ORIGINAL TOWN WELLINGTON, BLOCK 45, LOT E90' 1-3, S14, T32, R 1W;
AKA – 120 E 9TH ST - CASA BUILDING

ORIGINAL TOWN, WELLINGTON, LT 23 LESS N 5' OF E65' & W 75' LOT 24 BLK 40,
S14 T32 R 1W; AKA – 423 N WASHINGTON – PARKING LOT W/ P&Z BUILDING

ORIGINAL TOWN, WELLINGTON, BLOCK 40, LOT 1-3, S14 T32 R01W;
AKA – 420 NORTH C - COURTHOUSE PARKING LOT

FAIRVIEW ADD, S23, T32, R01W, BLOCK 3, Lot 17 & 18;
AKA – 215 E BOTKIN ST – SUMNER COUNTY BLDG

FAIRVIEW ADD, LTS 23-24 & N5' LT 22 BLK 3 SECTION 23 TOWNSHIP 32 RANGE
01W;
AKA – 1225 S C ST - SUMNER COUNTY VACANT LOT

FAIRVIEW ADD, BLOCK 2, Lot 13-16, SECTION 23 TOWNSHIP 32 RANGE 01W;
AKA – 1222 S B ST – SUMNER COUNTY VACANT LOT

FAIRVIEW ADD, BLOCK 3, Lot 9-12, SECTION 23 TOWNSHIP 32 RANGE 01W;
AKA – 1218 S B ST – SUMNER COUNTY VACANT LOT

PART 2

ASSESSED VALUATION OF SUMNER COUNTY

The assessed valuation of the real estate contained in the Area is \$113,677,800.00. The assessed value of land alone is \$35,640,650.00; the assessed value of the buildings alone is \$78,037,150.00. The assessed value of each individual parcel in the Area can be accessed in the County Clerk Office, Sumner County Courthouse, Wellington, Kansas or on the county website co.sumner.ks.us.

PART 3

LISTING OF OWNERS OF RECORD IN AREA

The owners of record of each parcel of land, together with corresponding addresses are on file in the Sumner County Clerk's Office, Sumner County Courthouse, and Wellington, Kansas or on the county website <http://co.sumner.ks.us>.

PART 4

A) EXISTING ZONING CLASSIFICATIONS AND BOUNDARIES B) EXISTING AND PROPOSED LAND USES

The zoning classifications and land uses of each parcel of land are on file in the Sumner County Planning and Zoning Office, Sumner County Courthouse, Wellington, Kansas.

PART 5

CAPITAL IMPROVEMENTS FOR THE AREA

The Capital Improvements for the Area are addressed in the 2002 Sumner County Comprehensive Plan. This plan addresses issues relating to Public Safety, Transportation, Parks and Recreation, Sewage, and Utilities. This Plan is on file in the Sumner County Planning and Zoning Office, Sumner County Courthouse, Wellington, Kansas.

PART 6

PROPERTY ELIGIBLE FOR A TAX REBATE

RESIDENTIAL PROPERTY:

- 1) Rehabilitation, alterations and additions to any existing residential structure, including the alteration of a single-family home into a multi-family dwelling, shall be eligible. **The rebate period will be for a period of 5 years with the percent of rebate as specified in Part 10.**
- 2) Construction of new residential structures, including the conversion of all or part of a non-residential structure, shall be eligible. **The rebate period will be for a period of 5 years with the percent of rebate as specified in Part 10.**
- 3) Improvements to existing or construction of new residential accessory structures such as garages, storage buildings, workshops and decks shall be eligible. Sprinkling systems, water wells, residential fences, landscaping, hot tubs, in-ground swimming pools, gazebos, patios, yard improvements and recreational improvements or structures, and personal property are exempt from inclusion in the tax rebate plan. Any structure which does not lend itself to the obvious inclusion within the above meaning should be cleared with the Sumner County Appraiser. The preceding list of exemptions may not be complete and may be enlarged on a case by case basis. Rebate periods will follow (1) or (2) above depending whether the primary project filed with the Sumner County Appraiser was residential rehabilitation or new residential construction.
- 4) Eligible residential property may be located anywhere in the neighborhood revitalization area.
- 5) **Special assessments will not be eligible for abatement.**

COMMERCIAL/INDUSTRIAL/AGRICULTURAL PROPERTY:

- 1) Rehabilitation, alteration and additions to any existing commercial structure used for retail, office, manufacturing, warehousing, institutional, and agricultural or other commercial or industrial purpose shall be eligible. **The rebate period will be for a period of 5 years with the percent of rebate as specified in Part 10 except as noted under Downtown District and East 160 Corridor sections below.**
- 2) Construction of new commercial structures, including the conversion of all or part of a non-commercial structure into a commercial structure, used for retail, office, manufacturing, warehousing, institutional, and agricultural or other commercial or industrial purpose shall be eligible subject to appraisal guidelines. Irrigation development is not eligible. **The rebate period will be for a period of 5 years with the percent of rebate as specified in Part 10 except as noted under Downtown District and East 160 Corridor sections below.**
- 3) Improvements to existing or construction of new structures used for public utility or railroad purposes shall not be eligible.
- 4) Eligible commercial or industrial property may be located anywhere in the neighborhood revitalization area, with the following exceptions:

