

**MULVANE CITY COUNCIL  
SPECIAL MEETING MINUTES**

December 18, 2024

6:00 p.m.

City Clerk, Debra Parker, read aloud the Request for Special Council Meeting for Wednesday, December 18, 2024, at 6:00 p.m. for the object and purpose of conducting City Business per the Agenda dated December 18, 2024, to include Appointments, Awards and Citations, Old Business, New Business, Engineer Report, City Staff Report, and Consent Agenda as attached. Requested by: Councilmembers Kurtis Westfall, Tim Huntley, and Grant Leach. (Agenda attached to the Request for Special Council Meeting).

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 Special Meeting to order.

**COUNCIL MEMBERS PRESENT:** Tim Huntley, Grant Leach, Todd Leeds, Kurtis Westfall.

**OTHERS PRESENT:** Austin St. John, Debra Parker, Chris Young, Joel Pile, Gordon Fell, Malissa Long, Kaylie Mistretta, Michael Gerber, Kendra Stacey, Nancy Armstrong, Lowell Ester, Catlin Martin, Ben Pile, Gary Brownlee, Bobby Kimble.

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

**APPROVAL OF REGULAR MEETING MINUTES:**

MOTION by Huntley, second by Westfall to approve the Regular meeting minutes dated December 2, 2024.

MOTION approved unanimously.

**CORRESPONDENCE:** None

**PUBLIC COMMENTS:** None

**APPOINTMENTS, AWARDS AND CITATIONS:**

**1. Employee of the Month:**

Public Works/Utility Dept. employees Travis Patterson and Ben Pile were nominated by a citizen (Deb Lankard) for Employee of the Month for the service they provided in repairing a water leak. Mayor Allen presented Pile with an Employee of the Month Award and thanked him for his dedicated service. Patterson was not present.

**2. Service Awards for Volunteer Firefighters:**

Public Safety Director, Gordon Fell, presented a 30-year service award to Lowell Ester and Bobby Kimble, and thanked them for their dedicated service to the Fire Department and the City of Mulvane. Joe McDaniel was not present to accept his 25-year service award. Mayor Allen expressed his thanks to the recipients of this special award.

**OLD BUSINESS**

None

## NEW BUSINESS

### **1. Subsidy Request – Mulvane Community Foundation:**

Mulvane Community Foundation (MCF) Director, Malissa Long, and members Nancy Armstrong and Catlin Martin, reviewed this item with the council. The MCF would like to request \$25,000 toward expenses for continuing to employ a part-time director in January 2025. The MCF will continue to work towards their goal of becoming independently sustainable in the future.

The MCF assists with authorized pass-through funds for many community events and activities. Long advised that one of the MCF's accomplishments was focusing on the Mental Health Voucher Program. Long thanked Councilmember Grant Leach for speaking at the Getting Ahead Graduation. This program is for anyone struggling to move forward and make lasting progress in their lives.

MOTION by Huntley, second by Westfall to approve the Mulvane Community Foundation request for funds in the amount of \$25,000 for 2025.

MOTION approved unanimously.

### **2. 2023 Audit Presentation:**

Michael Gerber with FORVIS reported the findings of the 2023 Audit. FORVIS issued a clean opinion for the 2023 Audit. FORVIS is responsible for forming and expressing an opinion about whether the financial statements that have been prepared by management, with the oversight of those charged with governance, are prepared in accordance with account principles generally accepted in the United States of America (GAAP) and the Kansas Municipal Audit and Accounting Guide (KMAAG). The City's basic financial statements include both government-wide, including a statement of net position and a statement of activities, and fund financial statements which provide a more detailed level of financial information. Gerber reported from a control standpoint, there are no material weaknesses. Since the City has a small staff, Gerber recommended the council review processes for adjustments.

MOTION by Huntley, second by Leeds to accept the Draft 2023 City of Mulvane Audit and any additional changes.

MOTION approved unanimously.

### **3. RSVP Agreement with Sedgwick Co. for Senior Center:**

Senior Center Director, Kaylie Mistretta, reviewed this item with the council. The Mulvane Senior Center utilizes the Retired Senior Volunteer Program (RSVP) to provide transportation services for seniors. The City originally signed an agreement with the Sedgwick County Department on Aging in October 2015 and has renewed the agreement each year. All compensation provided under this Agreement is on a fee-for-service basis, which is seven dollars (\$7.00) per coordinated ride not to exceed \$2,000 per year, which is down from \$2,500 in previous years.

Mistretta advised that there have been 450 total trips through November and there are currently ten (10) volunteer drivers in the Program.

MOTION by Leeds, second by Huntley to approve the Volunteer Transportation Services Agreement between the City of Mulvane, Kansas and Sedgwick County, Kansas for providing transportation services pursuant to the RSVP Transportation Program.

MOTION approved unanimously.

**4. Agreement with Sedgwick Co. for Senior Center Funding:**

Senior Center Director, Kaylie Mistretta, reviewed this item with the council. Since 2019, the City has contracted with Sedgwick Co. to establish a collaborative framework for the operation of the Senior Center. The Agreement outlines the terms and conditions for the operation and management of Senior Centers within our jurisdiction.

