



**CITY COMMISSION
WEDNESDAY, OCTOBER 16, 2024 AT 11:00 AM
CITY COMMISSION CHAMBER**

ORDER OF BUSINESS

CALL MEETING TO ORDER Mayor Erren Harter

MEMBERS PRESENT

Vice-Mayor Susan Brinkman
Commissioner Tyler Curtis
Commissioner Becky Smith
Commissioner Jamie Sauder

PROCLAMATIONS

PUBLIC FORUM

The public is invited to make comments at this time. Please limit comments to two (2) minutes each. Please state your name and address prior to making comments.

NEW BUSINESS

1) Appoint Members to the Homelessness Advisory Board.

Presented by: Erren Harter, Mayor & Susan Brinkman, Vice Mayor

Recommended Action: Approve the appointment of Jessica Reth and Rene Hively to the Homelessness Advisory Board.

2) Ordinance No. 24-32 Annexing Land Located along S HWY 99 Pursuant to K.S.A. 12-520(a) (1)-(6).

Presented by: Justin Givens, Planning & Zoning Administrator

Recommended Action: Adopt Ordinance No. 24-32 Annexing Land along S HWY 99 Pursuant to K.S.A. 12-520(a) (1)-(6).

3) Final Plat for Flint Hills Crossing Addition.

Presented by: Justin Givens, Planning & Zoning Administrator

Recommended Action: Approve Final Plat for Flint Hills Crossing Addition.

4) Flint Hills Crossing Right of Way Easements, Project No. PV2205.

Presented by: Jim Ubert, City Engineer

Recommended Action: Accept the right of way, permanent sanitary sewer easement and permanent drainage easement for Flint Hills Crossing addition.

5) Resolution No. 3741 of City of Emporia, Kansas, Authorizing Certain Public Improvements for Flint Hills Crossing Infrastructure.

Presented by: Mark Detter, Deputy City Manager

Recommended Action: Approve Resolution No. 3741 authorizing expenditures through the issuance of General Obligation Bonds for the purpose of improvements to Flint Hills Crossing Subdivision.

6) Award Flint Hills Crossing Improvement Contract.

Presented by: Jim Ubert, City Engineer

Recommended Action: Award Flint Hills Crossing improvement contract to Bruce Davis Construction, LLC for the base bid amount of \$2,687,630.03, subject to KDOT approval.

7) Public Hearing and Resolution No. 3742 Regarding Intent to Issue IRBs for 502 Lofts in the Amount of \$3,500,000.

Presented by: Tayler Wash, Assistant City Manager

Recommended Action: Conduct a public hearing regarding the intent to issue IRBs for 502 Lofts LLC & Adopt Resolution No. 3742 regarding the intent to issue Industrial Revenue Bonds (IRBs) in the amount of \$3,500,000 for 502 Lofts LLC.

COMMUNICATIONS

Presented by Trey Cocking, City Manager.

- 1) Financials & Permits
- 2) September Budget

CONSENT AGENDA

Presented by Trey Cocking, City Manager.

- 1) Commission Meeting Minutes for October 2, 2024.
- 2) Name City's Portion Road F.
- 3) Resolution No. 3743 Adopting a Social Media Policy.
- 4) Equipment Purchase for Golf Course.
- 5) Kretsinger Addition Right of Way & Easements, Project No. HD23KRET.

INFORMATIONAL ITEMS

Presented by Trey Cocking, City Manager.

- 1) Informational Items

GOVERNING BODY COMMENTS

Mayor Erren Harter
Vice-Mayor Susan Brinkman
Commissioner Tyler Curtis
Commissioner Becky Smith
Commissioner Jamie Sauder

EXECUTIVE SESSION

RECESS

Recess to Conference Room 1AB for Study Session

STUDY SESSION AGENDA ITEMS

- 1) Discuss Economic Development Organizational Assessment Review.
- 2) Discuss Snow Removal Policy.

ADJOURNMENT



Commission Action Report

Appoint Members to the Homelessness Advisory Board

Title: Appoint Members to the Homelessness Advisory Board

Agenda Date: October 16, 2024

Presented By: Mayor Erren Harter & Vice-Mayor Susan Brinkman

Background:

The Homelessness Advisory Board requests that the City Commission fill board openings with qualified candidates.

Discussion:

Applications were received, and interviews were conducted by Mayor Erren Harter and Vice Mayor Susan Brinkman

Interviewing Commissioners recommend the appointment of Jessica Reth and Rene Hively to fill unexpired terms ending September 9, 2026.

Recommended action:

Approve the appointment of Jessica Reth and Rene Hively to the Homelessness Advisory Board.

Online Form Submittal: Board Application Form

noreply@civicplus.com <noreply@civicplus.com>

Fri 8/30/2024 8:57 AM

To:Sue Bryson <sbryson@emporiaks.gov>;Emporia Info <emporiainfo@emporiaks.gov>

Board Application Form

Select Board, Commission, Homelessness Advisory Board
or Committee to apply.

Personal Information

First Name	Jessica
Last Name	Reth
Address1	502 E 12th Ave
Address2	S3
City	Emporia
State	Kansas
Zip	66801
Home Phone Number	3165735119
Business Address	702 Commercial St 2E
Business Phone Number	6203427564
Occupation	Food Secure Communities Coordinator
Email Address	jessicanreth@gmail.com

Residency Information

Length of Residency in Emporia	6 Years
Are you a registered voter	Yes

Education and Hobbies

High School	Northeast Magnet Highschool
College	Emporia State University, Bachelors in Interdisciplinary Studies, Minors in Sociology and Health
Trade or Business School	Field not completed.
Hobbies	Gardening, Reading, Arts & Crafts, Yoga + Weightlifting

Organization Membership Information

Are you currently serving on other Boards, Commissions, or Committees?

No

If yes, which

Field not completed.

Have you served on a Board, Commission, or Committee before?

No

If yes, which

Field not completed.

Please, list organization memberships and positions held.

Lyon County Food and Farm Council - Secretary
Healthier Lyon County Coalition - Secretary

Please, list areas of special interest.

Food security, Food equity, Basic needs security, Health and wellness

Please, enter basic resume information below.

Food Secure Communities Coordinator - Healthier Lyon County / United Way of the Flint Hills - July 1, 2024 - Present
Food Server - Rolling Hills Bar and Grill - February 2023 to July 2024
Summer Research Intern - ESU McNair Scholars Program - May 2022 to November 2022
Summer Marketing Intern - Healthier Lyon County - May 2022 to August 2022

Please, enter why you would like to be a member of this board or commission.

I'm eager for the opportunity to join the Homelessness Advisory Board as I hold a genuine passion for making sure everyone in our community can meet their basic needs. Having personally experienced basic needs insecurity, I understand the profound impact this issue has on individuals and families and the crucial role strong advocates play in addressing these challenges. In my role as a Food Secure Communities Coordinator, I've seen firsthand how food security and homelessness are closely linked. Access to nutritious food is not a standalone issue; it's a crucial part of the bigger picture of stability and well-being. When people struggle with food insecurity, it often points to deeper challenges related to housing and financial stability. I'm eager to bring this perspective to the board and work together on solutions that address these interconnected issues and support the overall health and security of our community.

Email not displaying correctly? [View it in your browser.](#)

From: noreply@civicplus.com
To: [Sue Bryson](#); [Emporia Info](#)
Subject: Online Form Submittal: Board Application Form
Date: Thursday, July 20, 2023 3:07:11 PM

Board Application Form

Select the Board,
Commission, or
Committee applying for

Homelessness Advisory Board

Personal Information

First Name

Renee

Last Name

Hively

Address1

1515 22nd RD

Address2

Field not completed.

City

Waverly

State

KS

Zip

66871

Home Phone Number

620-794-2903

Business Address

420 W. 15th Avenue

Business Phone
Number

620-342-4864 ext. 3701

Occupation

Cheif Executive Officer CareArc, Inc.

Email Address

rhively@carearc.org

Residency Information

Length of Residency in
Emporia

raised in Emporia, graduated from high school and college in Emporia. I moved to Coffey County in 1991. All my extra activities hare in Emporia (both work and play). I consider this my hometown.

Are you a registered
voter

Yes

Education and Hobbies

Emporia High School - 1983

High School

College	BSN, Emporia State University - 1997
Trade or Business School	<i>Field not completed.</i>
Hobbies	refinishing furniture, sewing, anything where I can use power tools, horseback riding,
Organization Membership Information	
Are you currently serving on other Boards, Commissions, or Committees?	Yes
If yes, which	Public Health and Medicaid Advisory Workgroup, EHS Health Advisory Committee, Lyon County Emergency Preparedness Committee, Community Preparedness Committee, Governance Matters (Chamber committee)
Have you served on a Board, Commission, or Committee before?	Yes
If yes, which	Public Health and Medicaid Advisory Workgroup, EHS Health Advisory Committee, Newman Division of Nursing President 2005
Please list organization memberships and positions held	Local Health Officer October 2017 - December 2020,
Please List Areas of Special Interest	Health and the underserved, access to healthcare
Please Enter Basic Resume Information Below	Interim Chief Executive Officer, CareArc - October 2017 - January 2018 Chief Executive Officer, CareArc - January 2018 - Present Chief Operating Officer, CareArc - May 2011 - October 2017

Email not displaying correctly? [View it in your browser.](#)



Commission Action Report

Ordinance No. 24-32 Annexing Land Located Along S HWY 99
Pursuant to K.S.A. 12-520(a) (1)-(6)

Title: Ordinance No. 24-32 Annexing Land along S HWY 99 Pursuant to K.S.A. 12-520(a) (1)-(6)

Agenda Date: October 16, 2024

Presented By: Justin Givens, Planning & Zoning Administrator

Background:

The two subject properties adjoin the city, and in a process to annex property owned by the City into the city limits, staff has prepared an ordinance for annexation. The property contains a parking area for Soden's Bridge and the walking trail adjacent to the Cottonwood River.

Discussion:

K.S.A. 12-520(a)(2), permits a city to unilaterally annex land if the land adjoins the city, and is owned by or held in trust for the city or any agency thereof. The north property does adjoin the city, and is city owned property. No resolution, notice, or public hearing is required to annex this property.

Pursuant to K.S.A. 12-519, land adjoins a city when the only thing separating a city and the land to be annexed is the width of a watercourse. A portion of the property on the south (west) side of the river is directly across the river from the City and therefore adjoins the City for annexation purposes. No resolution, notice, or public hearing is required to annex this property.

At this time, the city is only annexing the property described as Tract 1 and Tract 2. No right of way will be annexed.

Financial considerations:

The cost of publication of the ordinance is borne by the City.

Recommended action:

Approve Ordinance No. 24-32 Annexing Land along S HWY 99 Pursuant to K.S.A. 12-520(a) (1)-(6)

Attachments:

Annexation Ordinance
Aerial Location Map

ORDINANCE NO. 24-32

AN ORDINANCE ANNEXING LAND TO THE CITY OF EMPORIA, KANSAS.

WHEREAS, the following described land is owned by the City of Emporia, Kansas; and

WHEREAS, the following described land is located in Lyon County, Kansas; and

WHEREAS, the following described land meets one or more of the conditions prescribed by K.S.A. 12-520(a) (1)-(6), as amended; and

WHEREAS, the governing body of the City of Emporia, Kansas, finds it advisable to annex such land.

NOW THEREFORE, BE IT ORDANIED BY THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS:

SECTION 1. That the following described land, meeting the conditions for annexation prescribed in K.S.A. 12-520, as amended, is hereby annexed and made part of the City of Emporia, Kansas:

Tract 1:

A tract of land in the Northwest Quarter of Section 22, Township 19 South, Range 11 East of the 6th P.M., described as follows: BEGINNING at a point 30.0 feet North of the South line and 716.4 feet West of the East line of said Quarter Section, said South line having an assumed bearing of South 89 degrees 07 minutes West; thence West parallel to said South line 66.0 feet to the West right of way line of Soden Road; thence Northerly and Northeasterly along said right of way line to a point which is North 05 degrees 21 minutes West, 1,308.1 feet from the Southeast corner of said Quarter Section; thence South 31 degrees 32 minutes West, 244.7 feet to the Easterly right of way line of Soden Road; thence Southwesterly and Southerly along said Easterly right of way line to a point which is North 69 degrees 30 minutes West, 770.9 feet from said Southeast corner; thence South to the place of beginning.

Tract 2:

A tract of land in the Northwest Quarter of Section 22, Township 19 South, Range 11 East of the 6th p.m., described as follows: BEGINNING at a point on the Easterly right of way line of Soden Road which point is North 69 degrees 30 minutes West, 770.9 feet from the Southeast corner of said Quarter Section, the South line of said Quarter Section having an assumed bearing of South 89 degrees 07 minutes West; thence North 29 degrees 49 minutes East to the centerline of the Cottonwood river; thence Northwesterly along said centerline to the Southeasterly right of way line of said Soden

Road; thence Southwesterly and Southerly along said right of way line to the place of beginning.

SECTION 2. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of Emporia, Kansas, this 16th day of October, 2024.

ATTEST:

Erren Harter, Mayor

Kerry Sull, City Clerk

S HWY 99
Annexation Properties





Commission Action Report

Final Plat for Flint Hills Crossing Addition

Title: Final Plat for Flint Hills Crossing Addition

Agenda Date: October 16, 2024

Presented By: Justin Givens, Planning & Zoning Administrator

Background:

The owners of property located north of I-35 and west of Graphic Arts Road have requested that a final plat be approved for their property. Flint Hills Crossing Addition is an approximately 8-acre tract of land that is being platted for the development of a future QuikTrip Traveler Convenience location.

The Planning Commission, at their September 17, 2024 meeting, conducted the required public hearing, and made a unanimous recommendation for approval to the City Commission.

Discussion:

The proposed plat would allow for the development of an approximately 7,400 sq. ft. convenience store with 8 auto gas islands and 6 tractor trailer diesel islands. The development plan proposes the use of underground storage to meet the city's stormwater regulations. The stormwater plan has been approved by the City Engineer. There will also be a residual area that has the potential for additional development to the east of the proposed travel center. The applicant, city staff, and KDOT have worked to ensure the connecting roads that are included within the plat, work with future highway plans. The applicants have provided the necessary access controls and appropriate openings to control traffic flow in and out of the development.

The Governing Body, when considering a recommendation from the Planning Commission on a Final Plat may; 1) Approve the Plat; 2) Disapprove the Plat; 3) Accept or Refuse any Dedications of Land for Public Purposes within 30 days; 4) Defer any Action for 30 days for the Applicant to Modify or Comply with any Additional Requirements; 5) Return the application to the Planning Commission, giving reasons for doing so and request reconsideration.

Financial considerations:

No city funds are required for the approval of the plat

Recommended action:

Approve Final Plat for Flint Hills Crossing Addition.

Attachments:

Flint Hills Crossing Final Plat
Excerpt of Minutes from Planning Commission meeting including the Staff Report
Aerial Location Map
Area Zoning Map

NORTH 1/4 CORNER
SEC. 7-T19S-R11E
1/2" BAR WITH
"KVE CLS 20" CAP

Owners Certificate:

(State of Kansas) SS
(County of Lyon)

This is to certify that the undersigned are the owners of record of the land hereon described on this plat, and that the undersigned have caused the same to be surveyed and subdivided as herein set forth. The undersigned, as such owners, do hereby state that all street right-of-ways as shown on this plat are hereby dedicated to the public. An easement and license to locate, construct, operate, inspect, replace and maintain, or authorize the location, construction, operation, inspection, replacement and maintenance of poles, wires, conduits, water, gas and sewer pipes, required drainage channels or structures; hard and impervious surfaces; or other structures necessary to carry out the function of the easement, upon the area marked for easements on this plat is also hereby dedicated to the public. When, and if, used on this plat, the term "Utility" shall include, by way of example, but not limited to sewer, water, gas, electricity, cable t.v. and telephone. When, and if, used on this plat, the term "Travel" shall include all forms of travel, by whatever means, unless the term is limited by other words or phrases, such as "Pedestrian Travel", etc. The undersigned acknowledges that pursuant to K.S.A. 12-406, the dedication of right-of-ways and easements to the public constitute a conveyance thereof to the City of Emporia, Kansas, in trust, for the uses named, expressed or intended.

Given under my hand at Emporia, Kansas

this _____ day of _____, A.D., 2024.

The Bailey Group, LP
Jeffrey P DeBauge, Manager

Notary Certificate:

(State of Kansas) SS
(City of Emporia)

The foregoing instrument was acknowledged before me

this _____ day of _____ of A.D., 2024

by _____

Notary Public

My commission expires: _____

Transfer of Record:

(State of Kansas) SS
(County of Lyon)

Entered on Transfer Form this _____ day of _____, 2024.

Lyon County Clerk:

Tammy Vopat

Benchmarks

BM#101
SET CHISELED SQUARE CUT
NEAR CENTER OF CONCRETE
SEWER STRUCTURE
ELEVATION = 1163.07

BM#102
SET CHISELED SQUARE CUT ON
EAST EDGE OF CONCRETE
SIDEWALK
ELEVATION = 1172.92

BM#103
SET CHISELED SQUARE CUT ON
CENTER OF NORTHERLY EDGE
OF CONCRETE CURB INLET
ELEVATION = 1137.84

Owners Certificate:

(State of Kansas) SS
(County of Lyon)

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Given under my hand at Emporia, Kansas

this _____ day of _____, A.D., 2024.

CSJD, L.L.C.

Thomas A. Krueger, Member

CSJD, L.L.C.

Carol J. Krueger, Member

Notary Certificate:

(State of Kansas) SS
(City of Emporia)

The foregoing instrument was acknowledged before me

this _____ day of _____ of A.D., 2024

by _____

Notary Public

My commission expires: _____

Owners Certificate:

(State of Kansas) SS
(County of Lyon)

This is to certify that the undersigned are the owners of record of the land hereon described on this plat, and that the undersigned have caused the same to be surveyed and subdivided as herein set forth. The undersigned, as such owners, do hereby state that all street right-of-ways as shown on this plat are hereby dedicated to the public. An easement and license to locate, construct, operate, inspect, replace and maintain, or authorize the location, construction, operation, inspection, replacement and maintenance of poles, wires, conduits, water, gas and sewer pipes, required drainage channels or structures; hard and impervious surfaces; or other structures necessary to carry out the function of the easement, upon the area marked for easements on this plat is also hereby dedicated to the public. When, and if, used on this plat, the term "Utility" shall include, by way of example, but not limited to sewer, water, gas, electricity, cable t.v. and telephone. When, and if, used on this plat, the term "Travel" shall include all forms of travel, by whatever means, unless the term is limited by other words or phrases, such as "Pedestrian Travel", etc. The undersigned acknowledges that pursuant to K.S.A. 12-406, the dedication of right-of-ways and easements to the public constitute a conveyance thereof to the City of Emporia, Kansas, in trust, for the uses named, expressed or intended.

Given under my hand at Emporia, Kansas

this _____ day of _____, A.D., 2024.

QuikTrip Corporation

xxxxxxxxxxxxxxxxxxxxxx

Notary Certificate:

(State of Kansas) SS
(City of Emporia)

The foregoing instrument was acknowledged before me

this _____ day of _____ of A.D., 2024

by _____

Notary Public

My commission expires: _____

Flood Information

LOT 1 LIES WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAN) AS PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 20111C0236E, DATED JUNE 15, 2022.

PART OF THE RIGHT OF WAY LIES WITHIN ZONE AE AS PER FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 20111C0236E, DATED JUNE 15, 2022.