Downtown District - Wellington

For this designation, projects must be located in the City of Wellington and within the following area:

Beginning at the center of the intersection at Jefferson Street and West 11th Street, thence east along the centerline of 11th Street 780 feet to the center of the intersection at C Street and East 11th Street; thence south along the centerline of C Street 2,600 feet to the intersection at C Street and South 4th Street; thence west along the centerline of South 4th Street 780 feet to the center of the intersection at Jefferson Street and South Fourth Street; thence north along the centerline of Jefferson Street 2,600 feet to the point of beginning.

Tax rebates for qualifying property within the confines of the downtown district shall be for a **period of 10 years at 95%**. Qualifying properties must be properly zoned and classified as Commercial.

East US-160 Corridor – Wellington

This designation applies only to projects located within the corporate limits of the City of Wellington and within the following area:

Beginning at the center of the intersection at East 16th Street and North Boundary Road; thence north 2,700 feet; thence east 9,700 feet; thence south 2,750 feet along the Kansas Turnpike Authority right-of-way; thence east 135 feet to the Kansas Turnpike Authority right-of-way; thence south 1,000 feet along the Kansas Turnpike Authority right-of-way; thence east 445 feet to the Kansas Turnpike Authority right-of-way; thence south along the Kansas Turnpike Authority right-of-way 1,650 feet; thence southeasterly 2,560 feet to the center line of 20th Street South; thence southwesterly along the center line of 20th Street south 7,850 feet to the center of the intersection at 20th Street South and Meridian Road; thence west along the center line of 20th Street South 2,700 feet to the city limits; thence north 5,225 feet to the point of beginning.

Tax rebates for qualifying projects within the confines of the East US-160 Corridor district shall be for a period of **5 years at 95%**. Rebate refund **will only apply to the first \$500,000 of the increased** property's market value. Qualifying projects must be properly zoned and classified as Commercial. If at any time during the duration of this plan property within this district is annexed into the city limits, property will qualify under these guidelines.

5) Special assessments will not be eligible for abatement.

PART 7

CRITERIA FOR DETERMINATION OF ELIGIBILITY AND STANDARDS FOR REVIEW AND APPROVAL

1) Construction of an improvement must have been commenced on or after July 1, 2014 the effective date of enactment of the tax rebate program.

2) **An application for rebate must be filed within 30 days of the issuance of a building permit.** Pictures prior to rehabilitation projects will be taken by the County Appraiser's Office on pre determined date. Pictures of new construction prior to beginning project will be taken by either the County Appraiser's Office or the County Planning and Zoning Office.

- 3) There must be a **minimum investment of \$5,000** for residential, commercial and industrial property.
- 4) New as well as existing improvements on the property must conform to all codes, rules and regulations in effect at the time the improvements are made and shall remain in conformance for the duration of the rebate period. **Tax rebates may be terminated if improvements or new construction do not conform to applicable building codes/zoning requirements.**
- 5) Property eligible for any other property tax incentive program(s) adopted pursuant to statutory or constitutional authority shall only be reviewed for eligibility under the NRP program as to avoid duplication of programs and provide the property owner with the choice of which program is best for the project.
- 6) Any property that is delinquent in any tax payment or special assessment shall not be eligible for any rebate or future rebate until such time that all taxes and assessments have been paid. If such delinquency occurs after entry into the rebate program, the owner shall have no more than 90 days to bring the taxes current. If such delinquency continues beyond 90 days, the property shall no longer be eligible for a rebate. Taxes are considered delinquent the first day that penalties and interest start accruing. Having an ineligible or disqualified project in the past does not prohibit the property owner from submitting an application in the future. Any new application/project by the property owner must meet all of the program guidelines for eligibility.
- 7) Qualified improvements or new construction eligible for tax rebates under the Neighborhood Revitalization Plan may submit **only one application per calendar year beginning on January 1** on the legally described parcel defined in the application to the appraiser.
- 8) Tax rebates are subject to approval of each taxing unit. See the County Clerk for taxing units who have adopted the Tax Rebate Program of the Neighborhood Revitalization Plan. A tax rebate will be based on the **increase in assessed value the first full year following completion. The assessed value may change up or down depending on the change in market value.**
- 9) Tax rebates transfer with ownership of the qualifying property, subject to requirements in #6 above. **Tax rebates will be paid to the owner.**
- 10) Upon payment in full of the real estate tax for the subject property for the initial and each succeeding year period extending through the specified rebate period, and within a thirty (30) day period following the date of the regular cycle of tax distribution by Sumner County to the other taxing units, a tax rebate in the amount of the tax increment (less an administrative fee as specified in the Contract Agreement) will be made to the owner. The tax rebate will be made by the Sumner County Treasurer through the Neighborhood Revitalization Fund established in conjunction with the other taxing units participating in a Contract Agreement, subject to provisions on Part 7.
- 11) In any given year, the rebate paid will be based upon the lesser of the increase in assessed value from the first year, or the value as assessed in the current year.
- 12) **Construction must be completed within 18 months.** Extensions beyond that period will be considered on a case by case basis upon review by the Sumner County Appraiser or if necessary the Sumner County Commissioners.

