

**MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES**

June 16, 2025

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:** Grant Leach, Trish Gerber, Tim Huntley, Kurt Westfall, Todd Leeds.

**OTHERS PRESENT:** Austin St. John, Debbie Parker, J. T. Klaus, Joel Pile, Mike Robinson, Chris Young.

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

**APPROVAL OF REGULAR MEETING MINUTES:**

MOTION by Leach, second by Huntley to approve the Regular meeting minutes dated June 2, 2025.

MOTION approved unanimously.

**CORRESPONDENCE:**

Councilmember Westfall was contacted regarding a Patriot's Baseball Player stepping into a hole on the field and twisting his ankle. The citizen asked if there were any classes city staff can take for grooming the fields. It was advised that per the Facility Use Agreement the team is responsible for maintaining the field. City staff will contact the Patriot's General Manager.

Councilmember Westfall was asked if roosters were allowed in the City limits. There was discussion regarding the number of pets allowed per household and having chickens in town.

Mayor Allen asked about a missing stop sign at 111<sup>th</sup> and Webb Rd. This has been taken care of.

Mayor Allen had a complaint regarding a hotrod vehicle under a tarp at a residence on First St. Mayor Allen spoke with the resident regarding clean-up of the property.

**PUBLIC COMMENTS:** None

**APPOINTMENTS, AWARDS AND CITATIONS:** None

**OLD BUSINESS**

**1. Farm Lease Agreement:**

On June 2, 2025 the City Council accepted the proposal from a local farmer, Buck Reusser, in the amount of \$1,475.50/year to farm the 22.7 acres of the City property at the NW corner of Webb Road and 111<sup>th</sup> St. commonly known as "the Rivers Property" and instructed the City Attorney to draft a Farm Lease Agreement. The Agreement is the same as the previous agreement, allowing

for two (2) payments per year. The Agreement has been prepared and is now ready for council review and approval.

MOTION by Leeds, second by Gerber to approve the farm lease as prepared by the City Attorney with Buck Reusser in the amount of \$1,475.50/year, to farm the 22.7 acres of the City property at the NW corner of Webb Road and 111<sup>th</sup> St. commonly known as “the Rivers Property” and authorize the Mayor to sign.

MOTION approved unanimously.

## **2. Selection of Electric Provider for 1337 E. 146<sup>th</sup> Ave. N:**

On April 7, 2025, the City Council approved Ordinance No. 1596 annexing the property at 1337 E. 146<sup>th</sup> Ave. N. into the City of Mulvane. On April 21, 2025, the City Council approved Resolution No. 2025-3 setting the date, time, and place of a public hearing regarding the selection of an Electric Service Provider for the property. When a city annexes land located within the certified territory of a retail electric supplier, the city is required to hold a public hearing to consider and evaluate the statutory factors before selecting a retail electric provider for the newly annexed property. The City Council held the Public Hearing on June 2, 2025.

At the June 2, 2025 meeting, the council tabled the approval of the Resolution until additional information could be provided on the associated costs. The current electric provider is Evergy Inc. It was noted that the City’s cost to provide service for the property would be approximately \$2,400. Klaus contacted Evergy’s attorney to try and determine if Evergy would be open to allowing Mulvane to be the electric provider and what Evergy’s cost would be, along with any associated fees.

Klaus also tried to contact Dylan Cox with Evergy. There has been no reply from either party regarding any buy-out costs or associated fees. Klaus asked if the council wished to table the item again, to see if he received a response. A new Resolution has been prepared. If the council determines Evergy is the most appropriate provider for electric service, they can approve the Resolution and Evergy will be notified of the council’s decision. Councilmember Leach wished to have more information before making a decision.

MOTION by Huntley, second by Westfall to adopt and approve Resolution No. 2025-4 and select Evergy Inc. as the retail electric supplier for the Property annexed by Ordinance 1596.

MOTION approved 3 -2 with Leach and Leeds opposed.

## **RESOLUTION NO. 2025-4**

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MULVANE, KANSAS PROVIDING NOTICE OF LAND ANNEXATION AND EXTENSION OF FRANCHISE TO ELECTRICITY SERVICE SUPPLIER, AS REQUIRED BY K.S.A. 66-1,176.

## **NEW BUSINESS**

None

## **ENGINEER**

### **1. Main “A” Sanitary Sewer Improvements Phase 3 – Change Order #3 – Apex:**

The Public Works Department has requested a change order for the Main “A” Sanitary Sewer Phase 3 Project. The change order is to replace the full width of pavement on Third Street from the south side of Mulvane St. to the north side of Emery St. The request was made based on the poor condition of the existing pavement. The cost of the additional work and materials totaled \$66,895.00. Since the full street replacement will be used, the concrete cap over the trench will be eliminated, creating a reduction of \$3,296.43. The total amount of the change order will be \$63,598.57.

MOTION by Leach, second by Westfall to approve Change Order No. 3 with Apex Excavating, LLC in the amount of \$63,598.57 and authorize the City Administrator to sign.

MOTION approved unanimously.