POINT OF
BEGINNING

N 89°33'52" W

191.88'

60.00'

50.00'

50.00'

N 89°33'52" W

191.88'

N 89°33'52" W

191.88'

N 00°26'08" E

355.34'

50'

BS

1/2" REBAR w/ "PEC" CAP

N 00°26'08" E

150.67'

N 44°57'09" E

28.52'

N 70°25'53" E

558.59'

S 69°52'32" E

203.95'

S 03°23'33" W

102.90'

S 03°23'33" W

100.00'

S 03°23'33" W

107.04'

S 26°12'37" E

100.00'

S 63°47'23" W

318.86'

S 63°47'23" W

171.94'

S 4°11'23" W

122.82'

S 63°47'23" W

54.18'

S 63°47'23" W

407.54'

S 63°47'23" W

439.25'

N 63°47'23" W

441.75'

S 63°47'23" W

162.77'

N 89°33'52" W

191.88'

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N 89°33'52" W

191.88'

Survey Note

ELEVATIONS SHOWN
ON THIS SURVEY ARE
REFERENCED TO THE
NORTH AMERICAN
VERTICAL DATUM OF
1988 (NAVD88)

BEARINGS SHOWN ON
THIS SURVEY ARE
BASED ON KANSAS
REGIONAL
COORDINATE SYSTEM
ZONE 9 (EMPORIA)



DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6th P.M., IN THE CITY OF EMPORIA, LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J WESTBERG, PS 1708, ON JUNE 25, 2024, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 S. 00°26'08" W. 777.83 FEET; THENCE PERPENDICULAR TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 N. 89°33'52" W. 60.00 FEET TO THE POINT OF BEGINNING ON THE WEST RIGHT OF WAY LINE OF GRAPHIC ARTS ROAD, A PUBLIC STREET IN THE CITY OF EMPORIA; THENCE CONTINUING PERPENDICULAR TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 N. 89°33'52" W. 191.88 FEET; THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 350.00 FEET, AN ARC LENGTH OF 162.77 FEET, THE CHORD OF SAID CURVE BEARS 161.31 FEET S. 77°06'45" W.; THENCE S. 63°47'23" W. 407.54 FEET; THENCE S. 86°17'23" W. 122.82 FEET; THENCE S. 63°47'23" W. 54.18 FEET; THENCE S. 41°17'23" W. 122.82 FEET; THENCE S. 63°47'23" W. 171.94 FEET; THENCE S. 26°12'37" E. 100.00 FEET; THENCE N. 63°47'23" E. 235.72 FEET; THENCE S. 66°32'43" E. 38.84 FEET; THENCE ON A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 400.00 FEET, AN ARC LENGTH OF 126.53 FEET, THE CHORD OF SAID CURVE BEARS 126.00 FEET S. 05°40'10" E.; THENCE S. 03°23'33" W. 107.04 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 35; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID INTERSTATE HIGHWAY 35 THE FOLLOWING SIX COURSES:

1. N. 71°07'17" E. 9.51 FEET
2. N. 88°37'49" E. 73.05 FEET
3. S. 69°52'32" E. 203.95 FEET
4. N. 70°25'53" E. 558.59 FEET
5. N. 00°26'08" E. 150.67 FEET
6. N. 44°57'09" E. 28.52 FEET TO THE WEST RIGHT OF WAY LINE OF GRAPHIC ARTS ROAD, A PUBLIC STREET IN THE CITY OF EMPORIA, BEING 60.00 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID GRAPHIC ARTS ROAD, BEING PARALLEL WITH AND 60.00 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 N. 00°26'08" E. 355.34 FEET TO THE POINT OF BEGINNING, CONTAINING 11.08 ACRES

Surveyor's Certificate:

(State of Kansas) SS
(County of Lyon)

I, the undersigned do hereby certify that I am a Registered Land Surveyor in the State of Kansas with experience and proficiency in land surveying, that the heretofore described property was surveyed and subdivided by me, or under my supervision, that all subdivision regulations of the Subdivision Regulations of Emporia have been complied with in the preparation of this plat, and that all the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal at Manhattan, Kansas this _____ day of _____, A.D., 2024.

BG CONSULTANTS, INC.
2508 WEST 15th AVENUE
EMPORIA, KANSAS 66801
(620)343-7842

Brian J. Westberg, PS 1708

Certificate of the Register of Deeds:

(State of Kansas) SS
(County of Lyon)

This is to certify that this instrument was filed for record in the Register of Deeds office on the _____ day of _____, 2024, in Book _____, Page _____.

Lyon County Register of Deeds: _____

Wendy Weiss

Deputy: _____

Certificate of the Governing Body:

(State of Kansas) SS
(County of Lyon)

The dedications shown on this plat have been accepted of by the City of Emporia, Kansas, this _____ day of _____, 2024.

Mayor: _____

Danny Giefer

Attest: City Clerk: _____

Kerry Sull

City Attorney: _____

Christina Montgomery

Certificate of the Planning Commission:

(State of Kansas) SS
(County of Lyon)

This Plat of Lockwood Subdivision has been submitted to and approved by the Emporia-Lyon County Metropolitan Area Planning Commission this _____ day of _____, 2024.

Chair: _____

Raymond Rogers

Attest: Secretary: _____

Justin Givens

ZONING

CURRENT: FLEX USE LOW
PROPOSED: C-3 GENERAL
COMMERCIAL DISTRICT

County Treasurer Certificate:

(State of Kansas) SS
(County of Lyon)

I hereby certify that the taxes on the included tracts are current.

Lyon County Treasurer: _____

Sharon Gaede

Date: _____

BM#103

County Surveyor Review Certificate:

(State of Kansas) SS
(County of Lyon)

I hereby certify this plat is in accordance with the Land Survey Act, K.S.A. 58-2001, et seq.

Lyon County Surveyor: _____

Warren Chip Woods

Date: _____

CURVE DATA

	Curve No. 1	Curve No. 2
Radius	450.00'	300.00'
Tangent	118.91'	71.04'
Arc Length	232.50'	139.52'
Delta	29°36'10"	26°38'45"
Chord Length	229.92'	138.26'
Chord Bearing	S 11°24'32" E	S 77°06'46" W

CENTER 1/4 CORNER
SEC. 7-T19S-R11E
STEM OF BRASS CAP IN
"A" CUT IN CONCRETE

FINAL PLAT

Flint Hills Crossing

an Addition to the City of Emporia
Lyon County, Kansas

Prepared By:

BG CONSULTANTS
ENGINEERS • ARCHITECTS • SURVEYORS

JULY 30, 2024

22-1145

EXCERPT OF MINUTES- 09/17/2024
EMPORIA PLANNING COMMISSION

The Planning Commission met in a regular session on Tuesday, September 17, 2024, with Chair Rogers presiding. Members Ogle, Bucklinger, Barnes, Fowler, and Lingenfelter were present.

City staff: Justin Givens, Planning & Zoning Administrator, was present. Other City Staff present; Jim Ubert, City Engineer.

Chair Rogers called the meeting to order.

2. Consider PC-2024-10 – A Request to Approve a Final Plat for Flint Hills Crossing

Chair Rogers asked if proper notice had been given. **Givens** confirmed that proper notice was provided to the newspaper.

Chair Rogers asked if any Commissioners needed to recuse themselves or report any ex-parte communications. No ex-parte communications or conflict of interests were reported.

Givens provided the Staff Report.

STAFF REPORT

Application #: PC 2024-10

Applicants: The Bailey Group, CSJD, LLC; Quick Trip Corporation

Owners: Quick Trip Corporation; DeBauge Family Investments LP & CSJD LLC.

Requested Action: Approval of a Final Plat for Flint Hills Crossing

Purpose: Applicants desire to plat an approximately 8-acre tract of land for commercial development

Address: North of Interstate 35 / KTA Exchange | West of Graphic Arts Road

Legal description: A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6th P.M., IN THE CITY OF EMPORIA, LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J WESTBERG, PS 1708, ON JUNE 25, 2024, AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 S. 00°26'08" W. 777.83 FEET; THENCE PERPENDICULAR TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 N. 89°33'52" W. 60.00 FEET TO THE

POINT OF BEGINNING ON THE WEST RIGHT OF WAY LINE OF GRAPHIC ARTS ROAD, A PUBLIC STREET IN THE CITY OF EMPORIA; THENCE CONTINUING PERPENDICULAR TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 N. 89°33'52" W. 191.88 FEET; THENCE ON A CURVE TO THE LEFT WITH A RADIUS OF 350.00 FEET, AN ARC LENGTH OF 162.77 FEET, THE CHORD OF SAID CURVE BEARS 161.31 FEET S. 77°06'45" W.; THENCE S. 63°47'23" W. 407.54 FEET; THENCE S. 86°17'23" W. 122.82 FEET; THENCE S. 63°47'23" W. 54.18 FEET; THENCE S. 41°17'23" W. 122.82 FEET; THENCE S. 63°47'23" W. 171.94 FEET; THENCE S. 26°12'37" E. 100.00 FEET; THENCE N. 63°47'23" E. 235.72 FEET; THENCE S. 66°32'43" E. 38.84 FEET; THENCE ON A NON-TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 400.00 FEET, AN ARC LENGTH OF 126.53 FEET, THE CHORD OF SAID CURVE BEARS 126.00 FEET S. 05°40'10" E.; THENCE S. 03°23'33" W. 107.04 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 35; THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID INTERSTATE HIGHWAY 35 THE FOLLOWING SIX COURSES: N. 71°07'17" E. 9.51 FEET, N. 88°37'49" E. 73.05 FEET, S. 69°52'32" E. 203.95 FEET, N. 70°25'53" E. 558.59 FEET, N. 00°26'08" E. 150.67 FEET, N. 44°57'09" E. 28.52 FEET TO THE WEST RIGHT OF WAY LINE OF GRAPHIC ARTS ROAD, A PUBLIC STREET IN THE CITY OF EMPORIA, BEING 60.00 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7; THENCE ALONG THE WEST RIGHT OF WAY LINE OF SAID GRAPHIC ARTS ROAD, BEING PARALLEL WITH AND 60.00 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 N. 00°26'08" E. 355.34 FEET TO THE POINT OF BEGINNING, CONTAINING 11.08 ACRES

Area Size: 11 acres +/- total land including right of way – 8 acre developable land

Existing Zoning: Flex-Use Low

Surrounding Zoning:

North: Flex-Use Low | Multi-Family
East: Civic | Public
South: Interstate 35
West: Flex-Use Low

Surrounding Actual Uses:

North: Vacant Property | Chapel Ridge Apartment Homes
East: Flint Hills Technical College
South: Interstate 35
West: Vacant Property

Future Zoning in ELC Comp. Plan: Flex-Use Low

Analysis:

The applicant has requested to plat an 8-acre tract of land and associated right of way to develop a commercial convenience store with gas and diesel fueling stations. The

proposed plat will extend the north exit from the I35 round about, which will then tie into a new road that connects to Graphic Arts Road. This road will also eventually continue west to serve future development.

The property being platted is only one piece of a 64-acre tract of land that. These infrastructure improvements including roads, water, and sewer will be placed to accommodate future development. At this time there are no plans to plat the remaining 64-acres, but rather individual pieces will be platted as development occurs. Staff is aware that this is not the most ideal approach to development, but is mindful of looking at possible future development on the remaining property to ensure maximum benefit and minimize duplicative services, or possible conflicts between developments.

1. **Plat Name:** The proposed name of the plat is Flint Hills Crossing, which meets requirements.

2. **Legal Description:** The legal description shown on the preliminary plat meets requirements.

3. **Lots:** One lot is proposed, which is acceptable.

4. **Blocks:** As this is for one commercial lot, no block identification is required.

5. **Streets and Access:** The development is adjacent to Interstate 35 and Graphic Arts Road.

- Crossing Boulevard will connect the development to Graphic Arts and serve as an internal circulation road.
- Flint Hills Way will be extended north from the I35 roundabout and connect with Crossing Boulevard.
- A Roundabout is proposed for the Flint Hills Way / Crossing Boulevard intersection.
- Appropriate Access Control has been provided for the development.
- KDOT and KTA both have consulted on and reviewed the circulation plans for the development and we are awaiting final approval from KDOT.

6. **Building Lines:**

- A 30 foot building setback line has been provide along Flint Hills Way and Crossing Boulevard which is acceptable.
- A 50 foot building setback line has been provided along Graphic Arts Road and Interstate 35 which is acceptable.

7. **Easements:** Easements for utilities are shown on the plat.

- An additional 15 foot easement shall be provided for within the building setback line.

8. **Reserves:** No reserves are shown on the plat.

9. **Drainage:** The City Engineer has approved the drainage plan for the property. The development will utilize underground storage systems as opposed to traditional

drainage/retention ponds and drainage has been contemplated for this site only.

10. **Public & Private Improvements:** A utility plan has been reviewed by the Utility Advisory Board, and other private utilities. An additional 15 foot easement shall be shown on the plat within the building setback line.

- **Streets & Sidewalks:** A 100 foot right of way has been provided for both Crossing Boulevard and Flint Hills Way, which is of adequate site to accommodate the proposed street widths, sidewalks, and utilities.
- **Sanitary Sewer:** An existing sanitary sewer line will be capped and left in place and a new sewer main of sufficient size will be installed to accommodate the current proposed development and future development in the area.
- **Water:** The lot will be served by an appropriately sized line as approved by city code.
- **Fire Protection:** The Fire Marshall will approve the location of hydrants during the final street design.
- **Private Utilities:** The applicant has met with all private utility companies and an additional easement shall be provided for within the building setback line.

11. **Miscellaneous:** There are several typographical errors on the face of the plat that will need to be corrected prior final adoption of the Governing Body.

Neighborhood Communications: At the time of writing this report, staff has not been in contact with any adjacent property owners.

Recommendation: Staff recommends a motion to recommend approval of the Final Plat subject to staff and Planning Commission comments to the Governing Body.

Attachments: Final Plat / Revised Preliminary Plat / Aerial Map / Zoning Map

Commissioner Bucklinger asked about the zoning for the remaining property. **Givens** stated that it was currently zoned Flex-Use Low and he did not anticipate any rezoning requests. **Bucklinger** also asked about the approval process from KDOT. **Jim Ubert, City Engineer**, spoke about the KDOT approval process running concurrently with the platting process. KDOT has requested that the plat be approved before issuing final approval for the road design.

Commissioner Rogers, stated that if there was a major change to the plat it would require additional review from the Planning Commission.

Commissioner Fowler asked about the existing drainage and how the new development would work. **Ubert**, stated the design for QuikTrip would actually reduce runoff and had met the city's stormwater requirements.

The Public Hearing was opened.

Trenton Worley, BG Consultants, Applicant's Agent, spoke in favor of the application for his clients. Mr. Worley stated that the project was moving forward with road design

and other infrastructure design, and this was one of the steps necessary to move the development forward.

No person spoke against the plat.

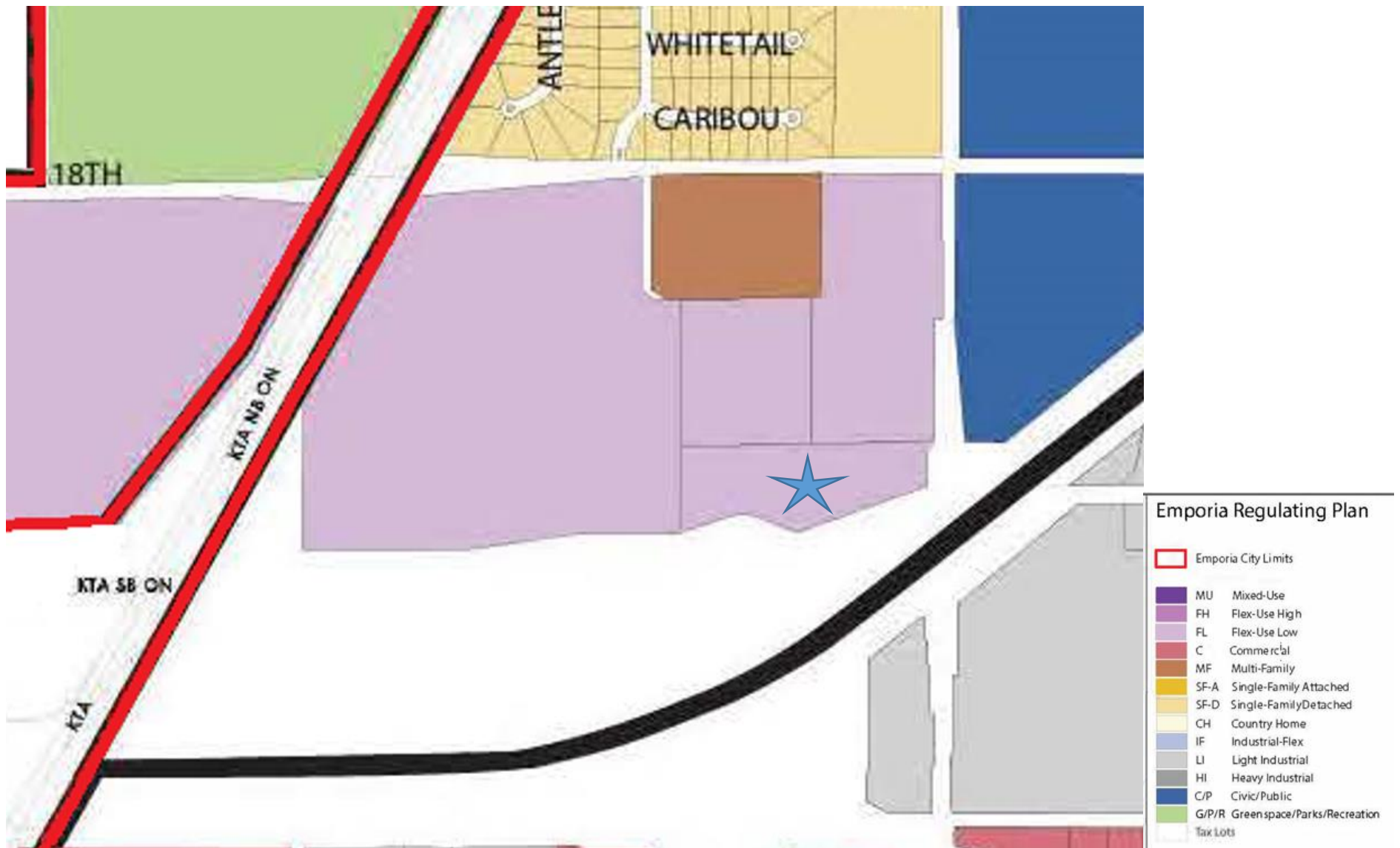
The Public Hearing was closed

Commissioner Barnes made a motion to recommend approval of the plat to the City Commission contingent upon final approval from KDOT. Commissioner Lingenfelter seconded the motion. The motion carried 6-0.

Flint Hills Crossing
Final Plat
Aerial Photo



Flint Hills Crossing Zoning Map





Commission Action Report

Accepting Flint Hills Crossing Easements

Title: Accepting Flint Hills Crossing Right of Way & Easements, Project No. PV2205

Agenda Date: October 16, 2024

Presented By: James Uberty, City Engineer

Background:

Flint Hills Crossing – Phase I Improvements will provide the City infrastructure to serve the Quik Trip site. The attached right of way and permanent easements are outside of the Flint Hills Crossing Plat and therefore being donated via separate instrument.

Discussion:

The attached Right of Way, Permanent Sanitary Sewer Easement and Permanent Drainage Easement documents were donated by The Bailey Group, LP and CSJD, LLC for the construction of Flint Hills Crossing – Phase I Improvements.

Financial considerations:

None. The right of way and permanent easements were donated in conjunction with the platting.

Recommended action:

Accept the right of way, permanent sanitary sewer easement and permanent drainage easement.

Attachments:

Right of Way, Permanent Sanitary Sewer Easement, Permanent Drainage Easement, and Exhibits.

PERMANENT DRAINAGE EASEMENT

This indenture made the 2nd day of October, 2024, between The Bailey Group, LP and CSJD, LLC, hereinafter called First Party and the City of Emporia, Kansas, hereinafter called Second Party.

WITNESSETH, That the said First Party in consideration of One Dollar (\$1.00) and other valuable considerations, receipt of which is acknowledged, do by these presents grant unto the Second Party, its successors and assigns, a perpetual easement in and over the following described real estate situated in the City of Emporia, County of Lyon and State of Kansas, to-wit:

PERMANENT DRAINAGE EASEMENT

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., IN THE CITY OF EMPORIA, LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J. WESTBERG, PS 1708, ON SEPTEMBER 4, 2024, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7
S. 89°05'42" W. 1205.82 FEET; THENCE
S. 00°54'18" E. 1173.08 FEET TO THE POINT OF BEGINNING; THENCE
S. 63°47'23" W. 50.00 FEET; THENCE
S. 78°03'02" W. 61.91 FEET; THENCE
S. 26°12'37" E. 50.00 FEET; THENCE
N. 58°47'21" E. 60.23 FEET; THENCE
N. 63°47'23" E. 50.00 FEET; THENCE
N. 26°12'37" W. 29.50 FEET TO THE POINT OF BEGINNING, CONTAINING 0.09 ACRES

for the purpose of constructing and maintaining Storm Sewer Pipes, Drainage Channels, Swales, or other Drainage Improvements on said tract.