13) Once a project application for new construction or improvements to an existing property has been approved, no other application for NRP will be considered until the current project has been completed. **Only one project per parcel may be open at one time.**

14) Only improvements that are affixed to permanent perimeter foundations are eligible.

PART 8

CONTENTS OF APPLICATION FOR TAX REBATE

A) General Information

- 1) Owner's Name
- 2) Owner's Mailing Address
- 3) School District No.
- 4) Parcel I.D. No.
- 5) Building Permit No.
- 6) Address of Property
- 7) Legal Description of Property
- 8) Day Phone Number
- 9) Proposed Property Use
- 10) Improvements
- 11) Estimated Date of Completion
- 12) Estimated Cost of Construction
- 13) Proof of Historical Register Listing
- 14) List of Buildings Proposed to be Actually Demolished
- 15) If Residential Rental Property, a list of tenants occupying the building when purchased (or present tenants if unknown) date of tenant occupancy or relocation.
- 16) County Appraiser's Statement of Assessed Valuation.

Commencement of Construction

- 1) Date of commencement of construction.
- 2) Estimated date of completion of construction.

B) Status of Construction/Completion

- 1) Incomplete project as of January 1 following commencement
- 2) Complete project as of January 1 following commencement
- 3) Sumner County Appraiser's Statement of Percentage Test
- 4) Sumner County Treasurer Statement of Tax Status
- 5) Sumner County Appraiser's Part III Construction Progress / Percent Complete Status

PART 9

PROCEDURE FOR SUBMISSION OF AN APPLICATION

Prior to filing the Application for Rebate, the owner-applicant will need to do the following:

- 1) Obtain an application from the Sumner County Appraiser's Office or on the county website <http://co.sumner.ks.us>.

2) Prior to the commencement of construction on any improvement or new construction for which a tax rebate will be requested, the owner-applicant will complete Part 1 of the application. An application for rebate must be filed within 30 days of the issuance of a building permit. Pictures prior to rehabilitation projects will be taken by the County Appraiser's Office. Pictures of new construction prior to beginning project will be taken by either the County Appraiser's Office or the County Planning and Zoning Office. Requests must be received and approved before commencement of construction. *There will be no exceptions.*

3) Part 1 of the application must be filed with the Sumner County Appraiser's Office, with a **non-refundable \$100.00 application fee prior to the commencement of construction.**

4) The Sumner County Appraiser's Office will return a copy of Part 1 to the applicant within fifteen (15) working days if project is denied.

5) **The owner-applicant will notify the Sumner County Appraiser of the commencement of construction by filing Part 2 of the application estimating total cost of project.**

6) **Part 3 will be filed on or before December 15th indicating the status of construction, whether it is a percent complete or 100% complete as of January 1.**

7) Soon after January 1, the Sumner County Appraiser will conduct an on-site inspection of the construction project (improvement, rehabilitation, or new) and determine the new valuation of the real estate accordingly. The valuation is then reported to the County Clerk by June 15th. The tax records will be revised accordingly. The NRP rebate commences on full 100% completion of the project. If project is not 100% complete property owner will be not be eligible for rebate until project is 100% complete.

8) **Upon filing of Part 3, and the determination of the new valuation of the said real estate, the form will be filed with the Sumner County Appraiser certifying the project is in compliance with the eligibility requirements for a tax rebate.**

9) Upon payment in full of the real estate tax for the subject property for the initial and each succeeding year period extending through the specified rebate period, and within a thirty (30) day period following the date of the regular cycle of tax distribution by Sumner County to the other taxing units, a tax rebate in the amount of the tax increment (less an administrative fee as specified in the Contract Agreement) will be made to the owner. The tax rebate will be made by the Sumner County Treasurer through the Neighborhood Revitalization Fund established in conjunction with the other taxing units participating in a Contract Agreement, subject to provisions on Part 7.

