

**MULVANE CITY COUNCIL
REGULAR MEETING MINUTES**

April 6, 2026

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: Kurtis Westfall, Tim Huntley, Grant Leach, Terry Lane.

OTHERS PRESENT: Austin St. John, Debbie Parker, J. T. Klaus, Joel Pile, Chris Young, Mike Robinson, Loren Duncan, Crystal Hinnen, Brittany Kruger, Malissa Long, Chris Means, Kaylie Mistretta, Jacob Coy, Nick Ryan, Shanna Smith-Ritterhouse, Ben Sciortino, Michael Rooney, Lisa Rooney, Stephanie Daniel, Andrea Walker, and other interested citizens.

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

APPROVAL OF REGULAR MEETING MINUTES:

MOTION by Leach, second by Westfall to approve the Regular meeting minutes dated March 16, 2026.

MOTION approved unanimously.

CORRESPONDENCE: City Attorney, J.T. Klaus, was connected by two elderly citizens advising that there are no handicapped parking spaces on Main Street. Staff will evaluate spacing for handicap parking and address the issue.

PUBLIC COMMENTS: Andrea Walker had questions regarding the proposed new position for Director of Business & Tourism Development. Walker had concerns about structure, clarity, public funding, and long-term priorities. Walker would like the council to consider how other towns handle this type of position. Before creating a new position, the public deserves a clear explanation of what duties are truly new, what is not being done now, and why those responsibilities cannot be handled within the roles that already exist. Walker would like the council to determine if this position is the best use of Transient Guest Tax funds. Walker indicated there should be a clear job description with an open application process and a fair hiring process, and not one structured for a preferred outcome. Walker requested the council table this item to allow time for more clarity, more comparison, and more public review.

Mulvane Community Foundation Director, Malissa Long, updated the council on the third-year partnership with the Kansas Leadership Center. Because of the high number of participants in leadership training, Mulvane has now reached the second level of the Kansas Leadership Centers 3-tier engagement model. Long encourages registration for Effective Leadership Programs with KLC.

APPOINTMENTS, AWARDS AND CITATIONS:

1. 30 Year Service Award for Loren Duncan: Mayor Allen presented Electric/Water Production Superintendent, Loren Duncan, with a 30 Year Service Award and thanked him for his dedicated service to the City of Mulvane.

OLD BUSINESS

1. Request Approval for Single Engineering Bid for CDBG:

Crystal Hinnen, with Ranson Financial, and Malissa Long, MCF Director, reviewed this item with the council. In 2024, the Mulvane Community Foundation (MCF) and Mulvane Recreation Commission (MRC) began working on a Community Development Block Grant application to help improve ADA accessibility to community businesses. In order to use CDBG funds for engineering, Request for Qualifications must be sent out. A Request for Qualifications (RFQ) was sent to three (3) Engineering Firms. One (1) response was received from Professional Engineering Consultants (PEC).

Since only one response was received, the City must request approval from the Kansas Department of Commerce to move forward with the single bid.

MOTION by Leach, second by Westfall to authorize the Mayor to sign single RFQ response letter to CDBG.

MOTION approved unanimously.

2. Failure of Bond Issue – HB 2745:

City Attorney/Bond Counsel, J.T. Klaus, updated the council on the recent developments regarding the GO Series A, 2026 Bond Issue and HB 2745. The Legislature approved HB 2745 and is awaiting action by the Governor. HB 2745 places limitations on budgets of cities and other issuers of bonds in Kansas. The repayment of general obligation bonds was not exempted from HB 2745 and therefore a limitation is placed on the property taxes that can be levied to repay such bonds, which is critical for cities that have already committed to infrastructure projects funded through general obligation bonds. The bill, if it were to become law, allows taxpayers to petition against local government property tax revenue increases that exceed 3% or a rate adjusted for inflation. If a petition is signed by 10% of qualified voters, the tax increase is blocked. This effectively changes the security for general obligation bonds in Kansas from being backed by “unlimited ad valorem property taxes” to a “limited property tax” backing. The Notice of Bond Sale shared with bidders set forth an expectation that the bond counsel opinion would reference that the City of Mulvane, Kansas, General Obligation Bonds, Series 2026 are backed by “unlimited ad valorem property taxes”.

At the present time, the Governor has not vetoed HB 2745. If the Governor vetoes HB 2745, then the Legislature can override the Governor’s veto with two-third’s legislative approval. The closing for the City’s bond issue was scheduled for Wednesday, April 8, 2026. The veto and veto override process will not be concluded in time for the closing, given that the Legislature is scheduled to return on April 9-10, 2026 to consider potential vetoes by the Governor.