The duration of the easement herein conveyed shall be perpetual unless the Second Party agrees to terminate or abandon its use of the same for the stated purpose due to future development, right of way extension, or any other reason. The drainage easement shall specifically include, the right and privilege of the Second Party, its agents, employees, contractors, and assigns, of ingress and egress over the lands of the First Party to access the drainage infrastructure and to traverse the easement with vehicles and equipment, and to make such improvements and excavations thereon and thereunder as may be reasonably necessary to construct, install, maintain, repair, replace, operate, or use the drainage easement. Second party shall save and hold the First Party harmless from any and liability for personal injury and property damage resulting from said drainage easement, or any related facilities or activities conducted or located within said easement, except liability for personal injuries or property damage caused solely by the negligence or wrongdoing of the First Party. Second Party, its contractors and assigns shall take all reasonable steps to restore and revegetate any ground areas disturbed by maintenance or construction or related activities in the permanent easement herein granted. The parties acknowledge and agree that the First Party, its heirs, successors or assigns, shall be entitled at all times to travel over the easements, and to conduct any and all activities which they may desire to conduct provided the same does not unreasonably interfere with Second Party's use of said easement for the construction, installation, maintenance, repair, operation or use of the drainage infrastructure located in the easement.

IN WITNESS WHEREOF, The First Party has executed this instrument the day and year first above written.

The Bailey Group, LP

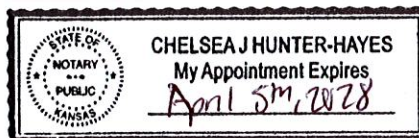
Jeffrey P. DeBauge
Jeffrey P. DeBauge, Manager

CSJD, LLC

Thomas A. Krueger
Thomas A. Krueger, Member

CSJD, LLC

Carol J. Krueger
Carol J. Krueger, Member



STATE OF KANSAS, COUNTY OF LYON, ss:

BE IT REMEMBERED, on this 2nd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Jeffrey P. DeBauge, Manager of The Bailey Group, LP**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

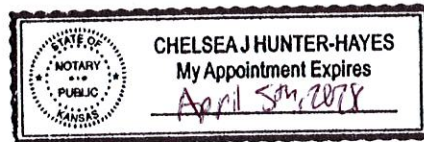
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Ch Hunter-Hayes
NOTARY PUBLIC

My Commission Expires:

April 5th, 2028

STATE OF KANSAS, COUNTY OF LYON, ss:



BE IT REMEMBERED, on this 3rd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Thomas A. Krueger, Member of CSJD, LLC**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

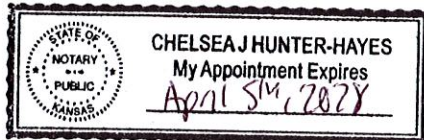
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

[Signature]
NOTARY PUBLIC

My Commission Expires:

April 5th, 2028

STATE OF KANSAS, COUNTY OF LYON, ss:



BE IT REMEMBERED, on this 3rd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Carol J. Krueger, Member of CSJD, LLC**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

[Signature]
NOTARY PUBLIC

My Commission Expires:

April 5th, 2028

PERMANENT SANITARY SEWER EASEMENT

This indenture made this 2nd day of October, 2024, by and between **The Bailey Group, LP & CSJD, LLC**, hereinafter referred to as "First Party", and the City of Emporia, Lyon County, Kansas, a municipal corporation hereinafter referred to as "Second Party". WITNESSETH:

That the First Party, in consideration of the sum of one dollar (\$1.00) duly paid, the receipt of which is hereby acknowledged, does by these presents convey unto the Second Party, its successors and assigns, all the First Party's interest in the following described parcel, lying, being and situated in the County of Lyon and State of Kansas, to wit:

SANITARY SEWER EASEMENT:

10 FEET ON EACH SIDE OF A LINE LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6th P.M., IN THE CITY OF EMPORIA, LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J WESTBERG, PS 1708, ON JUNE 25, 2024, AS FOLLOWS:

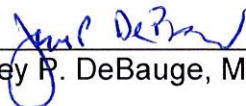
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE
ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7
S. 00°26'08" W. 1508.31 FEET; THENCE PERPENDICULAR TO THE EAST LINE OF
THE NORTHEAST QUARTER OF SAID SECTION 7
N. 89°33'52" W. 1159.67 FEET TO THE POINT OF BEGINNING ON THE
NORTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 35; THENCE
N. 00°26'37" W. 214.25 FEET; THENCE
N. 63°47'23" E. 28.27 FEET TO THE POINT OF TERMINATION, CONTAINING 0.11
ACRES

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, forever for the purpose of a perpetual easement for the construction and maintenance of sanitary sewer utility in any manner which the Second Party may deem necessary and for all uses incidental thereto or any other governmental purpose including, without limitation, the construction, installation and maintenance of said utility by the Second Party and its franchisees.

First Party does hereby covenant, promise and agree with the Second Party, that at the delivery of these presents it is lawfully seized in its own right, or an absolute indefeasible estate of inheritance in fee simple, of and in all and singular the above conveyed and described premises, with the appurtenances thereto; the same are free, clear and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatever nature or kind soever; and that First Party will warrant and forever defend the interest unto the Second Party, its successors and assigns, against the First Party's successors, and all and every person or persons whomsoever, lawfully claiming or to claim the same by, through or under the First Party.

IN WITNESS WHEREOF the First Party has executed this indenture as of the date first above written.

The Bailey Group, LP



Jeffrey P. DeBauge, Manager

CSJD, LLC

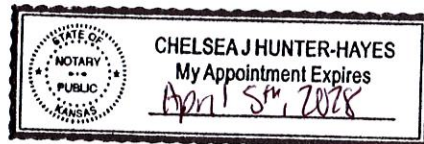


Thomas A. Krueger, Member

CSJD, LLC



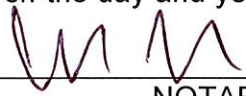
Carol J. Krueger, Member



STATE OF KANSAS, COUNTY OF LYON, ss:

BE IT REMEMBERED, on this 2nd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Jeffrey P. DeBauge, Manager of The Bailey Group, LP**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.



NOTARY PUBLIC

My Commission Expires:

April 5th, 2028



STATE OF KANSAS, COUNTY OF LYON, ss:

BE IT REMEMBERED, on this 3rd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Thomas A. Krueger, Member of CSJD, LLC**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

NOTARY PUBLIC

My Commission Expires:

April 5th, 2028



STATE OF KANSAS, COUNTY OF LYON, ss:

BE IT REMEMBERED, on this 3rd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Carol J. Krueger, Member of CSJD, LLC**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

NOTARY PUBLIC

My Commission Expires:

April 5th, 2028

Exempt per K.S.A. 79-1437e(a)(13)

RIGHT OF WAY

This indenture made this 2nd day of October, 2024, by and between **The Bailey Group, LP and CSJD, LLC** of Emporia, Lyon County, Kansas, hereinafter referred to as First Party, and the City of Emporia, Lyon County, Kansas, a municipal corporation hereinafter referred to as Second Party.

WITNESSETH:

That the First Party, in consideration of the sum of one dollar (\$1.00) duly paid, the receipt of which is hereby acknowledged, does by these presents grant and convey unto the Second Party, its successors and assigns, all the First Party's interest in the following described parcel, lying, being and situated in the County of Lyon and State of Kansas, to wit:

DESCRIPTION:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., IN THE CITY OF EMPORIA, LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J. WESTBERG, PS 1708, ON SEPTEMBER 4, 2024, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE
ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7
S. 00°26'08" W. 519.15 FEET TO THE POINT OF BEGINNING; THENCE
CONTINUING ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF
SAID SECTION 7
S. 00°26'08" W. 258.68 FEET; THENCE
N. 89°33'52" W. 60.00 FEET; THENCE
N. 00°26'08" E. 258.68 FEET; THENCE
S. 89°33'52" E. 60.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.36
ACRES (INCLUDES 0.29 ACRES OF EXISTING RIGHT OF WAY AND 0.07
ACRES OF NEW RIGHT OF WAY)

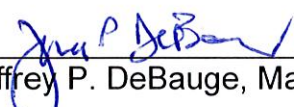
TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, forever for the purpose of a perpetual right of way for the construction and maintenance of a street in any manner which the Second Party may deem necessary and for all uses incidental thereto or any other governmental purpose including, without limitation, the construction, installation and maintenance of utilities by the Second Party and its franchisees.

First Party does hereby covenant, promise and agree with the Second Party, that at the delivery of these presents it is lawfully seized in its own right, or an absolute indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances thereto; the same are free,

clear and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatever nature or kind soever; and that First Party will warrant and forever defend the interest unto the Second Party, its successors and assigns, against the First Party's successors, and all and every person or persons whomsoever, lawfully claiming or to claim the same by, through or under the First Party.

IN WITNESS WHEREOF the First Party has executed this indenture as of the date first above written.

The Bailey Group, LP



Jeffrey P. DeBauge, Manager

CSJD, LLC



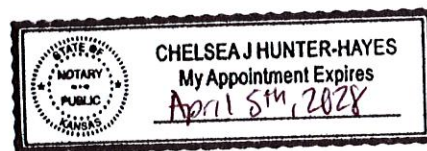
Thomas A. Krueger, Member

CSJD, LLC



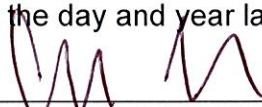
Carol J. Krueger, Member

STATE OF KANSAS, COUNTY OF LYON, ss:



BE IT REMEMBERED, on this 2nd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Jeffrey P. DeBauge, Manager of The Bailey Group, LP**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.



NOTARY PUBLIC

My Commission Expires:

April 5th, 2028



STATE OF KANSAS, COUNTY OF LYON, ss:

BE IT REMEMBERED, on this 3rd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Thomas A. Krueger, Member of CSJD, LLC**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

[Signature]
NOTARY PUBLIC

My Commission Expires:

April 5th, 2028



STATE OF KANSAS, COUNTY OF LYON, ss:

BE IT REMEMBERED, on this 3rd day of October, 2024, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Carol J. Krueger, Member of CSJD, LLC**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

[Signature]
NOTARY PUBLIC

My Commission Expires:

April 5th, 2028

THE DEBAUGE FAMILY INVESTMENTS & CSJD
BOOK 470 PAGE 180

Lot 1,
Flint Hills Crossing

DRAINAGE EASEMENT
CONTAINING 0.09 ACRES

SANITARY SEWER EASEMENT
CONTAINING 0.11 ACRES

LEGAL DESCRIPTION

PERMANENT DRAINAGE EASEMENT

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., IN THE CITY OF EMPORIA, LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J. WESTBERG, PS 1708, ON SEPTEMBER 4, 2024, AS FOLLOWS:

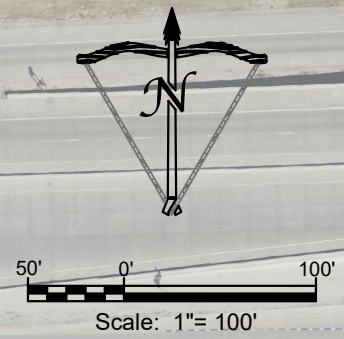
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7
S. 89°05'42" W. 1205.82 FEET; THENCE
S. 00°54'18" E. 1173.08 FEET TO THE POINT OF BEGINNING; THENCE
S. 63°47'23" W. 50.00 FEET; THENCE
S. 78°03'02" W. 61.91 FEET; THENCE
S. 26°12'37" E. 50.00 FEET; THENCE
N. 58°47'21" E. 60.23 FEET; THENCE
N. 63°47'23" E. 50.00 FEET; THENCE
N. 26°12'37" W. 29.50 FEET TO THE POINT OF BEGINNING, CONTAINING 0.09 ACRES

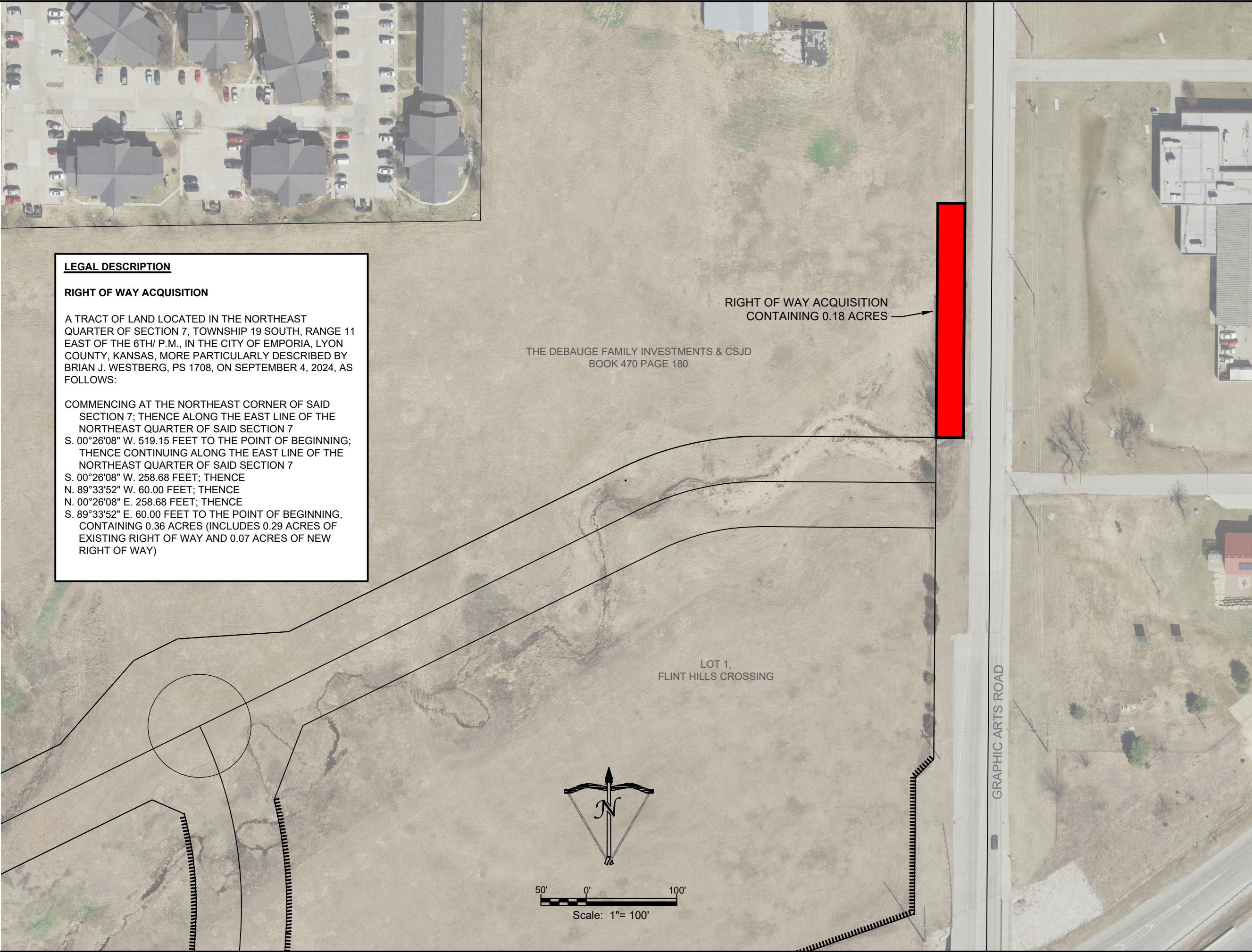
LEGAL DESCRIPTION

PERMANENT SANITARY SEWER EASEMENT

10 FEET ON EACH SIDE OF A LINE LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6th P.M., IN THE CITY OF EMPORIA, LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J WESTBERG, PS 1708, ON JUNE 25, 2024, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7
S. 00°26'08" W. 1508.31 FEET; THENCE PERPENDICULAR TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7
N. 89°33'52" W. 1159.67 FEET TO THE POINT OF BEGINNING ON THE NORTHERLY RIGHT OF WAY LINE OF INTERSTATE HIGHWAY 35; THENCE
N. 00°26'37" W. 214.25 FEET; THENCE
N. 63°47'23" E. 28.27 FEET TO THE POINT OF TERMINATION, CONTAINING 0.11 ACRES





LEGAL DESCRIPTION

RIGHT OF WAY ACQUISITION

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH/ P.M., IN THE CITY OF EMPORIA, LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED BY BRIAN J. WESTBERG, PS 1708, ON SEPTEMBER 4, 2024, AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 7; THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 S. 00°26'08" W. 519.15 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 7 S. 00°26'08" W. 258.68 FEET; THENCE N. 89°33'52" W. 60.00 FEET; THENCE N. 00°26'08" E. 258.68 FEET; THENCE S. 89°33'52" E. 60.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.36 ACRES (INCLUDES 0.29 ACRES OF EXISTING RIGHT OF WAY AND 0.07 ACRES OF NEW RIGHT OF WAY)

THE DEBAUGE FAMILY INVESTMENTS & CSJD
BOOK 470 PAGE 180

RIGHT OF WAY ACQUISITION
CONTAINING 0.18 ACRES

LOT 1,
FLINT HILLS CROSSING

GRAPHIC ARTS ROAD



Commission Action Report

Resolution No. 3741 of City of Emporia, Kansas,
Authorizing Certain Public Improvements for Flint Hills Crossing Infrastructure

Title: Resolution No. 3741 of City of Emporia, Kansas, Authorizing Certain Public Improvements for Flint Hills Crossing Infrastructure.

Agenda Date: October 16, 2024

Presented By: Mark Detter, Deputy City Manager

Background:

The Flint Hills Crossing Subdivision has been in various stages of development with the oversight of City Engineer, KDOT, and City Planning.

Discussion:

KDOT, City Engineer, and Planning and Zoning are ready for development plan to progress into a situation whereby the City will allow for the issuance of \$2,000,000 in public improvements.

Financial Considerations:

A Community Improvement District will be financing the site from revenue captured from the site once the proposed Quik Trip is developed and begins generating revenue. The overall improvements costs will be between \$3.5 and \$3.75 million dollars (with a Community Improvement District paying 50% of those costs).

Other Considerations:

The City believes adequate infrastructure exists for the site and meets future land growth projections.

Recommended Action:

Approve Resolution No. 3741 authorizing expenditures through the issuance of General Obligation Bonds for the purpose of improvements to Flint Hills Crossing Subdivision.

Attachments:

Resolution No. 3741

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EMPORIA, KANSAS
HELD ON OCTOBER 16, 2024**

The governing body met in regular session at the usual meeting place in the City at 11:00 A.M., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

(Other Proceedings)

There was presented a Resolution entitled:

**A RESOLUTION OF THE CITY OF EMPORIA, KANSAS, AUTHORIZING
CERTAIN PUBLIC IMPROVEMENTS AND PROVIDING FOR THE PAYMENT
OF THE COSTS THEREOF (FLINT HILLS CROSSING INFRASTRUCTURE
IMPROVEMENTS).**

Commissioner _____ moved that the Resolution be adopted. The motion was seconded by Commissioner _____. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the following vote of the governing body:

Yea: _____.

Nay: _____.

The Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. 3741 and was signed by the Mayor and attested by the Clerk.

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Emporia, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

Kerry Sull, Clerk

RESOLUTION NO. 3741

A RESOLUTION OF THE CITY OF EMPORIA, KANSAS, AUTHORIZING CERTAIN PUBLIC IMPROVEMENTS AND PROVIDING FOR THE PAYMENT OF THE COSTS THEREOF (FLINT HILLS CROSSING INFRASTRUCTURE IMPROVEMENTS).

WHEREAS, K.S.A. 13-1024a, as amended by Charter Ordinance No. 41 (the “Act”) of the City of Emporia, Kansas (the “City”), provides that for the purpose of paying for any bridge, viaduct, street, sidewalk, transportation or pedestrian way improvement, airport, public building or structure, parking improvement, or other public utility or works, including any appurtenances related thereto and the land necessary therefor, for lands for public parks and recreation facilities, including golf courses, stadiums and community centers, and developing and making improvements to the same, within or without the City, for the establishment, development and construction of crematories, desiccating or reduction works, including any appurtenances related thereto and the land necessary therefor, within or without the City, or for the improvement, repair or extension of any waterworks, sanitary sewer facilities, sewage treatment or disposal plant, sewerage system, storm water improvement, electric light plant, telecommunications, crematory, desiccating or reduction works or other public utility plant or works owned by the City, and for the purpose of rebuilding, adding to or extending to the same or acquiring land necessary therefor from time to time, as the necessities of the City may require, or for the acquisition of equipment, vehicles and other personal property to be used in relation to any of the improvements authorized herein, the City may borrow money and issue its general obligation bonds and/or temporary notes for the same; and

WHEREAS, the City may issue such general obligation bonds when authorized to do so by the adoption of a resolution by the City Commission (the “Governing Body”) describing the purpose to be provided for and the amount of general obligation bonds to be issued, such bonds to be issued, sold, delivered and retired in accordance with the provisions of the general bond law; and

WHEREAS, the Governing Body desires to authorize the issuance of general obligation bonds of the City to finance all or a portion of the public improvements set forth below.

THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF EMPORIA, KANSAS:

Section 1. Public Improvements; Bond Authorization. The Governing Body hereby authorizes the issuance of general obligation bonds of the City (the “Bonds”) for the following described public improvements (the “Improvements”):

<u>Description</u>	<u>Estimated Cost</u>
Flint Hills Crossing Infrastructure Improvements – Streets, Sanitary Sewer, Water, and Storm Sewer Improvements	\$3,218,275

The estimated costs of the Improvements shall be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution. The costs of the Improvements, interest on interim financing and associated financing costs shall be payable from the proceeds of the Bonds issued under authority of the Act.

Section 2. Reimbursement. The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation § 1.150-2.

Section 3. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

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ADOPTED AND APPROVED by the Governing Body of the City of Emporia, Kansas, on October 16, 2024.

(Seal)

Erren Harter, Mayor

ATTEST:

Kerry Sull, Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the Governing Body on October 16, 2024, as the same appears of record in my office.

DATED: October 16, 2024.

Clerk



Commission Action Report

Award of Flint Hills Crossing

Title: Award of Flint Hills Crossing – Phase I, Project No. PV2205

Agenda Date: October 16, 2024

Presented By: James Uberty, City Engineer

Background:

Flint Hills Crossing – Phase I Paving & Utility Improvements will provide the infrastructure to serve the proposed Quik Trip site.

Discussion:

The City of Emporia Engineering Office publicly opened bids on Tuesday, October 8th, 2024 at 2:00 pm in the Engineering Department Conference Room for Flint Hills Crossing – Phase I Paving & Utility Improvements project. The Engineering Department received four (4) bids, the bid tabulation and Engineer's Estimate produced by BG Consultants are below:

Contractor	Base Bid
Bruce Davis Construction, LLC	\$2,687,630.03
Ebert Construction Co., Inc.	\$3,220,943.17
Middle Creek Corporation	\$3,348,262.35
Apex Excavation, LLC	\$5,425,115.00
Engineer's Estimate	\$3,693,602.50

Financial considerations:

This project will be funded on an interim basis by a bond issuance that is to be paid off by the CID (Quik Trip site).

Recommended action:

City staff recommends awarding this contract to Bruce Davis Construction, LLC for the base bid amount of \$2,687,630.03, subject to KDOT approval.

Attachments:

Bid tabulation and recommendation letter from BG Consultants.

* by email only *

City of Emporia

October 9, 2024

c/o: James Ubert, P.E. – City Engineer

Re: Award of Construction Contract
Flint Hills Crossing – Phase I (BG Proj. No. 22-1145 / City Proj. No. PV2205)
City of Emporia, Kansas

Dear City Commissioners:

The bid opening for the Flint Hills Crossing – Phase I project was held on Tuesday, October 8th, 2024, at 2:00pm. Four (4) bids were received by the City Clerk's office and were publicly opened and read aloud.

Bids were tabulated and reviewed for conformance to the bidding requirements. The following table summarizes the engineer's estimate and the bids that were received. Bid tabulations are attached.

Engineer's Estimate	Bruce Davis Construction, LLC	Ebert Construction Co., Inc.	Middle Creek Corporation	Apex Excavation, LLC
\$3,693,602.50	\$2,687,630.03	\$3,220,943.17	\$3,348,262.35	\$5,425,115.00

Bruce Davis Construction, LLC submitted the lowest, responsive bid. Based on recent work that Bruce Davis Construction, LLC has performed for the City of Emporia on Road F, we believe they are qualified to construct the Flint Hills Crossing – Phase I project.

Based on our review of the bids, the information outlined above, BG Consultants, Inc. recommends the City of Emporia **award the Flint Hills Crossing – Phase I (City Proj. No. PV2205) construction contract to Bruce Davis Construction, LLC in the amount of \$2,687,630.03 and authorize construction to commence.**

Please call me at (785) 727-7673 or email me at diane.rosebaugh@bgcons.com if you have any questions about the bidding process, bid results, and/or our review and recommendation.

Sincerely,



Diane Rosebaugh, P.E.,
Project Manager, Principal

Attachment – Bid Tabulations

BID TABULATIONS
Flint Hills Crossing - Phase I
Emporia, Kansas
Bid Letting October 8, 2024
BG Proj. No. 22-1145E / City Proj. No. PV2205

				Engineer's Estimate		Bruce Davis Construction, LLC		Ebert Construction Co., Inc.		Middle Creek Corporation		Apex Excavating, LLC	
Item #	Description	Quantity	Unit	Unit Price		Unit Price		Unit Price		Unit Price		Unit Price	
Base Bid													
1.	CONTRACTOR CONSTRUCTION STAKING	1	L.S.	\$ 20,000.00	\$ 20,000.00	\$ 30,000.00	\$ 30,000.00	\$ 27,020.26	\$ 27,020.26	\$ 45,000.00	\$ 45,000.00	\$ 40,000.00	\$ 40,000.00
2.	MOBILIZATION	1	L.S.	\$ 375,000.00	\$ 375,000.00	\$ 216,380.00	\$ 216,380.00	\$ 181,364.37	\$ 181,364.37	\$ 301,000.00	\$ 301,000.00	\$ 807,169.00	\$ 807,169.00
3.	REMOVAL OF EXISTING STRUCTURES	1	L.S.	\$ 25,000.00	\$ 25,000.00	\$ 9,680.00	\$ 9,680.00	\$ 3,681.42	\$ 3,681.42	\$ 12,300.00	\$ 12,300.00	\$ 20,240.00	\$ 20,240.00
4.	CLEARING AND GRUBBING	1	L.S.	\$ 15,000.00	\$ 15,000.00	\$ 18,750.00	\$ 18,750.00	\$ 8,023.41	\$ 8,023.41	\$ 7,000.00	\$ 7,000.00	\$ 20,000.00	\$ 20,000.00
5.	STORM SEWER POLLUTION PREVENTION	1	L.S.	\$ 20,000.00	\$ 20,000.00	\$ 39,950.00	\$ 39,950.00	\$ 16,110.07	\$ 16,110.07	\$ 75,000.00	\$ 75,000.00	\$ 33,450.00	\$ 33,450.00
6.	SEEDING, FERTILIZING AND MULCHING	1	L.S.	\$ 7,500.00	\$ 7,500.00	\$ 18,950.00	\$ 18,950.00	\$ 78,484.10	\$ 78,484.10	\$ 19,000.00	\$ 19,000.00	\$ 14,120.00	\$ 14,120.00
7.	PAVEMENT REMOVAL	217	S.Y.	\$ 50.00	\$ 10,850.00	\$ 51.85	\$ 11,251.45	\$ 26.85	\$ 5,826.45	\$ 24.00	\$ 5,208.00	\$ 100.00	\$ 21,700.00
8.	COMMON EXCAVATION (RURAL SMALL)	8404	C.Y.	\$ 10.00	\$ 84,040.00	\$ 5.35	\$ 44,961.40	\$ 13.24	\$ 111,268.96	\$ 7.00	\$ 58,828.00	\$ 5.00	\$ 42,020.00
9.	COMMON EXCAVATION (CONTRACTOR FURNISHED)	12207	C.Y.	\$ 15.00	\$ 183,105.00	\$ 11.90	\$ 145,263.30	\$ 21.06	\$ 257,079.42	\$ 16.00	\$ 195,312.00	\$ 15.00	\$ 183,105.00
10.	COMPACTION OF EARTHWORK (TYPE AA)	3723	C.Y.	\$ 7.50	\$ 27,922.50	\$ 3.10	\$ 11,541.30	\$ 3.45	\$ 12,844.35	\$ 2.25	\$ 8,376.75	\$ 5.00	\$ 18,615.00
11.	COMPACTION OF EARTHWORK (TYPE B)	12766	C.Y.	\$ 15.00	\$ 191,490.00	\$ 0.90	\$ 11,489.40	\$ 3.45	\$ 44,042.70	\$ 1.70	\$ 21,702.20	\$ 5.00	\$ 63,830.00
11a	WATER (GRADING)(SET PRICE)	1	M.GAL.	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
12.	AGGREGATE BASE (AB-3)(6")	10374	S.Y.	\$ 12.00	\$ 124,488.00	\$ 11.50	\$ 119,301.00	\$ 26.94	\$ 279,475.56	\$ 7.00	\$ 72,618.00	\$ 12.50	\$ 129,675.00
12a	WATER (AGGREGATE BASE)(SET PRICE)	1	M.GAL.	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
13.	HMA - COMMERCIAL GRADE (CLASS A)(BASE)	2816	TON	\$ 120.00	\$ 337,920.00	\$ 95.80	\$ 269,772.80	\$ 96.67	\$ 272,222.72	\$ 96.00	\$ 270,336.00	\$ 100.00	\$ 281,600.00
14.	HMA - COMMERCIAL GRADE (CLASS A)(SURFACE)	545	TON	\$ 120.00	\$ 65,400.00	\$ 104.40	\$ 56,898.00	\$ 105.36	\$ 57,421.20	\$ 107.00	\$ 58,315.00	\$ 100.00	\$ 54,500.00
15.	CONCRETE PAVEMENT (4" PLAIN)(AE)(STAMPED/COLORED)	530	S.Y.	\$ 80.00	\$ 42,400.00	\$ 79.50	\$ 42,135.00	\$ 98.15	\$ 52,019.50	\$ 80.00	\$ 42,400.00	\$ 95.00	\$ 50,350.00
16.	CONCRETE PAVEMENT (9" UNIFORM)(AE)(NRDJ)(STAMPED/COLORED)	360	S.Y.	\$ 95.00	\$ 34,200.00	\$ 145.95	\$ 52,542.00	\$ 140.92	\$ 50,731.20	\$ 147.00	\$ 52,920.00	\$ 150.00	\$ 54,000.00
17.	CONCRETE PAVEMENT (10" UNIFORM)(AE)(NRDJ)	1933	S.Y.	\$ 100.00	\$ 193,300.00	\$ 97.85	\$ 189,144.05	\$ 93.35	\$ 180,445.55	\$ 99.00	\$ 191,367.00	\$ 105.00	\$ 202,965.00
18.	CONCRETE PAVEMENT (10" UNIFORM)(AE)	569	S.Y.	\$ 110.00	\$ 62,590.00	\$ 97.85	\$ 55,676.65	\$ 88.39	\$ 50,293.91	\$ 99.00	\$ 56,331.00	\$ 95.00	\$ 54,055.00
19.	SIDEWALK CONSTRUCTION (4")(AE)	1277	S.Y.	\$ 85.00	\$ 108,545.00	\$ 52.00	\$ 66,404.00	\$ 56.60	\$ 72,278.20	\$ 58.00	\$ 74,066.00	\$ 45.00	\$ 57,465.00
20.	SIDEWALK RAMP	66	S.Y.	\$ 265.00	\$ 17,490.00	\$ 304.50	\$ 20,097.00	\$ 118.80	\$ 7,840.80	\$ 310.00	\$ 20,460.00	\$ 195.00	\$ 12,870.00
21.	CURB AND GUTTER, COMBINED (AE)	4713	L.F.	\$ 45.00	\$ 212,085.00	\$ 27.00	\$ 127,251.00	\$ 39.51	\$ 186,210.63	\$ 29.00	\$ 136,677.00	\$ 24.00	\$ 113,112.00
22.	CURB AND GUTTER, COMBINED (AE)(SPECIAL)(8" PROTECTION)	292.2	L.F.	\$ 50.00	\$ 14,610.00	\$ 47.90	\$ 13,996.38	\$ 40.04	\$ 11,699.69	\$ 52.00	\$ 15,194.40	\$ 40.00	\$ 11,688.00
23.	CURB AND GUTTER, COMBINED (AE)(SPECIAL)(3" TRUCK APRON)	355	L.F.	\$ 45.00	\$ 15,975.00	\$ 31.50	\$ 11,182.50	\$ 38.64	\$ 13,717.20	\$ 51.00	\$ 18,105.00	\$ 35.00	\$ 12,425.00
24.	FLUME INLET (CONCRETE)	2	EA.	\$ 2,100.00	\$ 4,200.00	\$ 750.00	\$ 1,500.00	\$ 2,648.87	\$ 5,297.74	\$ 3,500.00	\$ 7,000.00	\$ 2,000.00	\$ 4,000.00
25.	SLOPE DRAIN (CONCRETE)	10	L.F.	\$ 250.00	\$ 2,500.00	\$ 150.00	\$ 1,500.00	\$ 74.17	\$ 741.70	\$ 300.00	\$ 3,000.00	\$ 40.00	\$ 400.00
26.	INLET (TYPE 22 CURB)(6'X5')	1	EA.	\$ 7,500.00	\$ 7,500.00	\$ 6,910.00	\$ 6,910.00	\$ 5,126.54	\$ 5,126.54	\$ 9,960.00	\$ 9,960.00	\$ 10,745.00	\$ 10,745.00
27.	INLET (TYPE 22 CURB)(10'X4.5')	2	EA.	\$ 9,500.00	\$ 19,000.00	\$ 9,975.00	\$ 19,950.00	\$ 6,557.02	\$ 13,114.04	\$ 14,100.00	\$ 28,200.00	\$ 15,830.00	\$ 31,660.00
28.	INLET (TYPE 22 CURB)(10'X5')	9	EA.	\$ 9,750.00	\$ 87,750.00	\$ 8,575.00	\$ 77,175.00	\$ 6,557.02	\$ 59,013.18	\$ 22,500.00	\$ 202,500.00	\$ 12,180.00	\$ 109,620.00
29.	INLET (TYPE 22 CURB)(10'X6.5')	1	EA.	\$ 10,000.00	\$ 10,000.00	\$ 11,290.00	\$ 11,290.00	\$ 10,700.13	\$ 10,700.13	\$ 25,800.00	\$ 25,800.00	\$ 17,190.00	\$ 17,190.00
30.	INLET (TYPE 22 CURB)(10'X7')	3	EA.	\$ 13,500.00	\$ 40,500.00	\$ 12,090.00	\$ 36,270.00	\$ 9,158.38	\$ 27,475.14	\$ 26,300.00	\$ 78,900.00	\$ 18,925.00	\$ 56,775.00
31.	INLET (TYPE 22 CURB)(10'X7.5')	2	EA.	\$ 14,000.00	\$ 28,000.00	\$ 13,530.00	\$ 27,060.00	\$ 12,474.99	\$ 24,949.98	\$ 26,300.00	\$ 52,600.00	\$ 21,850.00	\$ 43,700.00
32.	INLET (TYPE 22 CURB)(10'X8')	1	EA.	\$ 15,000.00	\$ 15,000.00	\$ 14,725.00	\$ 14,725.00	\$ 10,700.13	\$ 10,700.13	\$ 28,900.00	\$ 28,900.00	\$ 23,860.00	\$ 23,860.00
33.	INLET (TYPE 22 CURB)(10'X9')	2	EA.	\$ 16,500.00	\$ 33,000.00	\$ 16,100.00	\$ 32,200.00	\$ 12,474.99	\$ 24,949.98	\$ 31,000.00	\$ 62,000.00	\$ 25,810.00	\$ 51,620.00
34.	STORM SEWER (15")(RCP)	504	L.F.	\$ 140.00	\$ 70,560.00	\$ 64.65	\$ 32,583.60	\$ 79.58	\$ 40,108.32	\$ 79.00	\$ 39,816.00	\$ 450.00	\$ 226,800.00
35.	STORM SEWER (24")(RCP)	381	L.F.	\$ 150.00	\$ 57,150.00	\$ 92.60	\$ 35,280.60	\$ 91.92	\$ 35,021.52	\$ 99.00	\$ 37,719.00	\$ 450.00	\$ 171,450.00
36.	STORM SEWER (48")(RCP)	1241	L.F.	\$ 250.00	\$ 310,250.00	\$ 192.90	\$ 239,388.90	\$ 203.34	\$ 252,344.94	\$ 280.00	\$ 347,480.00	\$ 450.00	\$ 558,450.00
37.	STORM SEWER (18" x 11")(RCPHE)	105	L.F.	\$ 140.00	\$ 14,700.00	\$ 81.00	\$ 8,505.00	\$ 117.59	\$ 12,346.95	\$ 142.00	\$ 14,910.00	\$ 650.00	\$ 68,250.00
38.	STORM SEWER (60" x 38")(RCPHE)	14	L.F.	\$ 350.00	\$ 4,900.00	\$ 300.50	\$ 4,207.00	\$ 305.38	\$ 4,275.32	\$ 346.00	\$ 4,844.00	\$ 650.00	\$ 9,100.00
39.	END SECTION (24")(RCP)	1	EA.	\$ 1,250.00	\$ 1,250.00	\$ 952.00	\$ 952.00	\$ 768.23	\$ 768.23	\$ 972.00	\$ 972.00	\$ 1,630.00	\$ 1,630.00
40.	END SECTION (48")(RCP)	1	EA.	\$ 2,000.00	\$ 2,000.00	\$ 1,967.00	\$ 1,967.00	\$ 2,039.77	\$ 2,039.77	\$ 2,700.00	\$ 2,700.00	\$ 3,240.00	\$ 3,240.00
41.	MANHOLE (TYPE II)(4' DIA.)	1	EA.	\$ 8,750.00	\$ 8,750.00	\$ 4,515.00	\$ 4,515.00	\$ 4,964.39	\$ 4,964.39	\$ 6,180.00	\$ 6,180.00	\$ 7,105.00	\$ 7,105.00
42.	FLOWABLE FILL (LOW STRENGTH)(STORM SEWER)	380.2	C.Y.	\$ 180.00	\$ 68,436.00	\$ 130.00	\$ 49,426.00	\$ 216.20	\$ 82,199.24	\$ 190.00	\$ 72,238.00	\$ 265.00	\$ 100,753.00
43.	AGGREGATE DITCH LINING (4")	23	TON	\$ 100.00	\$ 2,300.00	\$ 54.50	\$ 1,253.50	\$ 86.56	\$ 1,990.88	\$ 40.00	\$ 920.00	\$ 50.00	\$ 1,150.00
44.	RIPRAP (LIGHT STONE)	120	S.Y.	\$ 125.00	\$ 15,000.00	\$ 59.00	\$ 7,080.00	\$ 71.02	\$ 8,522.40	\$ 80.00	\$ 9,600.00	\$ 185.00	\$ 22,200.00
45.	PIPE COLLAR	1	EA.	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 3,992.74	\$ 3,992.74	\$ 600.00	\$ 600.00	\$ 1,805.00	\$ 1,805.00
46.	PERMANENT SIGNING	1	L.S.	\$ 12,500.00	\$ 12,500.00	\$ 15,750.00	\$ 15,750.00	\$ 12,450.59	\$ 12,450.59	\$ 18,000.00	\$ 18,000.00	\$ 34,815.00	\$ 34,815.00
47.	PAVEMENT MARKING (MULTI-COMPONENT)(WHITE)(6")	302	L.F.	\$ 3.50	\$ 1,057.00	\$ 1.05	\$ 317.10	\$ 2.12	\$ 640.24	\$ 1.00	\$ 302.00	\$ 1.25	\$ 377.50
48.	PAVEMENT MARKING (MULTI-COMPONENT)(WHITE)(8")	120	L.F.	\$ 4.00	\$ 480.00	\$ 2.90	\$ 348.00	\$ 4.24	\$ 508.80	\$ 3.00	\$ 360.00	\$ 5.00	\$ 600.00
49><													



Commission Action Report

Public Hearing and Resolution No. 3742

Regarding Intent to Issue Industrial Revenue Bonds for 502 Lofts LLC.

Title: Public Hearing and Resolution No. 3742 Regarding Intent to Issue Industrial Revenue Bonds for 502 Lofts LLC.

Agenda Date: October 16th, 2024

Presented By: Tayler Wash, Assistant City Manager

Background:

The public hearing and adoption of this resolution are the first steps in the eventual issuance of IRBs in the amount of \$3,500,000 for the 502 Lofts, LLC. for the purpose of purchasing, acquiring, constructing, furnishing, and equipping a commercial and residential facility in Emporia, Kansas.

The property is located at 502 Commercial Street. The renovation of the three-story building will include 7 long-term apartments, 3 hotel units and 1 commercial space. This is the project that received a HOPE VI grant in the amount of \$500,000 from the Department of Housing and Urban Development (HUD).

Discussion:

The property will be eligible for sales tax exemption and property tax exemption for a term of ten years, subject to fulfillment of the conditions of the City's public incentives policy. The City is not liable for the principal or interest on the bonds under Kansas Statutes.