PART 10

STATEMENT SPECIFYING REBATE FORMULA

Program Period:

The Neighborhood Revitalization fund and tax rebate incentive program shall be for a period of 10 years beginning on July 1, 2014 and expiring on June 30, 2024. At the end of 10 years, the taxing entities will review the plan and determine its continuation. Those applications approved during the 10 year period will continue to receive tax rebates for the full five (5) years following the completion of the project, however will be subject to legislative changes in the law. **Taxing entities wishing to begin their participation or withdraw from the Neighborhood Revitalization Program may be added or withdrawn by giving 60 day notice to the County Clerk's Office by July 1 and would be effective the following tax year. If the Neighborhood Revitalization Plan is repealed or the rebate criteria changed, any approved applications shall be eligible for rebates for the remaining term of the rebate provided in the plan.**

Rebate Period:

Residential, Agricultural, Commercial and Industrial rehabilitation or new construction/additions all qualify for the 5 year rebate period except for the Wellington Downtown District and Eastern US 160 corridor, refer to Part 6 Commercial, Industrial and Agricultural exceptions.

Rebate Amount:

Residential, Agricultural, Commercial and Industrial rehabilitation or new construction/additions will be at 95%.

** A fee of a maximum of 10% to remain in the Neighborhood Revitalization Fund to cover administrative costs for managing and monitoring the Plan. The Fund will pay annually the administrative revenue to the Sumner County Commission General Fund less expenses reimbursed to the County Appraiser. The fee will be reviewed annually by the Sumner County Commissioners.

**COUNTY OF SUMNER
NEIGHBORHOOD REVITALIZATION PLAN**

Part 1 (A)

APPLICATION FOR TAX REBATE

(A non-refundable \$100.00 application fee must accompany this application.)

*****A COPY OF BUILDING PERMIT IS REQUIRED BEFORE COUNTY CAN ACCEPT APPLICATION *****

*******PICTURES WILL BE TAKEN FRIDAY'S AFTER APPLICATION IS RECEIVED*******

Application Number _____ Cama Parcel ID Number _____

Owner/List of Owners's Name _____

_____ Phone No: _____

Owner's Mailing Address _____

Address of Property _____

Legal Description of Property _____

.....
PROPOSED PROPERTY USE

Residential: ☐ New ☐ Rehab ☐ Rental or ☐ Owner-Occupied
 ☐ Residence ☐ Other (Explain) _____
 ☐ Single Family ☐ Multi-Family Number of Units _____

Commercial: ☐ New ☐ Rehab ☐ Rental ☐ Owner-Occupied

Industrial: ☐ New ☐ Rehab ☐ Rental ☐ Owner-Occupied

Agriculture: ☐ New ☐ Rehab ☐ Rental ☐ Owner-Occupied

.....
Does this Applicant own the land? _____ Yes _____ No

Will it be permanently attached to the property? _____ Yes _____ No

I have read and do hereby agree to follow all application procedures and criteria. I further understand that this application will be void one year from the date below if improvements or construction has not begun on this project. I further agree to complete the questionnaire (s) attached to this application.

_____ Date _____
Signature of Owner

TAX STATUS VERIFIED

CURRENT

DELINQUENT

REAL ESTATE

☐

☐

PERSONAL PROPERTY

☐

☐

SPECIAL ASSESSMENTS

☐

☐

SIGNATURE OF SUMNER COUNTY TREASURER PERSONNEL

DATE _____

PART 2 - CONSTRUCTION PHASE DATA

APPLICATION NUMBER _____ CAMA PARCEL ID NUMBER _____

GENERAL

Please check one of the following that best describes the construction of your property.

☐ All Contractor built (turn key) ☐ Pre-built home moved on site ☐ Modular home

☐ Contractor built with owner participation ☐ All owner built ☐ Other _____

Amount of owner participation _____ Hours _____ Percent of project _____ Value _____

NEW RESIDENTIAL

Story height _____ Basement size _____ Heating and cooling _____

Sq. foot finished living area – basement _____ Ground floor _____ Upper floor _____

No. of bedrooms _____ No. of bathrooms _____ Sq. foot of unfinished area _____

Garage size _____ ☐ attached ☐ detached

RESIDENTIAL REMODEL

Sq. foot of living area added _____ ☐ Basement ☐ Ground floor ☐ Upper floor

Rooms to be remodeled (Please mark all that apply)

☐ living room ☐ bedroom ☐ bath ☐ kitchen

☐ dining room ☐ basement ☐ other _____

Rooms to be added (Please mark all that apply)

☐ living room ☐ bedroom ☐ bathroom ☐ kitchen

☐ dining room ☐ basement ☐ other _____

AGRICULTURAL

Type of building _____ Use of building _____

Building dimensions _____ Exterior wall material _____

Location of building _____

COMMERCIAL

Type of building _____ Use of building _____

Size of building _____ Wall height _____ Exterior wall material _____

AGRICULTURAL or COMMERCIAL REMODEL

Area to be remodeled _____ Type and use of Building _____

Materials \$ _____ Labor \$ _____ Total Cost \$ _____
Must be over \$5000 to qualify for rebate

PLEASE RETAIN ALL CONSTRUCTION RECEIPTS AS THEY MAY BE REQUESTED AT A LATER DATE IF NEEDED

**COUNTY OF SUMNER
NEIGHBORHOOD REVITALIZATION PLAN**

Part 3

CONSTRUCTION PROGRESS /PERCENT COMPLETE STATUS

(To be filed with County Appraiser on or before December 1)

Application Number _____ Cama Parcel ID Number _____

Owner's Name _____

Owner's Mailing Address _____

Address of Property _____

Date of Original Application _____

_____ % complete as of December 1 following commencement.

_____ Date construction project applied for was considered complete.

.....