HB 2745 materially changed the information and law shared with bond underwriters and investors and is no longer accurate. This cannot be resolved in time for the scheduled closing or the call of the notes, and this will prevent Bond Counsel from providing an unqualified legal opinion that the City’s General Obligation Bonds are backed by unlimited ad valorem property taxes. Due to these new developments, Stifel, Nicolaus & Co., has cancelled its purchase of the Bonds. The City has returned the Good Faith Deposit to Stifel and the redemption notice for the Series 2024 Temporary Notes has been rescinded.

The delay will increase the interest expense on the outstanding Temporary Notes and this, in turn, increases the Final Project Costs for the benefit district projects. A repeat of the special assessment proceedings will likely take 3-4 months.

NEW BUSINESS

1. Transient Guest Tax Request from Kansas Assoc. of Chiefs of Police:

City Administrator, Austin St. John, reviewed this item with the council. The KACP is hosting their annual Spring Conference in Mulvane from May 4th – 7th at the Kansas Star. The KACP is requesting TGT funds to help support the event.

MOTION by Huntley, second by Leach to authorize the City Administrator to approve the 2026 request from The Kansas Association of Chiefs of Police for Transient Guest Tax Funds in the amount of \$2,000.

MOTION approved unanimously.

2. Accept Dedications to the Final Plat for Firefly Acres:

Planning and Zoning Director, Joel Pile, reviewed this item with the council. Landowner, Gilbert Properties, LLC submitted a plat for a small tract plat outside of the city limits, but within three miles of the city limits. The plat is 37.3 acres with 3 lots. The proposed land use is for rural-type residential single-family homes.

The plat was reviewed by the Subdivision Committee on February 5, 2026, and was approved by the Mulvane Planning Commission on March 9, 2026. 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 Sumner County Commission for review and acceptance of any dedications.

Having reviewed the final plat for Firefly Acres filed as S/D 2026-01:

MOTION by Leach, second by Westfall to accept the dedications, if any, shown on this plat and authorized the Mayor to sign.

MOTION approved unanimously.

3. Creation of New Position for Director of Business & Tourism Development:

Planning and Zoning Director, Joel Pile, reviewed this item with the council and explained the responsibilities associated with the new position and gave a background of how and why the requested position was created. As Mulvane continues to grow and evolve, the City's ability to promote tourism, support local businesses, and conduct local events has become increasingly important to long-term community vitality. Establishing a dedicated position for business and tourism development will provide the structure and resources needed to proactively guide Mulvane's growth. This position focuses on supporting existing businesses, recruiting conventions, managing event logistics, expanding tourism opportunities, and implementing marketing efforts that highlight the City's unique assets to visitors.

The City Council approved Charter Ordinance No. 26 in 2008 which exempted the city from provisions of K.S.A. 12-1697 and provided substitute language for levying a Transient Guest Tax (TGT) of 5%, later raising the TGT to 8% in 2022. In 2011, the City Council granted a priority to request funds from the TGT to the Kansas Star on the first \$3,800,000 for support of conventions, tourism, and activities aimed at attracting overnight guests. It is anticipated that the final payment

of TGT to Kansas Star will occur in 2026 and will fulfill the priority granted. The unobligated revenue generated from the TGT can be reinvested to allow the community to improve visitor amenities, and grow its event calendar to draw additional visitors, which will strengthen the local economy and further boost future TGT revenue. The City will now have more input on what type of events to hold that will benefit the community.

The proposed Director of Business & Tourism Development position would be funded from the Planning & Zoning Departmental Budget which is a component of the General Fund and the TGT Fund. The employee in this position would perform the duties of the Mulvane Chamber of Commerce City Liaison. The Mulvane Chamber of Commerce intends to reduce its FY26 fund request from \$32,000 to \$7,500 because the proposed position would consolidate and enhance its event planning and tourism functions. The estimated annual budget impact for the new position is \$82,500 which includes wages, payroll taxes, and employee benefits.

The City Council advised they still had some questions regarding the new position. Pile welcomed any conversations from the council and advised this is an opportunity to utilize TGT funds. The Mulvane Chamber of Commerce will be requesting their FY26 funding soon, so the council's decision will determine funding requests.

MOTION by Huntley, second by Westfall to take this item off the agenda until further notice.
MOTION approved unanimously.

4. Ordinance Updating Parallel Generation Charges and Interconnection Standards:

City Attorney, J.T. Klaus, reviewed this item with the council. With the adoption of the Substitute for House Bill No. 2149, significant statutory changes to K.S.A. 66-1,184 became effective July 1, 2025, impacting municipal utilities across Kansas. The proposed amending ordinance and revised Interconnection Standards align the City of Mulvane's code and practices with the updated state requirements.