Financial Considerations:

The Bonds, together with the interest thereon, are not general obligations of the City but are special obligations payable solely from the lease payments under the Lease, and the Bond Fund and other monies held by the Trustee, as provided in the Indenture. Neither the credit nor the taxing power of the State of Kansas or of any political subdivision of such State (i.e. the City of Emporia) is pledged to the payment of the principal of the Bonds and premium if any, and interest thereon or other costs incident thereto.

Recommended Action:

- Conduct a public hearing regarding the intent to issue IRBs for 502 Lofts LLC.
- Adopt Resolution No. 3742 regarding the intent to issue Industrial Revenue Bonds (IRBs) in the amount of \$3,500,000 for 502 Lofts LLC.

Attachments:

- Resolution No. 3742 regarding the intent to issue Industrial Revenue Bonds (IRBs) in the amount of \$3,500,000 for 502 Lofts LLC.
- Notice of Public Hearing Affidavit of Publication

RESOLUTION NO. 3742

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS DETERMINING THE ADVISABILITY OF ISSUING INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUIRING, CONSTRUCTING AND EQUIPPING OF A COMMERCIAL FACILITY TO BE LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

WHEREAS, the City of Emporia, Kansas (the “Issuer”) desires to promote, stimulate and develop the general economic welfare and prosperity of the City of Emporia, and thereby to further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas; and

WHEREAS, pursuant to the provisions of the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.* (the “Act”), the Issuer is authorized to issue revenue bonds for such purposes, and it is hereby found and determined to be advisable and in the interest and for the welfare of the Issuer and its inhabitants that revenue bonds of the Issuer in a principal amount not to exceed \$3,500,000 be authorized and issued, in one or more series, to provide funds to pay the costs of the acquiring, constructing and equipping of a commercial facility (the “Project”) to be located in the Issuer and to be leased by the Issuer to 502 Lofts, LLC, a Kansas limited liability company, or another legal entity to be formed by the principals of 502 Lofts, LLC (the “Tenant”).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS:

Section 1. Public Purpose. The governing body of the Issuer hereby finds and determines that the Project will promote, stimulate and develop the general economic welfare and prosperity of the Issuer and thereby further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas.

Section 2. Authorization to Acquire Project; Intent to Issue Bonds. The Issuer is hereby authorized to proceed with the acquiring, constructing and equipping of the Project and to issue its revenue bonds, in one or more series, in a principal amount not to exceed \$3,500,000 (the “Bonds”) to pay the costs thereof, subject to satisfaction of the conditions of issuance set forth herein.

Section 3. Conditions to Issuance of Bonds. The issuance of the Bonds is subject to: (a) the passage of an ordinance authorizing the issuance of the Bonds; (b) the successful negotiation of a Trust Indenture, Site Lease, Project Lease, Bond Purchase Agreement or other legal documents necessary to accomplish the issuance of the Bonds, the terms of which shall be in compliance with the Act and mutually satisfactory to the Issuer and the Tenant; (c) the successful negotiation and sale of the Bonds to a purchaser or purchasers yet to be determined (the “Purchaser”), which sale shall be the responsibility of the Tenant and not the Issuer; (d) the receipt of the approving legal opinion of Gilmore & Bell, P.C. (“Bond Counsel”) in form acceptable to the Issuer, the Tenant and the Purchaser; (e) the obtaining of all necessary governmental approvals to the issuance of the Bonds; (f) the commitment to and payment by the Tenant or Purchaser of all expenses relating to the issuance of the Bonds, including, but not limited to: (i) expenses of the Issuer and the

Issuer Attorney; (ii) any underwriting or placement fees and expenses; (iii) all legal fees and expenses of Bond Counsel; and (iv) all recording and filing fees, including fees of the Kansas Board of Tax Appeals; and (g) the satisfactory negotiation of an agreement with the Tenant relating to the payment or exemption of all or a portion of property taxes assessed against the Project after issuance of the Bonds.

Section 4. Property Tax Exemption. The Issuer hereby determines that pursuant to the provisions of K.S.A. 79-201a *Twenty-Fourth*, the Project, to the extent purchased or constructed with the proceeds of the Bonds, should be exempt from payment of ad valorem property taxes for ten years commencing with the year following the year in which the Bonds are issued, provided proper application is made therefor; provided no exemption may be granted from the ad valorem property tax levied: (a) by a school district pursuant to the provisions of K.S.A. 72-53,113, and amendments thereto; and (b) for the uses restricted pursuant to the provisions of K.S.A. 79-201a, *Second* and *Twenty-Fourth*; and (c) for real estate on which the Project is located. In making such determination the governing body of the Issuer has conducted the public hearing and reviewed the analysis of costs and benefits of such exemption required by K.S.A. 12-1749d. The Tenant is responsible for preparing such application and providing the same to the Issuer for its review and submission to the State Board of Tax Appeals.

Section 5. Sales Tax Exemption. The Governing Body hereby determines that pursuant to the provisions of K.S.A. 79-3601 *et seq.* (the "Sales Tax Act"), particularly 79-3606(b) and (d) and other applicable laws, sales of tangible personal property or services purchased in connection with construction of the Project and financed with proceeds of the Bonds are entitled to exemption from the tax imposed by the Sales Tax Act; provided proper application is made therefore. In the event that the Bonds are not issued for any reason, the Tenant will not be entitled to a sales tax exemption under the terms of the Sales Tax Act and will remit to the State Department of Revenue all sales taxes that were not paid due to reliance on the sales tax exemption certificate granted hereunder.

Section 6. Reliance by Tenant; Limited Liability of Issuer. It is contemplated that in order to expedite acquisition of the Project and realization of the benefits to be derived thereby, the Tenant may incur temporary indebtedness or expend its own funds to pay costs of the Project prior to the issuance of the Bonds. Proceeds of Bonds may be used to reimburse the Tenant for such expenditures made not more than 60 days prior to the date this Resolution is adopted. The Bonds herein authorized and all interest thereon shall be paid solely from the revenues to be received by the Issuer from the Project and not from any other fund or source. The Issuer shall not be obligated on such Bonds in any way, except as herein set out. In the event that the Bonds are not issued, the Issuer shall have no liability to the Tenant.

Section 7. Execution and Delivery of Bond Purchase Agreement. At such time as the Tenant has demonstrated compliance with the provisions of this Resolution, the Mayor and City Clerk are authorized to execute a bond purchase agreement with the Purchaser and the Tenant for the sale of the Bonds in a form satisfactory to the City Attorney and Bond Counsel.

Section 8. Further Action. The Clerk is hereby authorized to deliver an executed copy of this Resolution to the Tenant. The Mayor, Clerk and other officials and employees of the Issuer, including the Issuer's counsel and Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution, including, but not limited to: (a) cooperate with the Tenant in filing an application for a sales tax exemption certificate with the Kansas Department of Revenue with respect to Bond-financed property; and (b) execution on behalf of the Issuer of the information statement regarding the proposed issuance of the Bonds to be filed with the State Board of Tax Appeals pursuant to the Act.

Section 9. Effective Date. This resolution shall become effective upon adoption by the Governing Body.

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ADOPTED by the governing body of the City of Emporia, Kansas on October 16, 2024.

Mayor

[SEAL]

Attest:

Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Issuer adopted by the governing body on October 16, 2024, as the same appears of record in my office.

DATED: October 16, 2024.

Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EMPORIA, KANSAS
HELD ON OCTOBER 16, 2024**

The governing body met in regular session at the usual meeting place in the city on October 16, 2024, at 1:30 p.m., the following members being present and participating, to wit:

[_____]

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Among other business, in accordance with a notice published on October 5, 2024, in *The Emporia Gazette*, a public hearing was held by the governing body relating to the proposed issuance of Industrial Revenue Bonds (502 Lofts, LLC) in a principal amount not to exceed \$3,500,000 (the “Bonds”) and regarding an exemption from ad valorem taxation of property constructed or purchased with the proceeds of such Bonds. All interested persons were afforded an opportunity to present their views on the issuance of the Bonds and the exemption from ad valorem taxation. Thereupon, the public hearing was closed.

There was presented a Resolution entitled:

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EMPORIA,
KANSAS DETERMINING THE ADVISABILITY OF ISSUING INDUSTRIAL
REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUIRING,
CONSTRUCTING AND EQUIPPING OF A COMMERCIAL FACILITY TO BE
LOCATED IN THE CITY; AND AUTHORIZING EXECUTION OF RELATED
DOCUMENTS**

Commissioner _____ moved that the Resolution be adopted. The motion was seconded by Commissioner _____. The Resolution was duly read and considered, and upon being put, the motion for the adoption of the Resolution was carried by the vote of the governing body, the vote being as follows:

Aye: _____.

Nay: _____.

Thereupon, the Mayor declared the Resolution duly adopted and the Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting hereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Emporia, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

Clerk



Column

AFFIDAVIT OF PUBLICATION

See Proof on Next
Page

The Emporia Gazette
109 W. 6th Ave
(620) 342-4800

I, Bettina Shank, of lawful age, being duly sworn upon oath, deposes and says that I am the Operations Manager of The Emporia Gazette, a publication that is a "legal newspaper" as that phrase is defined for the city of Emporia, for the County of Lyon, in the state of Kansas, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:

Oct. 5, 2024

Notice ID: bbYQPgHdYFqmUhNaKNK2

Notice Name: Notice of Public Hearing IRB/502 Lofts, LLC

PUBLICATION FEE: \$56.10

Bettina Shank
Operations Manager

VERIFICATION

STATE OF KANSAS
COUNTY OF LYON



LISA M. STUEVE
NOTARY PUBLIC
STATE OF KANSAS
My Appl. Exp. 04-10-2027

Signed or attested before me on this

8th day of October, A.D. 2024

Lisa M. Stueve
Notary Public

(First Published in the Emporia Gazette on October 03, 2024).

**NOTICE OF PUBLIC HEARING
AND OF ISSUANCE OF INDUSTRIAL
REVENUE BONDS**

Public notice is hereby given that the City Commission of the City of Emporia, Kansas (the "Issuer"), will conduct a public hearing on October 16, 2024 at 11:00 a.m., or as soon thereafter as may be heard at the Municipal Court Room at the Civic Auditorium, 518 Mechanic Street, Emporia, Kansas in regard to the issuance by the Issuer of its Industrial Revenue Bonds (502 Lofts, LLC), in a principal amount not to exceed \$3,500,000 (the "Bonds") and in regard to an exemption from ad valorem taxation of property constructed or purchased with the proceeds of such Bonds. The Bonds are proposed to be issued by the Issuer under authority of K.S.A. 12-1740 or *et seq.*, as amended to pay the costs of the acquiring, constructing and equipping of a commercial facility located at 502 Commercial Street, Emporia, Kansas. The Issuer further intends to lease such facility to 502 Lofts, LLC, a Kansas limited liability company, or another legal entity to be formed by the principals of 502 Lofts, LLC (the "Tenant"). The governing body of the Issuer will not pass an ordinance authorizing the issuance of such revenue bonds until the public hearing has been concluded.

Notice is further given, in accordance with K.S.A. 12-1744e, that the Issuer intends to issue the Bonds and lease the facility to the Tenant as set out above.

A copy of this Notice, together with a copy of the inducement resolution of the Issuer to be considered for adoption on October 16, 2024, indicating the intent of the governing body of the Issuer to issue such Bonds and a report analyzing the costs and benefits of such property tax exemption are on file in the office of the Clerk, or will be as soon as completed, and available for public inspection during normal business hours.

All persons having an interest in this matter will be given an opportunity to be heard at the time and place above specified.

CITY OF EMPORIA, KANSAS
Kerry Sull, Clerk



Commission Action Report

Financials and Permits

Title: Financials and Permits
Agenda Date: October 16, 2024
Presented By: Trey Cocking, City Manager

Background:

This is a time for the City Manager to make comments and reports to the Public.

The following is general information for the month of September 2024 for the community:

Monthly Local Retail Sales Tax Receipts Update

	2023	2024	
	\$ 482,428.13	\$ 552,225.37	Increase of \$69,797.24 for the month, and
YTD	\$ 4,794,681.67	\$4,820,763.26	Overall increase of 0.54% from year 2023.

City Share from County Tax

	2023	2024	
	\$ 244,386.83	\$ 282,946.41	Increase of \$38,559.58 for the month, and
YTD	\$ 2,525,468.66	\$ 2,472,115.79	Overall decrease of 2.16% from year 2023.

Building Permits issued from 9/1/2024 to 9/30/2024 for new construction, remodeling/repairs and demolition.

Total number of building permits issued through Code Services:	50
Total of valuations associated with those building permits:	\$ 1,245,321.67
Total number of dollars collected for Building Permit Fees:	\$ 8,793.50
Construct – Single-family dwellings	0
Demo – Single-family dwellings	1

Flint Hills Mall CID for September 2024	\$ 19,177.24
YTD	\$ 184,166.74

Pavilions CID for September 2024	\$ 17,614.36
CID #2	\$ 17,602.03
YTD	\$ 282,256.67

Fairview Hotel CID for September 2024	\$ 5,143.08
YTD	\$ 27,670.61



DATE: October 10, 2024
TO: City Commissioners
FROM: Janet Harrouff
SUBJECT: Budget Comparison

The **General Fund** Income Statement for the nine-month period ended September 30, 2024, has been reviewed and the significant budget variations have been explained below.

Revenue:

Ad Valorem Tax: \$31,568 lower than YTD budget

Sales Tax: \$507,178 lower than YTD Budget.

City Sales Tax: \$443,912 lower

County Wide Tax: \$62,265 lower

Franchise tax: \$277,837 lower than YTD Budget

Electric - \$148,316 lower

Gas - \$104,909 lower

Charges for Services: \$303,898 higher than YTD Budget

Golf - \$223,158 higher

Ambulance - \$44,965 higher

Airport Fuel - \$26,353 higher

Use of Property and Money: \$460,127 higher than YTD Budget

Interest - \$471,040 higher

Expense

Personnel Services: \$181,060 higher than YTD budget

Maintenance & Repair: \$190,659 lower than YTD budget

Building: \$105,339 lower

Equipment: \$54,552 lower

Software: \$37,217 lower

Commodities: \$118,595 lower than YTD budget
Office Supplies: \$9,994 lower
Motor Fuel: \$1,116 higher
Chemicals: 7,257 higher
Clothing: \$24,609 lower
Ambulance supplies - \$36,612 lower
Airport Fuel - \$81,846 lower
Office Machines - \$10,087 higher
Golf Pro Shop Merchandise - \$40,075 higher

Other Charges: \$125,807 lower than YTD budget
Insurance: \$31,621 higher
Inter Department charges: \$149,262 lower

Other Contractual: \$143,775 lower than YTD budget
Contractual Services: \$85,015 lower
Professional Services: \$35,996 lower
Laundry Services: \$10,396 lower

Total revenues for the nine-month period ended September 30, 2024, were \$358,881 over the YTD budget while expenses were \$1,548,135 under the YTD Budget. Therefore, the General Fund experienced operating results of \$1,907,016 more favorable than the YTD Budget.

I have reviewed the **Water Fund** Income Statement for the nine-month period ended September 30, 2024. The significant budget variations have been explained below.

Revenue

Sale of Water: \$753,329 over YTD budget.

Non-Operating Revenue: \$2,618,728 was received from a State Loan drawdown for water main projects.

Expense

Maintenance & Repair: \$352,867 over YTD budget
Equipment - \$171,318 higher
Pumping Equipment - \$38,590 lower
Water Meters - \$97,283 lower
Water Main - \$123,318 higher
Streets - \$107,386 higher
Buildings - \$34,316 higher

Commodities: \$428,895 over YTD budget
Motor Fuels - \$10,500 higher
Chemicals - \$392,475 higher
Office Machines - \$8,415 higher

Other charges: \$263,349 over YTD budget
Insurance - \$36,656 higher
Industrial discount - \$235,340 higher

Capital Outlay: \$640,415 lower than YTD budget due to not purchasing items.

Total revenues for the nine-month period ended September 30, 2024, were \$3,307,538 over the YTD budget while expenses were \$3,477,536 over the YTD Budget. Therefore, the Water Fund experienced operating results of \$169,998 more favorable than the YTD Budget.

I have reviewed the **Wastewater Fund** Income Statement for the nine-month period ending September 30, 2024. The significant budget variations have been explained below.

Revenue:

Sewer Charges: \$258,058 higher than YTD budget

Non-Operating revenue: \$135,920 for a state loan drawdown

Expenses

Commodities: \$206,835 higher than YTD Budget

Chemicals - \$188,304 higher
Office Machines - \$8,415 higher
Laboratory equipment - \$24,685 higher

Capital Outlay: \$288,035 lower than YTD budget due to not purchasing items yet.

Contractual Services: \$119,008 higher than YTD Budget

Contractual Services - \$96,065 higher
Lease Agreements - \$37,791 higher

Total revenues for the nine-month period ending September 30, 2024, were \$451,912 higher than the YTD budget while expenses were \$176,714 higher than the YTD Budget. Therefore, the Wastewater Fund experienced operating results of \$275,197 more favorably than the YTD Budget.

I have reviewed the **Solid Waste Fund** Income Statement for the nine-month period ended September 30, 2024. The significant budget variations have been explained below.

Revenue

Collection fees: \$21,161 lower than YTD budget

Resale of Recyclables: \$66,362 higher than YTD budget

Rolloff: \$297,154 lower than YTD budget

Landfill fees: \$20,392 lower than YTD budget

Expenses

Maintenance & Repair: \$134,156 lower than YTD budget

Vehicles: \$99,532 lower

Building: \$23,694 lower

Other Charges: \$114,025 over YTD budget

Industrial Discount - \$103,280 higher

Shop Labor - \$43,575 higher

Capital Outlay \$334,641 lower than YTD budget due to items not purchased yet.

Total revenues for the nine-month period ending September 30, 2024, were \$189,872 lower than YTD budget while expenses were \$734,397 lower than the YTD Budget. Therefore, the Solid Waste Fund experienced operating results of \$544,525 more favorable than the YTD Budget.