CLOSING TAX STATUS

TAX STATUS VERIFIED	CURRENT	DELINQUENT
REAL ESTATE:	()	()
PERSONAL PROPERTY	()	()
SPECIAL ASSESSMENTS	()	()
_____ Signature of Sumner County Treasurer Personnel		_____ DATE

SIGNATURE OF OWNER

DATE

SUMNER COUNTY 2014 NEIGHBORHOOD REVITALIZATION PLAN
PARTICIPATING ENTITIES
ALL ENTITIES EFFECTIVE July 1, 2014, UNLESS OTHERWISE NOTED

Cities

Argonia
Belle Plaine
Caldwell
Conway Springs
Mayfield
Mulvane
Oxford
South Haven
Wellington

Townships

Bluff
Caldwell
Chikaskia
Conway
Creek
Guelph
Morris
Oxford
Seventy-six
South Haven
Springdale
Valverde

School Districts

USD-263 (Mulvane)
USD-264 (Clearwater)
USD-331 (Kingman-Norwich)
USD-353 (Wellington)
USD-356 (Conway Springs)
USD-357 (Belle Plaine)
USD-358 (Oxford)
USD-359 (Argonia)
USD-360 (Caldwell)
USD-463 (Udall)
USD-509 (South Haven)

Fire Districts

Fire #4
Fire #7
Fire #8
Fire #11
Fire #12

Cemetery Districts

Corzine
Mulvane-Littleton
Oxford
Pleasant Hill

Hospital/Health Care Districts

Chikaskia Health Care
Norwich Hospital District #1

Sewer Districts

Suppesville Sewer

Drainage Districts

Other Miscellaneous Districts

South Central Library System

Needs to adopt inter local agreement

Agenda Section - Mulvane Housing Authority

Mulvane Housing Authority
April 1, 2024

TO: Mulvane Housing Authority
FR: City staff
RE: Quad County Manor Business
ACTION: **Recess council meeting and convene as MHA. Take action.**

Background:

The City Council serves as the Mulvane Housing Authority (MHA). The primary purpose of the Housing Authority was to oversee the 23-unit Quad County Manor Section 8 housing complex. QCM was built in the 1980s with a USDA Rural Development loan.

MOTION to recess the City Council Meeting and convene as the Mulvane Housing Authority.

MOTION to approve the Mulvane Housing Authority Meeting minutes dated 10/2/23 and 12/4/23.

MOTION to accept/reject the General Incentive Offer from USDA Rural Development regarding the prepayment of loan.

MOTION to adjourn the Mulvane Housing Authority meeting and reconvene the regular City Council meeting of 4-1-24.

MULVANE HOUSING AUTHORITY

10/2/23

Meeting Minutes

Present: Shelly Steadman, Tim Huntley, Nancy Farber Mottola, Brent Allen, Kurtis Westfall, Kevin Cardwell.

The City Council serves as the Mulvane Housing Authority (MHA). The primary purpose of the Housing Authority was to oversee the 23-unit Quad County Manor Housing Complex.

MOTION by Mottola, second by Huntley to recess the City Council meeting and convene as the Mulvane Housing Authority.

MOTION approved unanimously.

MOTION by Mottola, second by Cardwell to approve the Mulvane Housing Authority meeting minutes dated 9/6/23.

MOTION approved unanimously.

MOTION by Cardwell, second by Westfall that the MPHA approve the Real Estate Purchase Agreement between Mulvane Public Housing Authority and Larry Beck for the sale of Quad County Manor property at 605 E. Main in Mulvane; authorize the Chair and Secretary to sign the Real Estate Purchase Agreement, deed, assignments, and all other documents necessary to consummate the sale; and authorize the Chair, Secretary, and City Staff to take all actions necessary to consummate the sale.

MOTION approved unanimously.

MOTION by Mottola, second by Allen to adjourn the MHA meeting and reconvene the regular City Council meeting.

MOTION approved unanimously.

Minutes by:

Debra M. Parker, Secretary

MULVANE HOUSING AUTHORITY

12/4/23

Meeting Minutes

Present: Shelly Steadman, Tim Huntley, Nancy Farber Mottola, Brent Allen, Kurtis Westfall, Kevin Cardwell.

The City Council serves as the Mulvane Housing Authority (MHA). The primary purpose of the Housing Authority was to oversee the 23-unit Quad County Manor Housing Complex.

