

**MULVANE CITY COUNCIL  
REGULAR MEETING MINUTES**

September 3, 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:** Trish Gerber, Kurtis Westfall, Tim Huntley.

**OTHERS PRESENT:** Austin St. John, Debbie Parker, J. T. Klaus, Joel Pile, Mike Robinson, Chris Young, Gordon Fell, Jacob Coy, Rachael Blackwell, Sydney Thomas, Brian Meier, Paul Garrett, Terry Lane.

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

**APPROVAL OF REGULAR MEETING MINUTES:**

MOTION by Huntley, second by Gerber to approve the Regular meeting minutes dated August 18, 2025.

MOTION approved unanimously.

**CORRESPONDENCE:** None

**PUBLIC COMMENTS:** Public Safety Director, Gordon Fell, advised that Ed Thrush passed away. Thrush was a Deputy at the Sumner Co. Sheriff's office and was a former officer for the City of Mulvane.

**APPOINTMENTS, AWARDS AND CITATIONS:** None

**OLD BUSINESS**

**1. Revenue Neutral Rate and 2026 Budget Public Hearings:**

On July 7, 2025, the City Council voted to set the Revenue Neutral Rate Public Hearing and the 2026 Budget Public Hearing for Wednesday, September 3<sup>rd</sup>, 2025, at 6:00 p.m. at Mulvane City Hall. There will need to be a public hearing to exceed the Revenue Neutral Rate (RNR) as well as a Budget Public Hearing for the purpose of hearing and answering objectives of taxpayers related to the proposed use of all funds. Both hearings may take place on the same day and time, but the resolution to exceed the RNR must pass before the budget can be formally adopted.

The RNR is the mill levy rate that would generate the same amount of property tax revenue as the previous year, accounting for changes in property valuations. For the 2026 budget year, the Sedgwick and Sumner County Clerks calculated the RNR for the City at 53.957 mills. The proposed budget exceeds this rate.

Finance Director, Rachael Blackwell, reviewed this item with the City Council and asked if anyone had any further questions about the RNR or Budget prior to the public hearings.

Mayor Allen called to order the public hearing to consider exceeding the Revenue Neutral Rate. This public hearing is being held to allow all interested taxpayers the opportunity to provide oral testimony. Mayor Allen asked if there was anyone present who wished to speak on this matter. There were none.

MOTION by Huntley, second by Westfall to adopt Resolution No. 2025-7 to exceed the Revenue Neutral Rate as presented.

MOTION PASSED BY ROLL CALL VOTE.

The Clerk called the roll call vote.

Trish Gerber Yes

Kurtis Westfall Yes

Tim Huntley Yes

(Councilmembers Grant Leach and Todd Leeds were not present, therefore, having no vote recorded).

#### RESOLUTION 2025 - 7

##### A RESOLUTION OF THE CITY OF MULVANE, KANSAS TO LEVY A PROPERTY TAX RATE EXCEEDING THE REVENUE NEUTRAL RATE.

There being no further business on this item, Mayor Allen closed the RNR public hearing.

Mayor Allen called to order the 2026 Budget public hearing to allow all interested taxpayers the opportunity to provide oral testimony. Mayor Allen asked if there was anyone present who wished to speak on this matter.

Terry Lane at 102 Country Walk, asked the council not to adopt the proposed budget. Lane had concerns regarding the mill levy. City Attorney, J.T. Klaus, explained the RNR and advised that the mill levy for the City remained flat. Assessed valuations come from the County which may have changed.

There being no further business on this item, Mayor Allen closed the 2026 Budget public hearing.

MOTION by Huntley, second by Westfall to adopt the 2026 Annual City Budget as proposed.

MOTION approved unanimously.

#### NEW BUSINESS

##### **1. Agreement with Burns & McDonnell for Water Supply Source Evaluation:**

Public Works/Utility Director, Jacob Coy, reviewed this item with the council. The City continues its ongoing effort toward review, research, and planning for the City's long-term acquisition, transmission, and distribution of its municipal water resources. Burns & McDonnell Engineers have assisted the City with evaluation and construction of its water resources for many years.

The City currently purchases its potable water from the City of Augusta through a wholesale agreement which will expire in 2031. City staff and Burns & McDonnell met with DWR representatives regarding our intent to pursue new water rights or acquire existing irrigation rights.

DWR was receptive, provided the City can demonstrate groundwater availability and river-aquifer interaction consistent with safe yield rules. With the long timeline for securing new water rights, staff recommend beginning the process now.

Burns & McDonnell have submitted a Water Supply Source Evaluation Proposal for \$67,500. The scope of work includes - Project Management; Water Rights Permit Assistance; Assess Existing Augusta Transmission Pipeline Replacement; Well Field Development Narrative and Assessment; Comparative Summary; and Groundwater Model Development and Assessment. Staff recommend approving the agreement with Burns and McDonnell.