GENERAL FUND

as of September 30, 2024

GENERAL FUND

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	5,932,373	6,014,886	6,450,183	6,450,183	6,450,183
REVENUE					
Ad Valorem Property Tax	5,588,068	6,459,892	6,404,000	6,372,432	31,568
Sales Tax	9,765,670	10,400,095	7,800,057	7,292,879	507,178
Franchise Tax	2,838,191	3,215,568	2,411,667	2,133,830	277,837
Other Taxes	845,456	671,214	587,489	598,339	(10,850)
Intergovernmental Taxes	308,881	328,309	228,722	324,676	(95,954)
Licenses & Permits	270,454	277,250	185,985	230,824	(44,839)
Charges for Services	2,323,864	2,062,150	1,627,992	1,931,890	(303,898)
Fines & Fees	477,393	573,550	429,444	374,566	54,878
Use of Property and Money	532,715	288,196	220,482	680,609	(460,127)
Reimbursements	272,396	145,220	108,855	178,726	(69,871)
Misc. Rev. - Administrative Transfers	2,678,060	2,912,335	2,184,210	2,328,967	(144,757)
Transfer from Solid Waste Fund	0	0	0	0	0
Transfer from Health Insurance Fund	0	0	0	0	0
Operating Revenues	0	200	144	190	(46)
Nonoperating Revenues	2,144,431	0	0	100,000	(100,000)
TOTAL RECEIPTS	28,045,579	27,333,979	22,189,047	22,547,928	(358,881)
EXPENDITURES					
Personnel Services	15,778,882	17,040,652	12,731,136	12,912,196	(181,060)
Vacancy Rate	0	0	0	0	0
Maintenance & Repair	898,456	1,204,988	908,538	717,879	190,659
Commodities	1,595,973	1,901,120	1,399,538	1,280,943	118,595
Other Charges	619,960	816,893	392,828	267,021	125,807
Capital Outlay	191,016	398,476	393,469	109,255	284,214
Debt Reduction	0	0	0	0	0
Stock	364	0	0	0	0
Transfer to Industrial Development Sales Tax	926,188	925,000	693,750	616,667	77,083
Transfer to Multi Year Fund	3,349,517	3,380,515	2,535,386	2,189,169	346,217
Transfer to Project accounts	2,128,068	40,000	40,000	40,000	0
Transfer to Equipment Reserve	391,957	379,800	379,800	0	379,800
Utilities	545,264	594,950	446,094	433,748	12,346
Communications	113,473	134,750	100,854	80,282	20,572
Training and Travel	195,289	210,200	157,590	148,531	9,059
Jail Expenses	73,250	87,500	65,619	44,550	21,069
Other Contractual	886,115	5,350,145	777,432	633,657	143,775
Excess Carryover	0	0	0	0	0
Outstanding PO's	55,304	0	0	0	0
TOTAL EXPENDITURES	27,749,075	32,464,989	21,022,034	19,473,899	1,548,135
Revenue less expenses	296,504	(5,131,010)	1,167,013	3,074,029	1,907,016
Cash Basis Adjustments/Non-appropriated Balance	221,306	0	0	(133,360)	
Ending Cash Balance	6,450,183	883,876	7,617,196	9,390,852	
Base for Reserve calculation	20,762,330	27,341,198	16,979,629	16,518,807	
15% Reserve	3,114,349	4,101,180	2,546,944	2,477,821	
Amount over 15% Reserve	3,335,833	(3,217,304)	5,070,252	6,913,031	

General Fund Capital Items

	Budget Amount	Purchase Price	
Airport	\$60,000		Replace MITL System (FAA 90%)
Airport	\$75,000		Replace Mogas Fuel tank and 24 hour fuel pumps
Administration	\$30,000	30,000	Communication Equipment
EMS	\$41,800		Monitor/Defibrillator
EMS	\$60,000		Power Load Cot System
EMS	\$21,675		Patient Simulator Training Device
Fire	\$13,000		Hose Rollers
Fire	\$22,000		Drone and Accessories
Golf	\$20,000		Master Plan for the Golf Course
Park	\$55,000		Drag box tractor & box Replace #623-1 (1984) 1455 hours
	\$398,475.00	\$30,000.00	

Multi Year Fund
as of September 30, 2024

				2024	2024
				Purchase Order	Budget/estimated
				Expenses	
				Actual	
Beginning unencumbered balance				2,995,997.41	3,060,010.61
REVENUE					
Sales Tax Proceeds from General Fund				2,230,942.74	3,380,515.00
Interest				138,833.26	80,000.00
State Reimbursement				0.00	-
Outstanding PO's				470,697.56	
Accounts Receivable				1,900.00	
Total Revenue				2,842,373.56	3,460,515.00
SK2302	102-0101-400.0505	2020, 21 & 22 Private/Public partnership		35,514.27	468,000.00
	102-0101-400.0505	ADA Sidewalks	0.00	0.00	17,578.46
SW1903	102-0101-400.0505	PW Bldg Remodel Old bathroom for a women's locker room		-	100,000.00
	102-0101-400.0265	Miscellaneous storm water repairs		100,000.00	100,000.00
FS2201	102-0101-400.0265	Lakeridge Rd to Bayfront Dr	0.00	0.00	14,388.05
	102-0201-400.0502	Firing Range House Split with county		-	30,000.00
PK2101	102-0301-400.0502	Overhead Door Replacement Station 2	0.00	0.00	12,000.00
	102 0601 400 0257	2022 Hazardous Sidewalk	47,515.50	71,665.80	100,000.00
SK2201	102-0601-400.0801	Close out paving projects		0.00	0.00
	102-0601-400.1516	Mechanic Parking lots 600-700 Block	0.00	453,295.20	754,934.60
SK2301	102-0601-400.1516	Sidewalk S side 15th Ave Graphic Arts to Hatcher		-	55,000.00
	102-0601-400.1516	Sidewalk S side 15th Industrial to Stanton		-	25,000.00
PV2401	102-0601-400.1516	Sidewalk 12th & Burlingame & 24th Prairie to Lincoln	0.00	10,881.59	145,241.61
	102-0601-400.1516	Sidewalk 24th Ave Graphic Arts to Westridge Dr		3,594.27	100,000.00
PV2402	102-0601-400.1516	Sidewalk 9th ave from Fairgrounds to Elm		-	100,000.00
	102-0601-400.1516	Sidewalk Imp N side 24th Westridge to Industrial	0.00	0.00	125,000.00
PV2305	102-0601-400.1516	Sidewalk Improv. (12th Ave. from Graphic Arts to Industrial Rd.)		0.00	100,000.00
	102-0601-400.1516	CCLIP K99 KS Ave to 3rd & 12th to I35	791,070.22	12,834.05	300,000.00
TS2302	102-0601-400.1516	2023 Street Rehab	752,717.05	844,657.73	1,000,000.00
	102-0601-400.1516	CCLIP US 50 Graphic Arts to Prairie Street	0.00	367,011.39	300,000.00
ZO2101	102-0601-400.1516	Misc Street Repairs		100,000.00	100,000.00
	102-0601-400.1516	Replace School flashing lights - 13 lights 50% match with USD 25	0.00	25,476.06	80,000.00
ZO2402	102-0601-400.0505	Street Preservation	230,881.40	0.00	200,000.00
	102-0806-400.0502	Hay Barn 30'40' 5" concrete floor	0.00	0.00	3,518.00
ZO2201	102-0806-400.0502	Hoof Stock Sheds		-	50,000.00
	102-0806-400.0502	Trumpeter Swan Exhibit - repairs		-	54,000.00
ZO2401	102-0806-400.0505	Fire Alarm & Smoke Detection at Zoo	18,803.60	0.00	26,000.00
	102-0806-400.0505	Eagle pond renovation	0.00	112,549.10	120,000.00
CV2206	102-0806-400.0505	Bird enclosure sheds, enclosures & ventilation USDA		1,349.60	145,000.00
	102-0806-400.0505	King Vulture Remodel USDA		-	195,000.00
CV2302	102-0806-400.0505	Fencing in Zoo replaced/repared		-	88,900.00
	102-0901-400.0502	ADA Improvements		-	100,000.00
CV2204	102-0901-400.0502	HVAC updates		-	45,000.00
	102-0901-400.0502	618 Mechanic Roof		-	60,000.00
CV2202	102-0901-400.0502	Civic Roof area A,B & D Metal Roof Coating		-	105,000.00
	102-0901-400.0502	Civic Roof areas K,M & N (Cover asphalt roof with TPO Rubber Material)		-	81,000.00
LB2201	102-0901-400.0502	Replace Steam Lines & update HVAC	0.00	0.00	25,000.00
	102-0901-400.0502	Remodel East Foyer & Vestibule door ways		-	50,000.00
EXPENDITURES	102-0901-400.0502	Sewer Lift Station - Police dept basement		-	110,000.00
	102-0901-400.0502	2022 Replace Steam Lines	0.00	0.00	85,000.00
CV2302	102-0901-400.0502	2nd floor restroom ceiling repairs		-	30,000.00
	102-0901-400.0502	Police department Lobby Remodel ADA	349,103.00	16,910.00	400,000.00
CV2204	102-0901-400.0502	Walk-in Cooler in Room 222		-	25,000.00
	102-0901-400.0502	Replace Windows in Auditorium		-	25,000.00
CV2202	102-0901-400.0502	Elevator Controls	53,050.00	33,555.74	121,950.00
	102-0902-400.0502	Electrical update - install panel and light switches		-	60,000.00
LB2201	102-0902-400.0505	ADA improvements Library doors & ADA openers	0.00	11,992.50	12,067.50
	102-0902-400.0502	Remodel Library Public Bathrooms	0.00	0.00	150,000.00
EXPENDITURES	102-0902-400.0502	HVAC updates		-	30,000.00
			2,243,140.77	2,201,287.30	4,444,428.07
Ending Unencumbered Cash balance				1,393,942.90	31,934.19
2024 budgeted projects				1,393,942.90	-

Insurance Reserve

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Original Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$500,000	\$0	\$663,358	\$663,358	\$0
REVENUE					
Transfer from General	\$0	\$0	\$0	\$0	\$0
Transfer from Int Improvem	\$131,012			\$0	\$0
Insurance payment	\$10,850			\$0	\$0
Interest	\$21,496	\$0		\$24,794	(\$24,794)
TOTAL RECEIPTS	\$163,358	\$0	\$0	\$24,794	(\$24,794)
EXPENDITURES					
Maintenance & Repair		\$0			\$0
Misc Projects		\$0			
TOTAL EXPENDITURES	\$0	\$0	\$0	\$0	\$0
Ending Cash Balance	\$663,358	\$0	\$663,358	\$688,152	(\$24,794)

Vacant Property Program

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Original Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$200,000	\$0	\$90,362	\$90,362	\$0
REVENUE					
Transfer from ARPA funds	\$0	\$0	\$0	\$0	\$0
Interest	\$6,026	\$0		\$1,848	(\$1,848)
TOTAL RECEIPTS	\$6,026	\$0	\$0	\$1,848	(\$1,848)
EXPENDITURES					
Maintenance & Repair	\$359	\$0		\$0	\$0
Other Contractual Services	\$115,305	\$0		\$79,075	
TOTAL EXPENDITURES	\$115,664	\$0	\$0	\$79,075	\$0
Ending Cash Balance	\$90,362	\$0	\$90,362	\$13,135	(\$1,848)

City of Emporia, Kansas

Library Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Original Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$0	\$0	\$1	\$1	\$0
REVENUE					
Ad Valorem Property Tax	\$969,414	\$1,100,165	\$1,100,000	\$1,086,206	\$13,794
Back Tax Collection	\$27,910	\$15,000	\$15,000	\$12,952	\$2,048
Motor Vehicle Tax	\$101,488	\$96,398	\$79,000	\$87,866	(\$8,866)
Recreational Vehicle Tax	\$1,119	\$1,180	\$775	\$886	(\$111)
AdValorem Tax Reduction	(\$10,541)	(\$11,000)	(\$11,000)	(\$12,492)	\$1,492
General Fund Contribution		\$0			\$0
TOTAL RECEIPTS	\$1,089,390	\$1,201,743	\$1,183,775	\$1,175,417	\$8,358
EXPENDITURES					
Insurance Refund		\$0			\$0
Misc Projects		\$0			
Appropriation	\$1,089,389	\$1,201,743	\$1,190,700	\$1,175,417	\$15,283
TOTAL EXPENDITURES	\$1,089,389	\$1,201,743	\$1,190,700	\$1,175,417	\$15,283
Ending Cash Balance	\$1	\$0	(\$6,924)	\$1	(\$6,925)

Transient Guest Tax

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$810,801	\$598,301	\$999,063	\$999,063	\$0
REVENUE					
Transient Guest Tax	\$851,750	\$800,000	\$700,000	\$669,697	\$30,303
Interest on Investment	\$31,630	\$10,000	\$7,497	\$20,777	(\$13,280)
Fence rental	\$9,194	\$6,000	\$6,000	\$2,369	\$3,631
Miscellaneous	\$0			\$14,432	(\$14,432)
Repayment of extra funds - Chamber				\$0	\$0
Accounts Receivable - fence rental	\$279			\$224	(\$224)
TOTAL RECEIPTS	\$892,853	\$816,000	\$713,497	\$707,499	\$5,998
EXPENDITURES					
CVB Appropriation	\$385,000	\$462,000	\$462,000	\$462,000	\$0
Trusler Sports Complex		\$0			\$0
City cost associated with events	\$40,000	\$40,000	\$0	\$0	\$0
Civic Auditorium improvements	\$50,000	\$50,000	\$50,000	\$50,000	\$0
Red Rock's Appropriation	\$7,500	\$7,500	\$7,500	\$7,500	\$0
ESU Welch Stadium		\$200,000	\$200,000	\$400,000	(\$200,000)
Disc Golf Course Maintenance & Employee		\$100,000	\$100,000	\$100,000	\$0
Emporia Main Street	\$100,000	\$95,000	\$95,000	\$95,000	\$0
Emporia Arts Council Support	\$10,000	\$30,000	\$30,000	\$30,000	\$0
Emporia Granda	\$30,000	\$30,000	\$30,000	\$30,000	\$0
Symphony in the Flint Hills		\$0			\$0
Unbound Bike Event	\$15,000	\$15,000	\$15,000	\$15,000	\$0
DDO	\$25,000	\$20,000	\$20,000	\$20,000	\$0
Junior World Event		\$0			\$0
PDGA Professional Disc Golf World	\$0	\$20,000	\$20,000	\$20,000	\$0
Municipal Band Appropriation		\$0			\$0
ESU Foundation - Welch Stadium Imp		\$0			\$0
Free for Kansas - Music event	\$20,000	\$20,000	\$20,000	\$20,000	\$0
Dynamic Discs - Jones course improvement	\$0			\$17,900	(\$17,900)
Hammond Park Crossings	\$21,528			\$0	\$0
Miscellaneous	\$563	\$0		\$2,656	(\$2,656)
Special Projects		\$324,801	\$0		\$0
Outstanding PO's	\$0			\$0	
TOTAL EXPENDITURES	\$704,591	\$1,414,301	\$1,049,500	\$1,270,056	(\$220,556)
Ending Cash Balance	\$999,063	\$0	\$663,060	\$436,506	\$226,554
Transient Guest Tax Receipts	2020	2021	2022	2023	2024
1ST QUARTER-JANUARY	\$193,559.51	\$105,764.76	\$184,682.75	\$217,964.96	\$208,253.00
2ND QUARTER-APRIL	\$132,542.30	\$135,567.13	\$143,987.80	\$170,824.51	\$163,048.74
3RD QUARTER-JULY	\$80,649.41	\$192,642.58	\$223,905.58	\$232,566.63	\$298,395.94
4TH QUARTER-OCTOBER	\$151,949.08	\$200,102.99	\$219,288.14	\$230,393.63	
TOTAL	\$558,700.30	\$634,077.46	\$771,864.27	\$851,749.73	\$669,697.68

City of Emporia, Kansas

Industrial Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	21,252	21,880	23,447	23,447	0
REVENUE					
Ad Valorem Property Tax	1,148	1,000	1,000	1,060	(60)
Back Tax Collections	34	21	21	15	6
Motor Vehicle Tax	123	99	98	103	(5)
Ad Valorem Tax Reduction	(13)	(16)	(16)	(12)	(4)
Interest on Investment	903	600	450	906	(456)
Miscellaneous					
TOTAL RECEIPTS	2,195	1,704	1,553	2,071	(518)
EXPENDITURES					
Travel Expense & Miscellaneous	0	1,185	588		588
Other charges	0				0
Contractual Services	0	0			0
Special Projects and Reserve Fund	0	0			0
TOTAL EXPENDITURES	0	1,185	588	0	588
Ending Cash Balance	23,447	22,399	24,412	25,518	(1,106)

Economic Sales Tax

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$1,423,879	\$1,547,875	\$1,319,820	\$1,319,820	\$0
Revenue:					
Sales Tax Receipts	\$925,000	\$925,000	\$693,750	\$616,667	\$77,083
Interest Income	\$49,295	\$20,000	\$14,994	\$24,704	(\$9,710)
Money for Land Purchases	\$0	\$0		\$195,906	(\$195,906)
Bond Proceeds	\$0	\$0	\$0	\$0	\$0
Return unused money WM	\$1,188	\$0		\$0	\$0
RDA returned money					
Total Revenue	\$975,483	\$945,000	\$708,744	\$837,277	(\$128,533)
Expense:					
Appropriation to the RDA	\$350,000	\$400,000	\$380,000	\$274,764	\$105,236
Emporia Enterprises	\$35,000	\$35,000	\$35,000	\$35,000	\$0
Main Street	\$0	\$45,000	\$45,000	\$45,000	\$0
Land Purchase for Industr	\$0	\$0	\$0	\$0	\$0
Land Purchase	\$0	\$0	\$0	\$0	\$0
Simmons Discount	\$189,579	\$0		\$0	\$0
Land Purchase Bond Pmt	\$85,963	\$86,000	\$86,000	\$85,963	\$37
Transfer to B&I water proj	\$350,000	\$350,000	\$350,000	\$350,000	\$0
Soden Rd water main ext	\$60,000	\$0	\$0		\$0
Water Valves	\$9,000				\$0
Dynamic Brewing Company				\$500,000	(\$500,000)
VisionFirst Advisors				\$59,826	(\$59,826)
Special Projects	\$0	\$0	\$0	\$9,423	(\$9,423)
Total Expenses	\$1,079,542	\$916,000	\$896,000	\$1,359,976	(\$463,976)
Ending Cash Balance	\$1,319,820	\$1,576,875	\$1,132,564	\$797,122	\$335,442

Special Alcohol Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	103,198	107,998	120,433	120,433	0
REVENUE					
Private Club Liquor Tax	110,168	104,660	78,495	82,329	(3,834)
Interest on Investment	4,267	500	369	4,256	(3,887)
TOTAL RECEIPTS	114,435	105,160	78,864	86,585	(7,721)
EXPENDITURES					
Appropriations	97,200	112,200	84,150	85,950	(1,800)
Special Projects		0	0		0
TOTAL EXPENDITURES	97,200	112,200	84,150	85,950	(1,800)
Ending Cash Balance	120,433	100,958	115,147	121,068	(5,921)

	Receive in 2020	Receive in 2021	Receive in 2022	Receive in 2023	Receive in 2024
Appropriations					
Cross Winds	\$20,000.00	\$15,000.00	\$15,000.00	\$15,000.00	\$20,000.00
Corner House	\$65,000.00	\$48,750.00	\$65,000.00	\$75,000.00	\$85,000.00
Emporia State University	\$9,000.00	\$6,750.00	\$6,750.00	\$7,200.00	\$7,200.00
Emporia State University USD #253	\$0.00	\$0.00			
Total	\$94,000.00	\$70,500.00	\$86,750.00	\$97,200.00	\$112,200.00

	2020	2021	2022	2023	2024
Receipts					
1ST QUARTER - MARCH	\$22,675.47	\$17,214.78	\$23,976.09	\$25,545.76	\$26,804.33
2ND QUARTER - JUNE	\$21,611.91	\$18,634.04	\$22,129.19	\$26,129.12	\$26,489.58
3RD QUARTER - SEPTEMBER	\$7,881.01	\$25,844.73	\$28,544.72	\$31,037.27	\$29,035.42
4TH QUARTER - DECEMBER	\$14,069.40	\$24,664.21	\$25,393.46	\$27,455.87	\$0.00
TOTAL	\$66,237.79	\$86,357.76	\$100,043.46	\$110,168.02	\$82,329.33

City of Emporia, Kansas

Special Park Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$83,362	\$75,362	\$115,908	\$115,908	\$0
REVENUE					
Private Club Liquor Tax	\$110,168	\$104,660	\$78,495	\$82,329	(\$3,834)
Donations& Grants		\$0	\$0	\$0	\$0
Lake Kahola Proceeds		\$0			\$0
Trf of funds from project account	\$0	\$0		\$0	\$0
Interest on Investment	\$5,237	\$2,000	\$1,494	\$5,415	(\$3,921)
TOTAL RECEIPTS	\$115,405	\$106,660	\$79,989	\$87,744	(\$7,755)
EXPENDITURES					
Capital Outlay	\$67,859	\$95,000	\$95,000	\$0	\$95,000
Municipal Band Allocation	\$15,000	\$15,000	\$15,000	\$15,000	\$0
Miscellaneous					\$0
Commodities	\$0	\$0		\$0	\$0
Contractual Services	\$0	\$0	\$72,022	\$0	\$72,022
Other Charges					\$0
Transfer to Project Account	\$0			\$0	\$0
Outstanding PO's	\$0			\$0	
Special Projects	\$0	\$0	\$0		\$0
TOTAL EXPENDITURES	\$82,859	\$110,000	\$182,022	\$15,000	\$167,022
Ending Cash Balance	\$115,908	\$72,022	\$13,875	\$188,652	(\$174,777)

Receipts	2020	2021	2022	2023	2024
1ST QUARTER - MARCH	\$22,675.47	\$17,214.77	\$23,976.10	\$25,545.75	\$26,804.32
2ND QUARTER - JUNE	\$22,611.90	\$18,634.04	\$22,129.19	\$26,129.11	\$26,489.57
3RD QUARTER - SEPTEMBER	\$7,881.00	\$25,844.73	\$28,544.72	\$31,037.26	\$29,035.43
4TH QUARTER - DECEMBER	\$14,069.39	\$24,664.03	\$25,393.46	\$27,455.86	\$0.00
TOTAL	\$67,237.76	\$86,357.57	\$100,043.47	\$110,167.98	\$82,329.32

Capital Items	Budget Amount	Purchase Price
Golf Course	\$43,000.00	Tees & Banks Reel Mower (2003)
Golf Course	\$52,500.00	Tees & Banks Reel Mower (2004)
	<u>95,500.00</u>	