City Attorney, J.T. Klaus, advised that USDA compliance paperwork was just received and could be approved tonight by the Mulvane Housing Authority for the sale of Quad County Manor. The MHA would need to authorize the prepayment of the loan and authorize the Chairperson to apply to the Lender to request approval for the prepayment.

MOTION by Allen, second by Mottola to recess the regular City Council Meeting and convene as the Mulvane Housing Authority.

MOTION approved unanimously.

MOTION by Mottola, second by Huntley to approve Resolution No. 2023-MHA-1 to authorize the Mulvane Housing Authority to prepay a certain loan.

MOTION approved unanimously.

RESOLUTION NO. 2023-MHA-1

A RESOLUTION OF THE GOVERNING BODY OF THE MULVANE PUBLIC HOUSING AUTHORITY TO PREPAY A CERTAIN LOAN.

MOTION by Mottola, second by Cardwell to adjourn the Mulvane Housing Authority meeting and reconvene as the Mulvane City Council.

MOTION approved unanimously.

Minutes by:

Debra M. Parker, Secretary



Rural Development

Wilma I Marconnet
Branch Chief,
Portfolio Management Branch
Multifamily Asset
Management Division

USDA Rural Development
PO Box 771340
St. Louis, MO 63177

Telephone: (785) 207-1163

March 20, 2024

Mulvane Public Housing Authority
Brent Allen, Chairperson
211 N. 2nd Ave.
Mulvane, KS 67110

RE: Prepayment Request

Dear Borrower:

This letter is to notify you that in response to your request to prepay your multifamily housing loan, the Rural Housing Service (RHS) is prepared to develop an incentive offer to avert prepayment and keep the housing in the program that would include the incentives found in RD Instruction 3560. The incentive could include:

- Rental Assistance
- An increased annual return on investment
- Release of excess reserves
- Conversion or modification of interest credit

If you accept a specific incentive package, you will be required to execute a "Restrictive Use Covenant" that will obligate you and any successors in title to restricting the use of your housing to very-low, low- and moderate-income tenants for a period of 20 years from the date the incentives are closed. This incentive package will be a one-time offer.

If you accept this general incentive offer, a capital needs assessment (CNA) and an appraisal will be required. Additional guidance will be provided for the development of both the capital needs assessment and the appraisal. Once received, a Specific Incentive Office (SIO) may be developed. [7 CFR 3560.656(a)] You have until April 20, 2024, to accept or reject this General Incentive Office (GIO) in writing.

If you reject the development of an incentive offer, the RHS will make a determination of the need for affordable housing in the area your housing serves and of the impact of prepayment on your tenants and the local market. Depending on the outcome of that determination, you may be able to prepay with use restrictions to protect the current tenants that reside in the units on the day of payoff.

Please consider this offer, and if you have any questions, please contact Julie Hanieski at 413-253-4312 Your response must be postmarked or emailed no later than April 20, 2024.

Sincerely,

 Digitally signed by
WILMA MARCONNET
Date: 2024.03.20
07:09:51 -06'00'

Wilma I Marconnet
Branch Chief, Portfolio Management Branch
Multifamily Asset Management Division
Rural Housing Service

cc: Susan Tetil, Team Lead, Field Operations Division
Chris York, Field Operations Division

Enclosure: Acknowledgement of General Incentive Offer and Response

ACKNOWLEDGEMENT OF GENERAL INCENTIVE OFFER AND RESPONSE

Quad County Manor Apts.

I am in receipt of the General Incentive Offer (GIO) from the Rural Housing Service (RHS) dated March 20, 2024. I understand that if I accept the offer to develop a specific offer, the incentives that may be offered to avert prepayment and keep the housing in the program include:

- Rental Assistance
- An increased annual return on investment
- Release of excess reserves
- Conversion or modification of interest credit

I hereby declare that I have the authority to accept or reject this general incentive offer on behalf of all individuals and entities that have an ownership interest in this project.

I have made the following determination:

CHECK ONLY ONE OPTION

- ☐ I WILL ACCEPT THE GENERAL OFFER. Please develop a Specific Incentive Offer (SIO).
- ☐ I AM REJECTING THE GENERAL OFFER. Please continue to process my request to pay the mortgage in full.

SIGNED BY: _____

DATE: _____

BRENT ALLEN, Chairperson

Mulvane Public Housing Authority

ATTESTED BY: _____

DATE: _____

DEBRA M PARKER
Secretary

**CITY COUNCIL MEETING
MULVANE, KANSAS**

April 1, 2024

TO: The Honorable Mayor and City Council
SUBJECT: Engineer's Report on Infrastructure Projects
FROM: Christopher R. Young, PE, City Engineer
ACTION: Status Updates on City Infrastructure Projects

Outlined below is a list of City projects currently under design, review, and/or construction followed by a brief status report for each project.