K.S.A. 66-1,184 now provides that a utility shall not impose additional fees, charges, or requirements for parallel generation service unless expressly authorized by statute. As a result, Mulvane must remove the liability insurance requirement from its Interconnection Standards. The updated statute includes a new formula for determining "appropriately sized" parallel generation systems. Mulvane may choose to adopt a more permissive standard allowing greater export capacity; however, the City may not modify the formula in a way that would require a smaller export capacity than what the statute allows. Prior to July 2025, Mulvane was required to allow interconnected customer-owned generation up to 4% of historic peak demand. Mulvane's peak demand in 2025 was 13,486 kW, meaning Mulvane must allow interconnected customer-owned generation up to 539 kW.

The statutory minimum thresholds have now increased as follows:

Beginning July 1, 2025: 6% of historic peak demand.

Beginning July 1, 2026: 7% of historic peak demand.

Beginning July 1, 2027 and thereafter: 8% of historic peak demand.

Mulvane may elect to allow more than these minimums, but state law requires at least these levels. Currently, Mulvane compensates customers for excess generation at 150% of the utility's monthly system average cost of energy. Under the revised statute, compensation may not be set below 100% of the utility's monthly system average cost of energy, which changes monthly.

MOTION by Huntley, second by Westfall to adopt Ordinance No. 1603 and the revised Interconnection Standards in order to bring the City of Mulvane's distributed generation policies and practices into compliance with Kansas State Law.
MOTION approved unanimously.

ORDINANCE NO. 1603

AN ORDINANCE AMENDING ARTICLE IV, ELECTRICAL CHARGES, SECTION 700.361, PARALLEL GENERATION CHARGES, OF THE CODE OF THE CITY OF MULVANE TO INCLUDE REVISED RATES, CHARGES, AND REQUIREMENTS FOR CUSTOMER OWNED DISTRIBUTED ENERGY SYSTEMS.

ENGINEER

1. Project Review and Update:

Main "A" Sanitary Sewer Improvements Phase 4 – All Phase 4 sanitary sewer construction is complete, and wastewater flow has been transferred into the new Main A sanitary sewer. A final walk-through inspection was performed on 3/30/26 and the project was determined to be substantially completed. A list of remaining work items is being prepared.

English Park Pedestrian Bridge – The Contractor has submitted a construction completion schedule that includes bridge abutments, bridge delivery. Project completion is determined to be approximately 5/16/26.

KDOT CCLIP Grant Application – Preliminary field surveys and concept plan development have been completed. A preliminary cost opinion has been prepared and reviewed with City staff.

Styx Creek Flood Mitigation Master Plan – A preliminary draft of the FMMP has been completed and reviewed with City staff.

CITY STAFF

City Clerk: City Clerk, Debra Parker, advised the council that Statement of Substantial Interest forms should be updated on an annual basis between April 15th and 30th. Councilmembers can review their forms on the Sedgwick County Election Office website. Forms will be available at the next City Council meeting for signature.

City Administrator:

City Attorney:

I. Executive Session: City Attorney, J.T. Klaus, requested an Executive Session for a period not to exceed twenty (20) minutes to discuss matters deemed privileged in the attorney-client relationship.

MOTION by Leach, second by Westfall to recess this meeting to an Executive Session to discuss matters deemed privileged in the attorney-client relationship pursuant to K.S.A. 75-4319(b)(2) for

the purpose of consultation with the City Attorney deemed privileged in the attorney-client relationship for a period not to exceed twenty (20) minutes and to reconvene in open session at approximately 7:25 p.m. to include the Mayor, City Council, City Administrator, Public Works Director, and the City Attorney.

MOTION approved unanimously at 7:05 p.m.

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

MOTION approved unanimously at 7:28 p.m.

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

MOTION by Huntley, second by Westfall, to submit a proposal to the KPP Generation Proposal in accordance with staff recommendations.

MOTION approved unanimously.

CONSENT AGENDA ITEMS:

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

1. Payroll Dated 3/27/26 - \$270,596.08
2. City Utility Bills for February-\$22,677.81
3. Purchase of Ferric Chloride from Brenntag for WWTP - \$11,700.00
4. Warrant Register for March - \$1,403,742.52

MOTION approved unanimously.

ANNOUNCEMENTS, MEETINGS, AND NEXT AGENDA ITEMS:

Next City Council Meeting – Monday, April 20, 2026 – 6:00 p.m.

Council Workshop- Monday, April 27, 2026 – 6:00 p.m. at the PIX

ADJOURNMENT:

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

MOTION approved unanimously at 7:30 p.m.

Minutes by:

Debra M. Parker

Debra M. Parker, City Clerk

Minutes approved by the City Council April 20, 2026.