City of Emporia, Kansas

Special Street Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	289,140	270,715	179,135	179,135	
REVENUE					
Gasoline Tax	648,358	741,360	556,020	486,290	69,730
Special City-County Tax	79,800	77,677	58,257	61,004	(2,747)
Damages	28,423	5,000	3,744	13,761	(10,017)
Interest on Investment	11,772	5,000	3,744	10,718	(6,974)
Transfer of Funds	111,664	100,000	100,000	100,000	0
Sale of Salvage	0			0	0
Miscellaneous	228	0		125	(125)
TOTAL RECEIPTS	880,245	929,037	721,765	671,898	49,867
EXPENDITURES					
Personnel Services	684,955	676,759	496,564	468,308	28,256
Vacancy		(12,988)			0
Maintenance & Repair	137,928	151,792	113,796	71,343	42,453
Commodities	108,252	145,450	109,044	79,116	29,928
Other Charges	(19,694)	46,590	39,101	17,761	21,340
Capital Outlay	0	0		0	0
Transfer of Funds	5,000	88,000	88,000	0	88,000
Utilities	22,712	31,450	23,571	8,358	15,213
Communications	1,695	2,700	2,007	1,683	324
Training & Travel	13,778	10,000	7,497	5,727	1,770
Contractual Services	39,963	45,800	34,335	16,091	18,244
Special Projects	0	0	0	0	0
Audit Adjustments	(4,339)			(19,128)	19,128
Outstanding PO's	0			0	0
TOTAL EXPENDITURES	990,250	1,185,553	913,915	649,260	264,655
Net Change in Cash	(110,005)	(256,516)	(192,150)	22,638	
Ending Cash Balance	179,135	14,199	(13,015)	201,773	
Receipts	2020	2021	2022	2023	2024
1st Quarter - Jan Payment	\$173,837.48	\$161,594.64	\$167,557.74	\$167,412.68	\$159,680.00
2nd Quarter - April Payment	\$163,486.85	\$149,245.64	\$157,106.42	\$149,529.56	\$151,744.49
Extra Payment- June		\$54,671.53			
3rd Quarter - July Payment	\$140,178.69	\$172,643.49	\$166,060.14	\$166,505.96	\$174,865.61
4th Quarter - Oct Payment	\$164,712.37	\$174,419.30	\$165,112.70	\$164,909.80	
Total	\$642,215.39	\$712,574.60	\$655,837.00	\$648,358.00	\$486,290.10

Capital Item Budget Amount Purchase Price

City of Emporia, Kansas

Drug Forfeiture Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$83,820	\$85,821	\$35,885	\$35,885	
REVENUE					
Receipts from Drug Forfeitures	\$4,970	\$5,000	\$3,744	\$29,638	(25,894)
Interest on Investment	\$2,591	\$2,000	\$1,494	\$1,703	(209)
Miscellaneous					
TOTAL RECEIPTS	\$7,561	\$7,000	\$5,238	\$31,341	(26,103)
EXPENDITURES					
Commodities	\$3,921	\$5,000	\$3,328	\$11,268	(7,940)
Capital Outlay		\$0		\$10,380	(10,380)
Communications	\$101	\$0		\$330	(330)
Other Charges	\$51,324		\$0	\$0	-
Transfer of funds					
Other Contractual	\$150	\$0		\$0	-
Travel & Training					-
Maintenance & Repair	\$0	\$0	\$0	\$0	-
Outstanding PO's	\$0			\$0	
Special Projects		\$0	\$0		
TOTAL EXPENDITURES	\$55,496	\$5,000	\$3,328	\$21,978	(18,650)
Ending Cash Balance	\$35,885	\$87,821	\$37,795	\$45,248	

Storm Water

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$259,179	\$0	\$243,446	\$243,446	
REVENUE					
Transfer from Multi Year	\$100,000	\$0	\$0	\$100,000	(100,000)
Interest on Investment	\$10,491	\$0	\$0	\$10,939	(10,939)
Miscellaneous					
TOTAL RECEIPTS	\$110,491	\$0	\$0	\$110,939	(110,939)
EXPENDITURES					
Commodities	\$0	\$0	\$0	\$0	-
Capital Outlay	\$234	\$0		\$2,544	(2,544)
Communications	\$0	\$0		\$702	(702)
Other Charges	\$256			\$0	-
Transfer of funds	\$125,734			\$0	-
Other Contractual		\$0		\$68,738	(68,738)
Travel & Training					-
Maintenance & Repair	\$0	\$0	\$0	\$137,743	(137,743)
Outstanding PO's	\$0			\$0	
Special Projects		\$0	\$0		
TOTAL EXPENDITURES	\$126,224	\$0	\$0	\$209,727	(209,727)
Ending Cash Balance	\$243,446	\$0	\$243,446	\$144,658	

City of Emporia, Kansas

Land Bank

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$59,845	\$0	\$0	\$127,414	
REVENUE					
Transfer from Multi Year	\$50,000	\$0	\$0	\$0	-
Interest on Investment	\$4,009	\$0	\$0	\$4,753	(4,753)
Sale of Property	\$13,571			\$0	
TOTAL RECEIPTS	\$67,580	\$0	\$0	\$4,753	(4,753)
EXPENDITURES					
Commodities	\$0	\$0	\$0	\$0	-
Capital Outlay		\$0			-
Communications	\$0	\$0		\$0	-
Other Charges	\$0	\$0	\$0	\$362	(362)
Purchase of Property	\$0	\$0	\$0		
Communications	\$11	\$0	\$0	\$0	-
Other Contractual Services		\$0	\$0		-
Maintenance & Repair	\$0	\$0	\$0	\$0	-
Outstanding PO's	\$0			\$0	
Special Projects		\$0	\$0		
TOTAL EXPENDITURES	\$11	\$0	\$0	\$362	(362)
Ending Cash Balance	\$127,414	\$0	\$0	\$131,805	

Bond & Interest Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$1,986,995	\$2,253,014	\$2,358,480	\$2,358,480	\$0
REVENUE					
Ad Valorem Property Tax	\$1,954,979	\$2,090,214	\$2,080,000	\$2,064,112	15,888
Back Tax Collection	\$56,415	\$40,000	\$40,000	\$25,838	14,162
Special Assessments	\$68,913	\$35,300	\$35,302	\$67,861	(32,559)
Motor Vehicle Tax	\$190,994	\$195,337	\$166,800	\$176,451	(9,651)
Ad Valorem Tax Reduction	-\$21,102	-\$22,000	-\$22,000	-\$23,734	1,734
Interest on Investment	\$112,690	\$90,000	\$67,500	\$137,775	(70,275)
Recreation Center - Pool renovation		\$0			0
Recreation Center - Office/Locker Remodel		\$0			0
Recreation Center - Ball Diamond Improvem	\$46,350	\$0	\$0	\$0	0
Recreation Center - Fitness Room	\$51,200	\$51,360	\$51,360	\$51,360	0
Industrial Land Payment - Ind Sales Tax	\$85,963	\$0		\$85,963	(85,963)
Sale of Bonds	\$0	\$0	\$0	\$0	0
Gas Line Payment - Ind Sales Tax		\$0			0
Hanger Payment - General Fund		\$0			0
Miscellaneous	\$0	\$0		\$0	0
Transfer of Funds from Project Accounts	\$0	\$0	\$0	\$0	0
TOTAL RECEIPTS	\$2,546,402	\$2,480,211	\$2,418,962	\$2,585,626	-\$166,664
EXPENDITURES					
Principal	\$1,895,000	\$875,000	\$875,000	\$875,000	0
Interest Coupons	\$279,917	\$227,850	\$227,850	\$227,850	0
Transfer of funds	\$0			\$0	
Misc projects		\$0	\$0		
TOTAL EXPENDITURES	\$2,174,917	\$1,102,850	\$1,102,850	\$1,102,850	0
Ending Cash Balance	\$2,358,480	\$3,630,375	\$3,674,592	\$3,841,256	

Equipment Reserve Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	\$335,168	\$0	\$579,091	\$579,091	
REVENUE					
Transfer from other funds	\$1,105,126			\$0	-
Interest on Investment	\$43,339			\$20,414	(20,414)
Sale of Vehicles	\$113,130			\$101,915	
TOTAL RECEIPTS	\$1,261,595	\$0	\$0	\$122,329	(20,414)
EXPENDITURES					
Leasing Payment	\$663,233			\$379,796	(379,796)
Outstanding PO's	\$354,439			\$0	
Special Projects					
TOTAL EXPENDITURES	\$1,017,672	\$0	\$0	\$379,796	(379,796)
Ending Cash Balance	\$579,091	\$0	\$579,091	\$321,624	

Water Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
BEGINNING CASH	2,452,274	2,406,983	1,676,012	830,592	0
REVENUE					
Sale of Water	7,718,770	8,029,720	6,022,287	6,775,616	(753,329)
Service Charge	94,666	100,000	74,997	63,009	11,988
Penalties	89,725	95,000	71,244	72,890	(1,646)
Sale of Salvage		0		0	0
Reimbursed Expense	28,518	20,000	15,552	56,876	(41,324)
Interest on Investment	102,130	65,000	48,744	44,164	4,580
Sale of Bonds	3,337,786	0	0	0	0
Trf from Industrial Fund	350,000	436,000	436,000	350,000	86,000
Trf from Project fund	0	0	0	0	0
Non Operating Revenue	0	0		2,618,728	(2,618,728)
Miscellaneous	6,912	2,100	747	(4,175)	4,922
TOTAL RECEIPTS	11,728,507	8,747,820	6,669,571	9,977,109	(3,307,538)
EXPENDITURES					
Personnel Services	1,174,831	1,446,961	1,060,113	1,005,166	54,947
Vacancy		(27,810)	0		0
Maintenance & Repair	2,237,571	1,043,050	786,473	1,139,340	(352,867)
Commodities	1,757,586	1,426,850	1,070,055	1,498,950	(428,895)
Other Charges	375,064	247,390	185,241	448,590	(263,349)
Capital Outlay	0	995,000	995,000	354,585	640,415
Debt Payment	1,733,972	1,653,139	1,451,901	1,924,917	(473,016)
Stock	32,154	5,000	3,744	2,192	1,552
Transfer to Project Account	3,444,286	25,000	25,000	2,618,728	(2,593,728)
Utilities	664,956	594,600	445,923	481,041	(35,118)
Communications	28,074	44,900	33,642	18,573	15,069
Travel & Training	25,027	15,200	11,385	16,546	(5,161)
Contractual Services	789,492	1,292,000	1,052,961	1,063,154	(10,193)
Administrative Fee 16%	1,086,178	1,315,955	986,967	1,105,842	(118,875)
Excess Carryover		0	0		0
Change in Liabilities	998	0		(91,683)	91,683
Outstanding PO's	0				
TOTAL EXPENDITURES	13,350,189	10,077,235	8,108,405	11,585,941	(3,477,536)
NET CHANGE IN CASH	(1,621,682)	(1,329,415)	(1,438,834)	(1,608,832)	169,998
ENDING CASH BALANCE	830,592	1,077,568	237,178	(778,240)	
Principal Bond Payments	(1,415,000)	(1,415,000)	(1,415,000)	(1,415,000)	
Depreciation	1,456,758	1,550,000	1,162,494	957,345	
Capitalized Assets	(3,879,788)	(995,000)	0	0	
Liabilities					
ADJUSTMENTS	(3,838,030)	(860,000)	(252,506)	(457,655)	
Base for reserve calculation	9,905,903	9,082,235	7,088,405	8,612,628	
20% reserve amount	1,981,181	1,816,447	1,417,681	1,722,526	
Amount over 20% reserve	(1,150,589)	(738,879)	(1,180,503)	(2,500,766)	

Wastewater Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
BEGINNING CASH	2,087,628	1,338,621	1,029,532	1,029,532	
REVENUE					
Sales/Charges	6,169,657	6,126,631	4,594,968	4,853,026	(258,058)
Extra Strength Surcharge	171,000	127,500	95,616	136,120	(40,504)
Interest on Investment	80,398	40,000	29,997	44,145	(14,148)
New System taps	4,600	1,000	747	1,600	827
Loss on sales of assets	0			0	
Grant money	1,225,409	0	0	0	0
Sale of Bonds	6,533,733	0	0	0	0
Non Operating Revenue	562,302		0	135,920	(135,920)
Miscellaneous	15,315	1,000	747	4,855	(4,108)
TOTAL RECEIPTS	14,762,414	6,296,131	4,722,075	5,175,666	(451,912)
EXPENDITURES					
Personnel Services	1,287,455	1,310,671	959,979	1,023,879	(63,900)
Vacancy	0	(23,100)		0	0
Maintenance & Repair	624,540	489,100	373,798	347,599	26,199
Commodities	427,896	374,750	281,007	487,842	(206,835)
Other Charges	291,139	187,785	153,054	136,706	16,348
Capital Outlay	604,993	405,000	405,000	116,965	288,035
Debt Payment	2,843,772	2,800,484	2,800,484	2,998,354	(197,870)
Transfer to Project fund	8,320,208	79,100	79,100	135,920	(56,820)
Utilities	570,015	599,500	449,604	535,796	(86,192)
Communications	21,816	29,600	22,158	16,185	5,973
Travel & Training	15,084	11,500	8,604	8,706	(102)
Contractual Services	215,926	239,550	182,378	301,386	(119,008)
Administrative Fee flat	610,000	610,000	457,497	457,500	(3)
Excess Carryover		0	0		0
Change in Liabilities	(12,334)	0		(217,461)	217,461
Outstanding PO's	0				
TOTAL EXPENDITURES	15,820,510	7,113,940	6,172,663	6,349,377	(176,714)
NET CHANGE IN CASH	(1,058,096)	(817,809)	(1,450,588)	(1,173,711)	(275,197)
ENDING CASH BALANCE	1,029,532	520,812	(421,056)	(144,179)	
Depreciation	2,096,619	2,125,205	1,593,891	1,459,324	
Principal Bond Payments	(2,285,730)	(2,211,279)	(2,211,279)	(2,211,279)	
Capitalized Assets	(3,169,496)	(405,000)	0	0	
Change in Liabilities		0			
ADJUSTMENTS	(3,358,607)	(491,074)	(617,388)	(751,955)	
Base for reserve calculation	6,895,309	6,708,940	5,688,563	6,096,492	
20% Cash Reserve amount	1,379,062	1,341,788	1,137,713	1,219,298	
Amount over 20% Cash Reserve	(349,530)	(820,976)	(1,558,769)	(1,363,477)	

Solid Waste Fund

as of September 30, 2024

	Preceding Year 2023 (Actual)	2024 Budget	2024 Jan -Sept Budget	2024 YTD Actual	Difference b/w YTD Budget & YTD Actual
BEGINNING CASH	3,549,209	2,658,924	3,388,241	3,388,241	
REVENUE					
Refuse Collection Fees	3,004,195	3,050,000	2,287,494	2,266,333	21,161
Loss on Sale of Assets		0		0	0
Interest on Investments	150,996	70,000	52,497	128,354	(75,857)
Trf from Health Ins - Premiums		0			0
Resale of Recyclables	84,117	60,000	45,000	111,362	(66,362)
Box Container Fees	1,868,989	2,270,000	1,702,494	1,405,340	297,154
Landfill Fees	611,254	608,000	455,994	435,602	20,392
Transfers	19,428	0		0	0
Miscellaneous	5,664	4,800	369	6,985	(6,616)
TOTAL RECEIPTS	5,744,643	6,062,800	4,543,848	4,353,976	189,872
EXPENDITURES					
Personnel Services	2,268,626	2,450,264	1,796,587	1,765,117	31,470
Vacancy		(47,329)			0
Maintenance & Repair	372,042	390,500	297,464	163,308	134,156
Commodities	408,039	428,000	322,038	305,756	16,282
Other Charges	278,567	220,735	159,837	273,862	(114,025)
Capital Outlay	3,970	655,000	655,000	320,359	334,641
Transfer to Equipment Reserve	25,000	86,000	86,000	0	86,000
Utilities	60,758	72,000	53,973	37,472	16,501
Communications	37,201	49,900	37,377	25,942	11,435
Transfer to project	0	0			0
Travel & Training	10,752	8,750	6,543	5,326	1,217
Contractual Services	1,679,951	1,855,500	1,400,600	1,214,673	185,927
Administrative Fee 16%	877,017	948,480	711,360	657,164	54,196
Excess Carryover		0	0	0	0
Change in Liabilities	(116,312)	0		23,404	(23,404)
Outstanding PO's	0				
TOTAL EXPENDITURES	5,905,611	7,117,800	5,526,779	4,792,382	734,397
NET CHANGE IN CASH	(160,968)	(1,055,000)	(982,931)	(438,406)	(544,525)
ENDING CASH BALANCE	3,388,241	1,603,924	2,405,310	2,949,835	
Principal Payments	0	0	0	0	
Depreciation	394,298	455,000	333,738	267,039	
Capitalized Assets	(459,572)	(655,000)	0	(354,439)	
Change in Liabilities		0			
ADJUSTMENTS	(65,274)	(200,000)	333,738	(87,400)	
Base for reserve calculation	5,901,641	6,462,800	4,871,779	4,472,022	
20% cash reserve amount	1,180,328	1,292,560	974,356	894,404	
Amount over 20% Cash Reserv	2,207,913	311,364	1,430,954	2,055,430	

CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of September 30, 2024
EXPENSES FOR GENERAL FUND DEPARTMENTS

	2024 AMENDED BUDGET	2024 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED	General Fund Shared Revenue	Shared Budget	Actual Shared Budget	Department Net
						18,540,111	19,702,091	
COMMISSION/MANAGER/CLERK	5,589,888.00	1,208,987.52	4,380,900	22%	19.90%	3,689,913	3,921,174	2,712,186
FINANCE/HUMAN RESOURCES	506,098.00	328,761.79	177,336	65%	1.80%	334,078	355,016	26,254
INFORMATION SYSTEMS	422,110.00	302,864.76	119,245	72%	1.50%	278,637	296,100	(6,765)
POLICE PROTECTION	5,635,137.00	4,002,295.28	1,632,842	71%	20.06%	3,719,782	3,952,915	(49,380)
ANIMAL CONTROL	234,004.00	187,504.06	46,500	80%	0.83%	154,467	164,148	(23,356)
FIRE PROTECTION	3,358,848.00	2,351,468.04	1,007,380	70%	11.96%	2,217,192	2,356,152	4,684
AMBULANCE SERVICE	3,985,714.00	2,495,026.69	1,490,687	63%	14.19%	2,630,990	2,795,884	300,857
CODE SERVICES	975,690.00	657,412.45	318,278	67%	3.47%	644,058	684,423	27,011
COURT SERVICES	625,123.00	449,549.11	175,574	72%	2.23%	412,647	438,509	(11,040)
ENGINEERING	736,918.00	425,331.55	311,586	58%	2.62%	486,443	516,931	91,599
SNOW REMOVAL	73,000.00	21,386.57	51,613	29%	0.26%	48,188	51,208	29,821
GOLF COURSE MAINTENANCE	591,964.00	453,179.86	138,784	77%	2.11%	390,758	415,249	(37,931)
GOLF SHOP	419,803.00	402,709.33	17,094	96%	1.49%	277,114	294,482	(108,227)
PARK	1,258,943.00	895,816.23	363,127	71%	4.48%	831,035	883,119	(12,698)
DISC GOLF	0.00	112,101.81	(112,102)	#DIV/0!	0.00%	0	0	(112,102)
AQUATIC CENTER	243,475.00	91,084.29	131,373	46%	0.87%	160,719	170,792	58,690
ZOO	908,230.00	593,353.32	817,146	10%	3.23%	599,527	637,102	546,018
CIVIC BUILDING OPERATIONS	928,894.00	557,654.37	335,541	64%	3.31%	613,168	651,597	58,244
LIBRARY MAINTENANCE	79,846.00	108,365.23	(477,808)	698%	0.28%	52,707	56,010	(501,644)
GROUND MAINTENANCE	129,270.00	50,408.02	20,905	84%	0.46%	0	90,680	(17,685)
CONCESSION STAND	88,939.00	58,631.03	38,531	57%	0.32%	58,709	62,389	11,981
SHOP MAINTENANCE	143,299.00	-19,478.54	84,668	41%	0.51%	94,592	100,521	41,890
STREET LIGHTING	322,176.00	237,136.19	341,655	-6%	1.15%	212,670	225,999	245,477
MISC APPROPRIATIONS	88,000	70,406.64	(149,136)	269%	0.31%	58,089	61,730	(175,406)
AIRPORT	1,135,817.00	619,026.35	516,791	55%	4.04%	749,758	796,749	726,342
PARKING FACILITY	15,600.00	7,080.41	8,520	45%	0.06%	10,298	10,943	(608,083)
TRANSERS	4,305,515.00	2,805,836.02	1,499,679	65%	15.33%	2,842,092	3,020,217	3,013,136
CONTINGENCY	-337,313.00	0	(337,313)	0%	-1.20%	(222,662)	(236,617)	(3,042,453)
EXCESS CARRYOVER	0	0	0	#DIV/0!				
GENERAL FUND	32,464,988	19,473,898	12,949,394	60%	101.46%	21,344,968	22,773,420	
	28,086,610							