This Agreement will provide \$35,000 for salaries from the County to the Mulvane Senior Center for 2025. The Contract requires careful documentation of costs, monthly reporting, and written safeguards against any conflicts or private gain.

MOTION by Huntley, second by Westfall to approve the Agreement for Senior Centers for the Mulvane Senior Center between the City of Mulvane, Kansas and Sedgwick County, Kansas for the 2025 budget year.

MOTION approved unanimously.

**5. Rezoning Property From R-1 to R-2 and Approve Ordinance:**

Planning and Zoning Director, Joel Pile, reviewed this item with the council. This request is to change the zoning classification of 120 W. Blair from R-1 Single-Family Residential to R-2 Two-Family Residential.

Mayor Allen called this agenda item for consideration of changing the zoning district classification of certain land within the City.

Mayor Allen asked the City Council if any of them intend to disqualify themselves from discussing and voting on the Ordinance due to any conflicts of interest or a particular bias on the matter. There were none.

MOTION by Leeds, second by Westfall to receive and file the excerpts of minutes from the November 14, 2024, Mulvane Planning Commission Meeting related to Case No. Z-2024-01.

MOTION approved unanimously.

Mayor Allen asked the City Council if any of them have received any ex-parte verbal or written communications prior to this meeting which they would like to share with all the members. There were none.

Mayor Allen asked if there were any members of the public who wish to speak.

There were none.

Mayor Allen asked if there were any written communications, objections or petitions filed with the City Clerk.

There were none.

Mayor Allen asked if the petitioner wished to respond.

Not present.

Mayor Allen asked if the City Council wished any further discussion on the proposed Zoning Change.

There were none.

(Having considered the evidence and the factors to evaluate the zoning changes)

MOTION by Leeds, second by Leach that the Governing Body approve Ordinance No. 1594 rezoning property described in Case No. Z-2024-01 from R-1 Single-Family Residential District to R-2 Two-Family Residential District.

MOTION approved unanimously.

#### ORDINANCE NO. 1594

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF CERTAIN LANDS UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY OF MULVANE, KANSAS, AS ORIGINALLY APPROVED BY ORDINANCE NO. 1432.

#### **6. Request for Special Use and Approve Ordinance:**

Planning and Zoning Director, Joel Pile, reviewed this item with the council. The request is for a Special Use to build a utility substation at 1418 N. Utility Park Circle in the R-1 Single-Family Residential District. The property is owned by the City of Mulvane and currently has a large metal building which houses the city's electrical generators.

Mayor Allen called this agenda item for consideration of an ordinance approving a Special Use.

Mayor Allen asked the City Council if any of them intend to disqualify themselves from discussing and voting on the Ordinance due to any conflicts of interest or a particular bias on the matter. There were none.

MOTION by Huntley, second by Leeds to receive and file an excerpt of minutes from the Planning Commission meeting November 14, 2024, at which PC Case #SU-2024-01 was considered.

MOTION approved unanimously.

Mayor Allen asked the City Council if any of them have received any ex-parte verbal or written communications prior to this meeting which they would like to share with all the members.

There were none.

Mayor Allen asked if there were any members of the public who wish to speak.

There were none.

Mayor Allen asked if there were any written communications, objections or petitions filed with the City Clerk.

There were none.

Mayor Allen asked if anyone from the City wished to respond.

There were none.

Mayor Allen asked if the City Council wished any further discussion on the proposed Special Use as specified in Case #SU-2024-01.

There were none.

MOTION by Leeds, second by Westfall to accept the recommendation of the Planning Commission by concurring with their findings approving the requested Special Use as specified in Case #SU-2024-01, and to approve Ordinance No. 1595.

MOTION approved unanimously.

ORDINANCE NO. 1595

AN ORDINANCE APPROVING A SPECIAL USE FOR A UTILITY SUBSTATION IN THE R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT ON CERTAIN LANDS UNDER THE AUTHORITY GRANTED BY THE ZONING REGULATIONS OF THE CITY OF MULVANE, KANSAS.

**7. Friends of McConnell Membership:**

City Administrator, Austin St. John, reviewed this item with the council. Friends of McConnell was organized in the 1960s to provide support to airman and their families for a variety of non-budgeted items. The goal of Friends of McConnell is to develop a strong social and economic link between McConnell's military leaders and their civilian counterparts. In November 2023, the City approved a contribution of \$2,500 to match the former Mayor's contribution of \$2,500 to become a Platinum Member. The council was asked if they would like to continue to support Friends of McConnell as a Platinum Member.

MOTION by Leeds, second by Westfall to approve \$5,000 to support Friends of McConnell as a Platinum Member for 2025.

MOTION approved unanimously.

**8. City Prosecutor Agreement:**

Public Safety Director, Gordon Fell, reviewed this item with the Council. Joy Williams took over the position of Mulvane City Prosecutor in October 2020. The current contract expires January 6, 2025. The only change to the contract is the dates associated with the contract. The 2025 contract will expire on January 5, 2026. The contract shall be \$2,000 per month with any additional services compensated at the rate of \$125.00 per hour.