MOTION by Gerber, second by Westfall to approve the agreement with Burns & McDonnell and authorize the Mayor to sign the contract documents.

MOTION approved unanimously.

## **2. Adoption of the 2025 UPOC & STO Ordinances:**

Public Safety Director, Gordon Fell, reviewed this item with the council. In 2006, the City of Mulvane revised the then, Mulvane Criminal and Traffic Code into the Uniform Public Offense Code (UPOC), and the Standard Traffic Ordinance (STO). This change allowed the City to adopt the “incorporating” ordinances each year for the revised UPOC and STO, without corrupting existing provisions of the Municipal Code of the City, some of which are unique to the City. The UPOC and STO are updated by the League of Kansas Municipalities each year and are used to standardize the municipal traffic laws and criminal offense code in cities throughout the State.

The Summary of Changes:

2025 UPOC - Amend Section 6.7.2 - Trespassing on a Critical Infrastructure Facility.

2025 STO – New Section 40.3 - Passing a Stationary Vehicle Displaying Hazard or Caution Signals; Amend Section 114.5 - Unlawful Operation of Worksite Utility Vehicle; Amend Section 201.1 – Failure to Comply with Traffic Citation.

MOTION by Huntley, second by Westfall to adopt and approve Ordinance No. 1598 incorporating by reference the “Uniform Public Offense Code for Kansas Cities (41st Edition),” as published by the League of Kansas Municipalities in 2025.

MOTION approved unanimously.

## **ORDINANCE NO. 1598**

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CITY OF MULVANE, KANSAS; INCORPORATING BY REFERENCE THE UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES (41st EDITION), AS PUBLISHED BY THE LEAGUE OF KANSAS MUNICIPALITIES FOR 2025, WITH CERTAIN MODIFICATIONS; AND AMENDING TITLE II, CHAPTER 210, ARTICLE I, SECTION 210.013 OF THE CODE OF THE CITY OF MULVANE, KANSAS.

MOTION by Huntley, second by Gerber to adopt and approve Ordinance No. 1599 incorporating by reference the “Standard Traffic Ordinance for Kansas Cities (52nd Edition),” as published by the League of Kansas Municipalities in 2025.

MOTION approved unanimously.

## ORDINANCE NO. 1599

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CITY OF MULVANE, KANSAS; INCORPORATING BY REFERENCE THE STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES (52nd EDITION), AS PUBLISHED BY THE LEAGUE OF KANSAS MUNICIPALITIES FOR 2025, WITH CERTAIN MODIFICATIONS; AMENDING TITLE III, CHAPTER 300 OF THE CODE OF THE CITY OF MULVANE, KANSAS.

### **3. Purchase of New City Vehicle:**

Planning and Zoning Director, Joel Pile, reviewed this item with the council. The Community Development Department currently consists of one (1) vehicle, a 2000 Chevy 1500 Truck. This vehicle has many mechanical and maintenance issues, the most recent being the braking system. The vehicle was budgeted for replacement this year.

Bids were received from two (2) dealerships for a basic ¾ ton 4x4 truck:

Hatchett GMC for a new 2025 GMC Sierra 2500HD for \$63,000. This vehicle has a 6-week delivery period.

Mel Hambelton Ford for a new 2024 Ford F-250 for \$46,100. This vehicle is on the lot and is available for immediate delivery.

Pile recommends approving the purchase of the 2024 Ford F-250 SRW 4x4 from Mel Hambelton Ford for \$46,100.

MOTION by Gerber, second by Westfall to approve the bid from Mel Hambelton Ford in the amount of \$46,100 for a 2024 Ford F-250.

MOTION approved unanimously.

## ENGINEER

### **1. Notice to Proceed – PSE Contractors for English Park Pedestrian Bridge:**

On July 21, 2025, the City Council approved a Notice of Award to PSE Contractors, LLC for the Pedestrian Bridge Replacement in English Park. On August 4, 2025, the City Council approved a construction agreement with PSE Contractors, LLC. The total amount of the agreement is \$280,512.50. Staff had a pre-construction meeting with PSE and the Notice to Proceed is ready for council consideration.

MOTION by Huntley, second by Gerber to approve a Notice to Proceed with PSE Contractors, LLC for constructing the Pedestrian Bridge Replacement in English Park and authorize the Mayor to sign.

MOTION approved unanimously.

### **2. Notice to Proceed – Apex Excavating for Phase 4 – Main “A” Sanitary Sewer:**

On July 7, 2025, the City Council approved a Notice of Award to Apex Excavating for constructing Phase 4 of the Main “A” Sanitary Sewer Improvement Project. On August 4, 2025, the City Council approved the construction agreement with Apex Excavating. The total amount of the agreement is \$1,690,445.00 (including Base Bid and Alternate Bid Items). Staff had a pre-construction meeting with Apex and the Notice to Proceed is ready for council consideration.