Project Name/Description	Project Status
Phase 2 Main A Sanitary Sewer Improvements (Bond Issue funding)	<p><u>Completed to Date:</u> The Contractor has completed construction installations to First Street and on March 27th began installing barricades for the First Street detour. Advanced traffic notification signs were posted and the Contractor has indicated they will be providing notifications to adjacent property owners of the pending work.</p> <p><u>Remaining Work:</u> Complete sewer installations across First St., repair street paving and re-open First St. Continue installations from Walnut St. to Poplar St. (along the west side of Styx Creek.</p> <p><u>Contract Status:</u> APEX's current contract amount for the Phase 2 Main SS project is \$1,161,060.00. Pay applications to date total \$167,259.18 (14.4% of the contract amount).</p>
GIS Mapping Updates (Administration Operating Budget)	<p><u>Completed to Date:</u> The City received two proposals for the GIS mapping project; SAM (Managed Geospatial Services) and BHC (Brungardt Honomichl & Company, P.A.) Both firms demonstrated acceptable knowledge and experience on similar GIS projects and provided all documents requested in the RFP. Cost proposals from SAM were estimated at \$24,400.00 and BHC's cost proposal ranged from an estimated \$95,000 to \$130,000. City staff met to discuss the proposals and recommends the City begin negotiating with SAM on an agreement for the GIS project.</p> <p><u>Remaining Work:</u> Pending City Council's consensus to award the project to SAM, staff will meet with SAM to confirm the scope of work, fees and schedule for completing the work. SAM would then prepare an agreement for City review/approval.</p> <p><u>Contract Status:</u> TBD based on the City Attorney's review of the agreement.</p>
Phase 1 Harvest Point Addition Infrastructure (Municipal Bonds)	<p><u>Completed to Date:</u> Water Line plans have been completed and sent to KDHE for approval. Sanitary Sewer plans and permit application have been completed. Pending City approval plans and signed permit will be sent to KDHE. Plans for Bid Package No. 1, including Mass Grading and Detention Ponds, Sanitary Sewer, Storm Sewer and Water Line plans are approx. 95% complete.</p> <p><u>Remaining Work:</u> Submit/review final plans with Public Works and set bid date.</p> <p><u>Contract Status:</u> An engineering services agreement and estimated timeline for design and construction oversight was presented and approved by the City Council on 12/3/23.</p>
West Main Street Drainage Improvements (Special Sales Tax)	<p><u>Completed to Date:</u> In June of 2019, design plans were prepared to replace an existing storm sewer inlet located at the west end of Main Street (adjacent to the NW corner of the "Empire Taco" building). Opening dates for the restaurant, COVID and project scheduling issues placed the bid phase on hold.</p> <p><u>Remaining Work:</u> Prepare bid documents, bid and construct the drainage improvements. Establish bid date with Public Works and advertise the project for bids.</p> <p><u>Contract Status:</u> TBD based on bids received.</p>

Agenda Section - Attorney

April 1, 2024 Executive Session Script

BEFORE:

Mayor: I would entertain a motion to recess this meeting to an Executive Session for the purpose of:

- (1) Justification - Discussion of matters pertaining to nonelected personnel pursuant to K.S.A. 75-4319(b)(1);
- (2) Purpose – Discussing personnel issues.

For a period not to exceed 15 minutes, said regular meeting to reconvene in open session at approximately _____ p.m.

Said Executive Session to include the Mayor, City Council, City Administrator, and the City Attorney.

Motion by _____, second by _____, Vote.

AFTER:

Mayor: I would now entertain a motion to reconvene the regular meeting of the City Council.

Motion by _____, second by _____ to reconvene the City Council meeting.
Motion approved unanimously.

Mayor: Let the record reflect that no decisions were made during the Executive Session.