MOTION by Huntley, second by Leach to approve the contract with Joy K. Williams.

MOTION approved unanimously.

**9. Updated EMS Agreements with Sumner Co. and Belle Plaine:**

Public Safety Director, Gordon Fell, reviewed the annual updated agreements with the Council. The agreements include the area of response and the financial responsibility for each entity. There are no changes from the 2024 agreements. The City will continue to receive \$60,000 from Belle Plaine, and \$228,333 from Sumner County for EMS services from Mulvane EMS.

Fell reviewed the total call volume with the council and advised the service area is 182 square miles.

MOTION by Huntley, second by Leeds to approve the EMS Agreement with Sumner Co.

MOTION approved unanimously.

MOTION by Huntley, second by Leach to approve the EMS Agreement with Belle Plaine.

MOTION approved unanimously.

**10. Request to Transfer Funds to the Reserve Fund:**

Public Safety Director, Gordon Fell, reviewed this item with the Council. There will be expected excess funds in the Public Safety Budget at the end of 2024. Fell is requesting the excess funds be transferred to the Municipal Equipment Reserve Fund. Anticipated excess funds are

approximately \$400,000. These funds will be used in the first quarter of 2025 to address CIP projects and departmental needs.

City Administrator, Austin St. John, advised that the \$400,000 is approximately 8.8% of the Public Safety Budget.

MOTION by Leeds, second by Leach to authorize the Fund Transfer of up to \$400,000 from the 2024 Public Safety Budgets (Police, Fire, and EMS) to the Municipal Equipment Reserve Fund. MOTION approved unanimously.

## **ENGINEER**

### **1. Main “A” Sanitary Sewer Phase 3 – Construction Agreement with Apex Excavating:**

In November of 2022, the City modified the Main “A” Sanitary Sewer project scope from a single construction installation to multiple project phases. Phase 1 and 2 of the Project have been completed, and the City is ready to move forward with Phase 3. Phase 3 Improvements will construct a new sewer from south of Prather St. to Ralph Bell Park. Due to the large amount of pavement replacement needed, the City requested bidders provide an “Add Alternate” bid for pavement replacement. Phase 3 bids were received and opened on November 14<sup>th</sup> and on December 2<sup>nd</sup> the council accepted the low bid submitted by Apex Excavating, LLC in the amount of \$1,187,155.00 and issued a Notice of Award. The Agreement and Bond Documents have been received and are now ready for approval.

MOTION by Leeds, second by Westfall that the City enter into a construction Agreement with Apex Excavating, LLC in the amount of \$1,187,155.00 for Phase 3 of the Main “A” Sanitary Sewer Improvements and authorize the Mayor to sign.

MOTION approved unanimously.

### **2. Harvest Point Street Improvements – Accept Bid and Issue Notice to Proceed:**

Bids for Harvest Point Street Improvements were received and opened on November 21, 2024. Bids were received from three (3) contractors. On December 2<sup>nd</sup>, the council accepted the low bid submitted by Kansas Paving for \$515,468.00 and issued a Notice of Award. The Agreement and Bond Documents have been received and are now ready for approval.

MOTION by Leach, second by Leeds that the City enter into a construction agreement with Conspec, Inc. dba Kansas Paving in the amount of \$515,468.00 and issue a Notice to Proceed for Phase 1 Street Improvements to serve the Harvest Point Addition and authorize the Mayor to sign.

MOTION approved unanimously.

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

Main “A” Sanitary Sewer Improvements Phase 3 – Approved Construction Agreement with Apex.

Phase 1 Harvest Point – Approved Construction Agreement and issued Notice to Proceed with Kansas Paving for Street Improvements. Work continues on the remaining Improvements. Pay Appl. #5 is on the Consent Agenda for McCullough Excavation.

Emerald Valley Estates 2<sup>nd</sup> Addition – Construction Agreement and Notice to Proceed have been approved with McCullough Excavation.

The council asked about the Styx Creek Bridge Project in English Park. Young advised that the permit has been sent to Water Resources and is under review.

## **CITY STAFF**

**City Clerk:** None

**City Administrator:**

1. Reviewed the November Finance Report with the Council.

**City Attorney:** None

**CONSENT AGENDA ITEMS:**

MOTION by Huntley, second by Westfall to approve consent agenda items 1-6.

1. Payroll Dated 12/6/24 - \$249,938.09
2. November Warrant Register - \$1,702,714.94
3. Pay Appl. #5 – Harvest Point Phase 1 – McCullough Excavation - \$396,781.65
4. Utility Write-offs for 2021 - \$8,727.56
5. Purchase of Ferric Chloride from Brenntag for WWTP - \$12,850.00
6. Purchase of Transformers – Midwest Electric - \$17,967.60

MOTION approved unanimously.

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

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

2025 CIP Workshop – Monday, January 27, 2025 – 6:00 p.m. at the PIX

**ADJOURNMENT:**

MOTION by Leach second by Westfall to adjourn the Special Meeting of the Mulvane City Council.

MOTION approved unanimously at 7:21 p.m.

Minutes by:

*Debra M. Parker*

Debra M. Parker, City Clerk

Minutes approved by the City Council January 6, 2025.