MOTION by Huntley, second by Westfall to approve a Notice to Proceed with Apex Excavating for constructing Phase 4 of the Main “A” Sanitary Sewer Improvement project and authorize the Mayor to sign.

MOTION approved unanimously.

### **3. Engineer Supplemental Agreement for Harvest Point Addition:**

The completion date for Grading and Utility Improvements in Harvest Point was set for December 30, 2024. The completion date for Street Improvements in Harvest Point was set for February 28, 2025. On April 21, 2025, the City Council approved a supplemental agreement with Young and Associates, P.A., in the amount of \$19,770.00, to address oversight services for the additional construction time.

On August 7<sup>th</sup> all grading work was completed and final payment recommended. Engineering oversight services were extended from April 21<sup>st</sup> to August 7<sup>th</sup> (108-calendar days). Staff recommend approving the supplemental engineering oversight fees in the amount of \$16,734.

MOTION by Huntley, second by Gerber to approve supplemental engineering oversight fees with Young & Associates, P.A. in the amount of \$16,734 for the Harvest Point Addition Phase 1 Infrastructure project and authorize the Mayor to sign.

MOTION approved unanimously.

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

Main “A” Sanitary Sewer Improvements Phase 3 – Apex has completed all Phase 3 SS and MH installations, and all flow has been transferred into the new line. Third Street asphalt pavement is complete. The Contractor is still working on clean-up.

Main “A” Sanitary Sewer Improvements Phase 4 – A pre-construction meeting was conducted on 8/26/25. Apex has submitted shop drawings for MH structures and pipe materials. Working on a traffic control plan for Charles St.

Emerald Valley Estates 2<sup>nd</sup> Addition – McCullough Excavation and Pearson Construction is working on punch-list items including seeding, erosion control and general clean-up.

English Park Pedestrian Bridge – Shop drawings for the pedestrian bridge are anticipated to be submitted by 10/3/25.

Water Distribution System Study – Continuing to receive pressure data to develop and analyze proposed water system improvements.

## **LAND BANK**

MOTION by Westfall, second by Gerber to recess the September 3, 2025, City Council meeting and convene as the Mulvane Land Bank.

MOTION approved unanimously.

MOTION by Gerber, second by Westfall to approve the August 4, 2025, Land Bank Trustee meeting minutes.

MOTION approved unanimously.

MOTION by Gerber, second by Westfall to open a public hearing of the Mulvane Land Bank for the purpose of hearing any and all public comment regarding the 2026 proposed annual Land Bank Budget.

MOTION approved unanimously.

Chair Allen asked if there was anyone present who wished to speak on this matter. There were none.

There being no further business on this item, Chair Allen closed the public hearing.

MOTION by Gerber, second by Westfall to reconvene the September 3, 2025, Regular Land Bank meeting.

MOTION approved unanimously.

MOTION by Huntley, second by Gerber to approve the 2026 annual Land Bank budget as provided.

MOTION approved unanimously.

MOTION by Westfall, second by Gerber 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:** None

**City Attorney:**

**1. Engagement Letter:** City Attorney, J.T. Klaus, has partnered with a new Law Firm, Spencer Fane LLP. Klaus provided a new letter of engagement, which is identical to the one the City previously had with Triplett Woolf and Garretson.

MOTION by Huntley, second by Westfall to approve the letter of engagement with J.T. Klaus, with Spencer Fane Law Firm and authorize the Mayor to sign.

MOTION approved unanimously.

**2. Executive Session:** City Attorney, J.T. Klaus, requested an executive session to discuss matters pertaining to nonelected personnel for a period not to exceed thirty (30) minutes.

MOTION by Huntley, second by Gerber to recess this meeting to an Executive Session for the purpose of discussing matters pertaining to nonelected personnel pursuant to K.S.A. 75-4319(b)(1) for the purpose of discussing personnel issues for a period not to exceed thirty (30) minutes and reconvene at approximately 7:20 p.m. to include the Mayor, City Council, City Administrator, Public Safety Director, and the City Attorney.

MOTION approved unanimously at 6:50 p.m.

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

MOTION approved unanimously at 7:24 p.m.

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

**CONSENT AGENDA ITEMS:**

MOTION by Gerber, second by Westfall to approve consent agenda items 1-4.

1. Payroll Dated 8/29/25 - \$267,380.90
2. City Utility Bills for July - \$24,863.81
3. Purchase of Colored Rubber Mulch from Pro Playgrounds - \$13,799.00
4. Purchase of Chemicals for WWTP from Brenntag - \$25,700.00

MOTION approved unanimously.

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

Next City Council Meeting – Monday, September 15, 2025 – 6:00 p.m.

**ADJOURNMENT:**

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

MOTION approved unanimously at 7:25 p.m.

Minutes by:

*Debra M. Parker*

Debra M. Parker, City Clerk

Minutes approved by the City Council 9/15/25.