NEXT AGENDA ITEM

City of Mulvane Utility Bills

Due: 4/05/24

				Electric Production	Electric Distribution	Water	Sewer Plant	Sewer System	Admin	Police	Street	Park	Sports Complex	Fire	Ambul 1	Ambul 2	Pool		
ES Building - 910 E. Main	01-3665-02	\$	763.84											\$ 381.92	\$ 381.92			\$ 763.84	
Splash Park- 105 W. Main	04-0720-00	\$	347.34									\$ 347.34						\$ 347.34	
Band Shell - 117 E. Main	04-8770-01	\$	12.99									\$ 12.99						\$ 12.99	
Main St. Park - 117 E. Main	04-8780-01	\$	1.25									\$ 1.25						\$ 1.25	
Pix Center - 101 E Main	04-8800-02	\$	175.65									\$ 175.65						\$ 175.65	
Public Works Building - 410 W. Bridge	05-0001-02	\$	875.43	\$ 109.43	\$ 109.43	\$ 218.86					\$ 437.72							\$ 875.43	
Public Works Building #2 - 410 W Bridge	05-0002-00	\$	562.49								\$ 562.49							\$ 562.49	
Water Pump #3 - 211 N. Second	05-0005-02	\$	18.35			\$ 18.35												\$ 18.35	
Maintenance Shop - 124 Boxelder	05-0015-02	\$	679.52	\$ 67.95	\$ 67.95	\$ 67.95	\$ 67.95	\$ 67.95			\$ 339.76							\$ 679.52	
Utility Shop - 120 Boxelder	05-0025-02	\$	1,170.99	\$ 195.17	\$ 195.17	\$ 390.33	\$ 195.17	\$ 195.17										\$ 1,170.99	
Lift Station - 0 Industrial Dr.	05-0070-02	\$	9.12					\$ 9.12										\$ 9.12	
Sewage Disposal Plant - 1441 N. Pope Dr.	05-0098-01	\$	3,655.29				\$ 3,655.29											\$ 3,655.29	
2011 Sewage Disposal Plant - 1441 N. Pope Dr.	05-0099-01	\$	5,547.53				\$ 5,547.53											\$ 5,547.53	
Sewer Chemical Injection - 1441 N. Pope Dr.	05-0101-01	\$	364.17					\$ 364.17										\$ 364.17	
Sewage Disposal Head Works - 1441 N. Pope Dr.	05-0102-01	\$	1,667.55				\$ 1,667.55											\$ 1,667.55	
Sewer Vehicle Storage - 1441 N. Pope Dr.	05-0103-01	\$	1,137.64				\$ 1,137.64											\$ 1,137.64	
Water Treatment Plant - 100 N. Oliver	05-0150-01	\$	105.98			\$ 105.98												\$ 105.98	
Lift Station -1900 N Rock Road - B	05-0605-01	\$	21.43					\$ 21.43										\$ 21.43	
Water Tower - 1420 N. Rock Road	05-0770-01	\$	7.98			\$ 7.98												\$ 7.98	
E.S. & Police - 1420 N. Rock Road	05-0772-01	\$	7.75							\$ 3.88				\$ 1.94	\$ 1.94			\$ 7.75	
North Sub Station - 8100 E. 111th St. So.	05-0800-03	\$	1.25	\$ 1.25														\$ 1.25	
Sports Complex Concession - 955 E. 111th St. So.	05-0900-01	\$	380.21										\$ 380.21					\$ 380.21	
Sports Complex - 955 E. 111th St. So.	05-0910-01	\$	13.23										\$ 13.23					\$ 13.23	
Swimming Pool - 990 E. 111th St. So.	05-0915-01	\$	320.53														\$ 320.53	\$ 320.53	
Water Reservoir - 9903 E. 111th St. So.	05-0950-01	\$	2,354.77			\$2,354.77												\$ 2,354.77	
Dog Shelter - 9903 E. 111th St. So.	05-0960-01	\$	22.80							\$ 22.80								\$ 22.80	
City Building - 211 N. Second	06-9955-01	\$	567.44						\$ 567.44									\$ 567.44	
City Building - 211 1/2 N. Second	06-9960-01	\$	49.15						\$ 49.15									\$ 49.15	
Parks Department - 507 N. First	12-7500-02	\$	22.25									\$ 22.25						\$ 22.25	
Parks Department - 507 N. First	12-7550-02	\$	74.00									\$ 74.00						\$ 74.00	
Parks Department - 507 N. First	12-7600-01	\$	69.10									\$ 69.10						\$ 69.10	
SW Lift - 0 Rockwood/Circle Dr.	15-7950-01	\$	139.57					\$ 139.57										\$ 139.57	
Lift Station - 0 Trail Dr.	16-7975-01	\$	27.02					\$ 27.02										\$ 27.02	
Ambulance #2 - 911 Kansas Star Dr.	25-4040-01	\$	36.20													\$ 36.20		\$ 36.20	
Police Department-420 E Main	01-1680-04	\$	29.23							\$ 29.23								\$ 29.23	
Police Department-410 E Main	01-1690-07	\$	710.98							\$ 710.98								\$ 710.98	
		\$	21,950.02	\$ 373.80	\$ 372.55	\$3,164.22	\$12,271.13	\$ 824.43	\$ 616.59	\$ 766.89	\$1,339.97	\$ 702.58	\$ 393.44	\$ 383.86	\$ 383.86	\$ 36.20	\$ 320.53	\$21,950.02	\$21,950.02
101-01-511		\$	616.59																
101-02-511		\$	2,435.99																
101-03-511		\$	383.86																
101-04-511		\$	766.89																
101-18-511		\$	36.20																
101-18-511		\$	383.86																
220-00-511		\$	320.53																
511-09-511		\$	373.80																
511-10-511		\$	372.55																
512-13-511		\$	3,164.22																
513-11-511		\$	12,271.13																
513-12-511		\$	824.43																
		\$	21,950.02																