### **2. Engineering Agreement Main “A” Sanitary Sewer Improvements Phase 4:**

Apex Excavating is scheduled to complete Phase 3 of the Main “A” Sanitary Sewer Improvements in July. Apex asked if the City was interested in negotiating a price for Phase 4. The City was interested in receiving a preliminary cost which could save remobilization costs and expedite completion of the Main “A” Improvements. Young has prepared preliminary plans for Phase 4 and has been working with Apex on cost estimates.

An agreement for engineering services associated with Phase 4 of the Main “A” project has been prepared and includes preparation of Bid Documents, Bid Phase Services and Construction Administration/Oversight Services for a total amount not to exceed \$77,700.00.

MOTION by Huntley, second by Leach to approve an engineering services agreement with Young & Associates, PA for Phase 4 Main “A” Sanitary Sewer Improvements as presented.

MOTION approved unanimously.

### **3. Styx Creek Boundary Survey:**

As part of the Drainage Study of Styx Creek recommendations were made to reconstruct Styx Creek from the Arkansas River to Bridge St. The Drainage Study recommends improving the downstream portion of Styx Creek as a first phase to improving drainage in the creek. City staff requested proposals from experienced surveyors for a property boundary survey to establish the location of the western line of the existing BNSF rail right-of-way as it extends south from K-53 Highway to the Arkansas River. The intent is to establish the location of the rail limits for future reference when considering drainage improvements to benefit the City. The area will be evaluated for future drainage improvements after the rail boundary is established. The City’s long-term goal would be to increase the capacity of stormwater in Styx Creek.

Two (2) proposals were received.

Professional Engineering Consultants (PEC) - \$61,200

Brungardt Honomichl & Company P.A. (BHC) - \$19,500

BHC provided an additional alternate price of \$18,000 to include topographical information west of the rail to the existing regulatory floodway limits along the rail corridor. BHC believes this data is relevant and will be instrumental in the city’s ability to effectively evaluate drainage solution options.

Staff recommends the City Council select BHC to prepare an agreement for surveying services for review and approval. It was the consensus of the council to proceed with the preparation of the agreement with BHC.

#### **4. Project Review and Update:**

Main “A” Sanitary Sewer Improvements Phase 3 – Apex continues SS installation in Third St. Final plans are being prepared for Phase 4.

Phase 1 Harvest Point – A final walk-through inspection of street improvements has been conducted. Kansas Paving has been issued a certificate of substantial completion. Kansas Paving and McCullough Excavation are working on their punch-list items.

Emerald Valley Estates 2<sup>nd</sup> Addition – McCullough Excavation is finishing grading work. Pearson Construction has started paving work.

English Park Pedestrian Bridge – Final plans and bid documents are being prepared for City staff review.

Water Distribution System Study – City provided record information on water usage. Work continues on water modeling data entry.

### **LAND BANK**

MOTION by Huntley, second by Westfall to recess the June 16, 2025 City Council meeting and convene as the Mulvane Land Bank.

MOTION approved unanimously.

MOTION by Leach, second by Westfall to approve the May 5, 2025 Land Bank Trustee meeting minutes.

MOTION approved unanimously.

MOTION by Westfall, second by Gerber to approve the invoice from Triplett Woolf Garretson Law Firm for \$1,500 for Land Bank matters.

MOTION approved unanimously.

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

MOTION approved unanimously.

### **CITY STAFF**

**City Clerk:** None

**City Administrator:**

**1. Financial Report for May:** The financial report was provided for council review.

**City Attorney:** J. T. Klaus provided answers to the correspondence earlier in the meeting. No roosters are allowed in the City limits. A total of three (3) animals are allowed per premises.

Chicken Coops etc. would need to be kept at least 50 feet away from any personal occupied structure.

**CONSENT AGENDA ITEMS:**

MOTION by Leach, second by Gerber to approve consent agenda items 1-6.

1. Payroll Dated 6/6/25 - \$272,797.18
2. Warrant Register for May - \$2,486,561.16
3. 300 KVA Padmount Transformer from Stanion Wholesale - \$39,016.60
4. Purchase of Type II Slurry Chat from Williams Diversified Materials - \$22,000.00
5. Purchase of Sodium Hydroxide and Ferric Chloride from Brenntag - \$25,700.00
6. Pay Appl. #2 from Kansas Paving for Harvest Point Addition - \$18,500.40

MOTION approved unanimously.

**ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:**

Mulvane Community Area Transit (MCAT) Soft Opening (By Invitation Only) Friday, June 20<sup>th</sup>  
4:00 – 5:00 p.m.

MCAT Community Grand Opening Monday, June 30<sup>th</sup> 10:00 – 11:30 a.m.

Council Budget Workshop – Monday, June 23, 2025 – 6:00 p.m. at the Mulvane Public Library.

Next City Council Meeting – Monday, July 7, 2025 – 6:00 p.m.

**ADJOURNMENT:**

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

MOTION approved unanimously at 6:56 p.m.

Minutes by:

*Debra M. Parker*

Debra M. Parker, City Clerk

Minutes approved by the City Council 7/7/25.