CITY OF EMPORIA
 ACTUAL COMPARED TO BUDGET
 as of September 30, 2024
 EXPENSES FOR WATER FUND DEPARTMENTS

	2024 AMENDED BUDGET	2024 ACTUAL WITH ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
DEBT	1,625,329	509,917	1,115,412	31%
ADMINISTRATION	2,739,739	1,672,806.63	1,066,932	61%
WATER MAINTENANCE	2,007,791	4,147,433.80	(2,139,643)	207%
WATER PLANT	5,159,943	4,887,619.80	272,323	95%
WATER STOCK	5,000	2,191.69	2,808	44%
	<u>11,537,802</u>	<u>11,219,969</u>	<u>317,833</u>	<u>4</u>
Capital Outlay				
Water Plant	\$360,000		Water Plant Evaluation	
Water Plant	\$240,000		Container for Polymer	
Water Plant	\$140,000		Aqua Ammonia Tank Replacement	
Water Plant	<u>\$255,000</u>		S Cottonwood to East St from KS to Potwin	
	995,000	0		

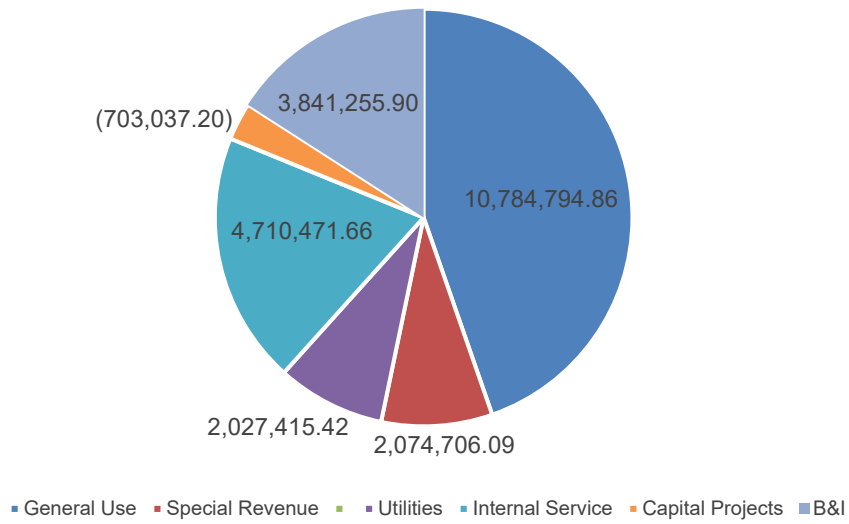
CITY OF EMPORIA
 ACTUAL COMPARED TO BUDGET
 as of September 30, 2024
 EXPENSES FOR WASTEWATER FUND DEPARTMENTS

	2024 AMENDED BUDGET	2024 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
DEBT	2,777,384	787,075	1,990,309	28%
ADMINISTRATION	1,496,386	758,780	737,606	51%
SEWER MAINTENANCE	1,783,635	1,492,843	290,792	84%
SEWER PLANT	3,297,554	2,776,186	521,368	84%
	<u>9,354,959</u>	<u>5,814,883</u>	<u>3,540,076</u>	<u>2</u>
Capital Outlay				
Sewer Maintenance	\$175,000		Sewer Main Relining	
Waste Water Plant	\$30,000		Gator	
Waste Water Plant	\$200,000		Replace UV Bulbs, Sleeve, End and Ballasts	
	<u>405,000</u>	<u>0</u>		

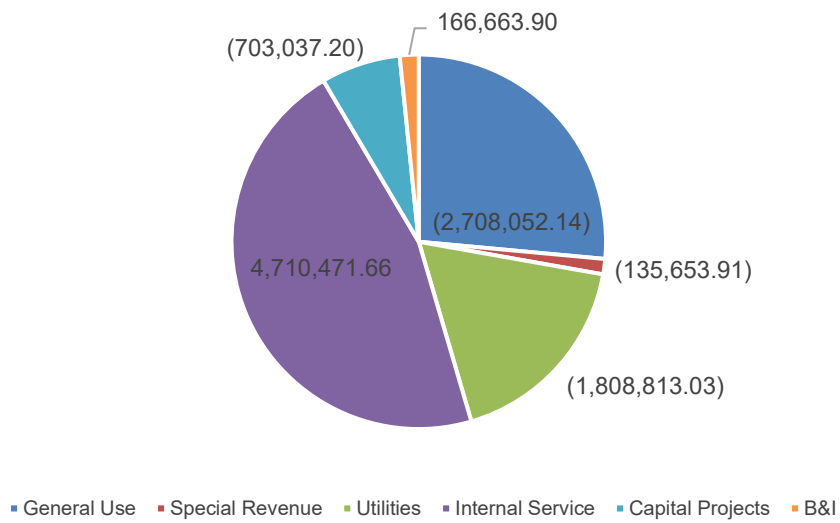
CITY OF EMPORIA
 ACTUAL COMPARED TO BUDGET
 as of September 30, 2024
 EXPENSES FOR SOLID WASTE FUND DEPARTMENTS

	2024 AMENDED BUDGET	2024 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
ADMINISTRATION	2,809,390	897,885.48	399,598	32%
COLLECTIONS	2,998,315	2,161,071.15	797,978	72%
TRANSFER STATION	2,020,116	1,096,956.74	535,461	54%
RECYCLING CENTER	683,901	525,664.80	221,275	77%
	<u>8,511,722</u>	<u>4,681,578</u>	<u>1,954,312</u>	<u>2</u>
Capital Outlay				
Administration	100,000		Solid Waste Master Plan	
Collections	270,000		Roll Off Truck (2011)	
Collections	285,000	320,359	Rear Load Trash Truck (2010)	
	<u>\$655,000</u>	<u>320,359</u>		

Unencumbered Cash



Available Funds



City of Emporia
Unencumbered Cash Report
as of September 30, 2024

	Amount	YTD Budget	Difference	Unencumbered Cash		
101 General Fund	9,390,851.96	7,617,195.85	1,773,656.11	General Use	10,784,794.86	47.44%
102 Multi Year Fund	1,393,942.90	5,875,651.15	(4,481,708.25)	Special Revenue	2,074,706.09	9.13%
103 Insurance Reserve	688,151.92	663,358.00	24,793.92			
104 Vacant Property Program	13,134.71	-	13,134.71	Utilities	2,027,415.42	8.92%
201 Library Fund	1.00	(6,924.00)	6,925.00	Internal Service	4,710,471.66	20.72%
203 Transient Guest Tax Fund	436,506.41	663,060.00	(226,553.59)	Capital Projects	(703,037.20)	-3.09%
204 Industrial Fund	25,518.34	24,412.00	1,106.34	B&I	3,841,255.90	16.90%
205 Economic Sales Tax Fund	797,121.77	1,132,564.00	(335,442.23)		22,735,606.73	
206 Special Alcohol Fund	121,067.86	115,147.00	5,920.86			
207 Special Park & Recreation Fund	188,651.96	13,875.00	174,776.96	Budget		
208 Special Street Fund	201,772.91	(13,015.00)	214,787.91	General Use	(2,708,052.14)	
209 Drug Money Forfeitures Fund	45,247.97	37,795.00	7,452.97	Special Revenue	(135,653.91)	
210 Storm Water Fund	144,658.34	243,446.00	(98,787.66)	Utilities	(1,808,813.03)	
218 Emergency Shelter Grant Fund	6,514.00		6,514.00	Internal Service	4,710,471.66	
224 Fire Public Education	7,665.08		7,665.08	Capital Projects	(703,037.20)	
225 Police Grants Fund	988.80		988.80	B&I	166,663.90	
251 Emporia Homeowner Repair	(79,704.85)		(79,704.85)			
252 2014 Housing Rehab	36,747.59		36,747.59			
254 2020 CDBG Rehab Grant	3,994.00		3,994.00			
260 Land Bank	131,805.11		131,805.11			
301 Bond and Interest Fund	3,841,255.90	3,674,592.00	166,663.90			
305 Equipment Reserve Fund	321,623.65	579,091.00	(257,467.35)			
401 Coronavirus Recovery Grant	57,839.41		57,839.41			
406 Internal Improvement Fund	3,262,331.30		3,262,331.30			
407 Rec Center Projects	(2,000.00)		(2,000.00)			
409 Water Treatment Plant Improvement	557,545.20		557,545.20			
413 Water Main Improvements	(7,962,763.40)		(7,962,763.40)			
415 Civic Auditorium Project Fund	186,122.24		186,122.24			
423 Airport Improvements Fund	329,897.63		329,897.63			
428 Park Improvements Fund	(145,772.14)		(145,772.14)			
441 Paving Projects Fund	(361,260.38)		(361,260.38)			
442 Construction Projects Fund	(261,660.16)		(261,660.16)			
444 Waste water Improvement	3,636,683.10		3,636,683.10			
501 Water Utility Fund	(778,240.22)	237,178.00	(2,500,765.82)			
502 Sewer Fund	(144,179.02)	(421,056.00)	(1,363,477.38)			
503 Solid Waste Fund	2,949,834.66	2,405,310.00	2,055,430.17			
601 Worker's Comp Fund	2,305,258.40		2,305,258.40			
602 Health Care Fund	2,405,213.26		2,405,213.26			
708 Fire Insurance Proceeds	6,149.80		6,149.80			
	23,758,517.01					

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, October 2, 2024, with Mayor Harter presiding and Commissioners Brinkman, Curtis, and Smith present. Commissioner Sauder was absent. Also present were City Manager Cocking, Deputy City Manager Detter, Assistant City Manager Wash, City Clerk Sull and City Attorney Montgomery.

Kathryn Wilkerson and Hannah Crowl, representing SOS, Inc. were in attendance to accept a proclamation declaring the month of October 2024, as “Domestic Violence Awareness Month” in Emporia. They stated domestic violence is a serious crime that affects people of all races, ages, genders, and income levels. Domestic violence is widespread and affects more than four million Americans each year and costs the nation billions of dollars annually in medical expenses, police and court costs, shelters, foster care, sick leave, absenteeism and non-productivity. They stated domestic violence awareness month provides an excellent opportunity for citizens to learn more about preventing domestic violence and to show support for the numerous organizations and individuals who provide critical advocacy, services and assistance to victims. They urged the citizens of Emporia to work together to eliminate domestic violence from our community.

Mayor Harter then presented the proclamation.

CITY COMMISSION (Public Comment)

This is the time for the public to make comments.

The public is invited to make comments at this time. Please limit comments to two (2) minutes each. Please state your name and address prior to making comments.

No comments were made at this time.

PLANNING AND DEVELOPMENT
(MAPC Excerpts of Regular Meeting Held 2-20-24)
(Application No. 2024-04 – Request of Mid-Kansas Properties, LLC)
(Planned Unit Development Overlay at 2915 W. 6th Avenue)
(Lockwood Subdivision)

Mayor Harter recused himself from discussion and the vote.

The Planning Commission met in a regular session on Tuesday, February 20, 2024, with Chair Rogers presiding. Members Barnes, Ogle, Bucklinger, Thomas, Weaver and Duncan were present.

City staff: Justin Givens was present.

Chair Rogers called the meeting to order.

3. Consider Application PC 2024-04 a Request to Approve a Final Planned Unit Development for the Lockwood Subdivision Planned Unit Development.

Chair Rogers asked if proper notice had been given. Givens confirmed that proper notice was provided to the newspaper and to property owners within 200 feet of the subject property.

Chair Rogers asked if any Commissioners needed to recuse themselves or report any ex-parte communications. No Commissioners needed to recuse themselves or report any ex-parte communications.

Givens provided the Staff Report.

STAFF REPORT

Application #: PC 2024-04

Applicants: Mid-Kansas Properties LLC (owner / applicant)
BG Consultants (agent)

Requested Action: Applicant requests approval of a Final Planned Unit Development (PUD)

Purpose: Applicant desires to develop a 4.99-acre tract of land consisting of 24 single-family detached lots.

Address: 2915 W 6th Ave. Emporia, KS

Legal description: THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NW1/4 NE1/4 NE1/4 NW1/4) AND A STRIP 12 RODS IN WIDTH OFF THE ENTIRE EAST SIDE OF THE NE1/4 NW1/4 NE1/4 NW1/4, ALL IN THE SECTION 17, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS.

ALSO:

8 RODS OFF THE WEST SIDE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS.

Lot Size: 4.99 acres

Existing Zoning: Flex-Use Low

Future Zoning in ELC Comp. Plan: Flex-Use Low

Surrounding Zoning:

North – Light Industrial

East – Flex-Use Low

South – Flex-Use Low

West – Flex-Use Low

Surrounding Actual Uses:

North – Vacant Property

East – Single-Family Detached Homes

South – Single-Family Detached & Attached Homes

West – Industrial Warehouse & Miscellaneous Industrial Yard

Analysis: The applicants have requested to plat and develop a 4.99-acre tract of land as a Planned Unit Development (PUD). The proposed development would consist of 24 single-family detached lots with 23 new homes being built and the existing home on the property remaining.

The PUD is unique, in that it is designed with three private drives serving the development. Each drive would serve 8 lots with a hammer head turn around at the end of drive. Infrastructure within the development would be privately maintained by a Homeowners Association that would be managed by the developer.

The drive width is of sufficient size to allow for two way traffic, but parking will not be allowed on either side of the drive. Each unit is required to provide at a minimum two off street parking spaces, but in most cases should be able to provide more parking as driveways will be on the side of the house and not directly in front of it.

The Final PUD, which will be filed with the Register of Deeds, and will run with the property in perpetuity, is in substantial compliance with the approved preliminary plan. The applicant has addressed staff and Planning Commission comments from the Preliminary PUD. General provisions for development within the PUD have been provided for and shall govern the development of the property. Any deviations from the plan will require resubmittal to the Planning Commission and Governing Body for approval.

Considerations:

It is the intent of the Planned Unit Development District to encourage innovation in residential, commercial and industrial development by greater variety in type, design, and layout of buildings, to encourage a more efficient use of land reflecting changes in the technology of land development; to encourage the expansion of urban areas

incorporating the best features of modern design while conserving the value of the land; and to provide a procedure which relates the type, design and layout of development to the particular site and the particular demand at the time of development in a manner consistent with the preservation of property values within established neighborhoods. This project, as proposed, meets the intent of a Planned Unit Development District. It maximizes the existing space by modifying lot sizes, and uses private roads and utilities to reduce development costs, thus helping to reduce the cost of a house within the development. As proposed, this development would increase, what is often called the missing middle. Missing middle housing units are more affordable to those who may not qualify for subsidies but cannot afford high end housing. The development will also blend with the adjacent uses and staff feels will preserve, if not increase, property values of residential homes in the immediate area.

A planned unit development shall be in general conformity with the provisions of the comprehensive plan, and shall not have a substantially adverse effect on the development of the neighboring area. As this is considered an infill development, staff does not feel that there would be any adverse effects on the existing neighborhoods. The areas immediately to the east and south are a mix of owner occupied single-family detached residences, and single-family attached and multi-family rental units. This project would help to compliment those areas. The proposed development is in conformance with Plan ELC, as it promotes affordable housing, uses existing infrastructure to expand the missing middle housing stock, and is an adaptive reuse of vacant property.

Neighborhood Communications: Staff received one call and had one person attend the preliminary public hearing. No additional comments have been provided.

Recommendation: Staff recommends a motion to recommend approval of the Final PUD subject to staff and Planning Commission comments to the Governing Body.

Attachments: Final PUD | Aerial Map | Current Zoning Map

The Public Hearing was opened.

Jamie Sauder, Mid-Kansas Properties, LLC, spoke in favor of the application.

No person spoke against the application.

The Public Hearing was closed.

Commissioners discussed the concepts of a Planned Unit Development and the requirements of the Home Owners Association and the need to have them in place prior to City Commission approval.

Commissioner Weaver made a motion to recommend approval of the Final Planned Unit Development for the Lockwood Subdivision PUD subject to review and acceptance of Home Owners Agreement by staff and the applicant providing No Parking signage along the private drives/hammerheads. Duncan seconded the motion. The motion passed 7-0.

Justin Givens, Planning and Zoning Administrator, was recognized and addressed the Governing Body. He stated the owner of the property located at 2915 W. 6th Avenue has requested that a Planned Unit Development Overlay be created for their property. He stated the proposed Planned Unit Development would allow the property owner to

build 24 single-family homes. The development would use three new private drives from W. 6th Avenue that would service the development. The interior infrastructure of the development will be private, and a homeowner's agreement will be filed to provide for the maintenance of the common and private infrastructure. He stated creating a Planned Unit Development Overlay is technically a change in zoning which requires an ordinance approving the PUD. At their February 20, 2024, regular meeting, the Planning Commission voted unanimously to recommend approval of the Planning Unit Development for the Lockwood Subdivision. He stated staff recommend approve creating a planned unit development overlay for property located at 2915 W. 6th Avenue.

PLANNING AND DEVELOPMENT
(Application No. 2024-04 – Request of Mid-Kansas Properties, LLC)
(Planned Unit Development Overlay at 2915 W. 6th Avenue)
(Lockwood Subdivision)
(Ordinance Number 24-30)

AN ORDINANCE REZONING LAND IN THE CITY OF EMPORIA, KANSAS FROM FLEX-USE LOW (F-L) PARCEL TYPE TO A RESIDENTIAL PLANNED UNIT DEVELOPMENT AND AMENDING THE OFFICIAL ZONING MAP TO CONFORM WITH SAID ZONING, to which the City Clerk assigned Ordinance Number 24-30, was presented to the Governing Body for their consideration.

Mayor Harter recused himself from discussion and the vote.

Following further discussion, Commissioner Curtis made a motion to approve Ordinance Number 24-30 creating a Planned Unit Development Overlay for property located at 2915 W. 6th Avenue. Commissioner Smith seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Smith, aye; and Vice-Mayor Brinkman, aye.

PLANNING AND DEVELOPMENT
(Application No. 2024-04 – Request of Mid-Kansas Properties, LLC)
(Final Plat at 2915 W. 6th Avenue)
(Lockwood Subdivision)

Mayor Harter recused himself from discussion and the vote.

Justin Givens, Planning and Zoning Administrator, was recognized and addressed the Governing Body. He stated the owner of the property located at 2915 W. 6th Avenue has requested a Final Plat be approved for their property. The owners intend to build 24 single-family homes on the 4.99-acre tract of land. The proposed final plat would allow for the development of Lockwood Planned Unit Development. The proposed development is for the construction of 24 single-family homes. The development would use three new private drives from W. 6th Avenue that would service the development. He stated the interior infrastructure of the development will be private, and a homeowner's agreement to be filed to provide for the maintenance of the common and private infrastructure. The approval of the final plat from the Planning Commission was subject to the developer submitting and staff reviewing the Homeowners Agreement. Staff completed the review and found the Homeowners Agreement acceptable. At their February 20, 2024, regular meeting, the Planning Commission voted unanimously to recommend approval of the Final Plat for the Lockwood Subdivision. Staff recommend approval of the Final Plat for the Lockwood Subdivision.

Commissioner Curtis made a motion to approve the Final Plat for the Lockwood Subdivision. Commissioner Smith seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Smith, aye; and Vice Mayor Brinkman, aye.

PLANNING AND DEVELOPMENT
(MAPC Excerpts of Regular Meeting Held 8-20-24)
(Application No. 2024-09 – Request of Whitter Place III MR, LLC)
(Rezone Property Located at 1200 Whittier Place Lane)

The Planning Commission met in a regular session on Tuesday, August 20, 2024, with Chair Rogers presiding. Members Ogle, Bucklinger, Barnes, and Lingenfelter were present. Commissioner Fowler was absent.

City staff: Justin Givens, Planning & Zoning Administrator, was present.

Chair Rogers called the meeting to order.

2. Consider PC-2024-09 – A Request to Rezone Property Located at 1200 Whittier Place Lane

Chair Rogers asked if proper notice had been given. Givens confirmed that proper notice was provided to the newspaper.

Chair Rogers asked if any Commissioners needed to recuse themselves or report any ex-parte communications. No ex-parte communications or conflict of interests were reported.

Givens provided the Staff Report.
Staff Report

Application #: PC 2024-09

Applicants: Whittier Place III MR, LLC

Requested Action: Consider a request to rezone property from Single-Family Detached (SF-D) to Multi-Family (M-F)

Purpose: Applicant desires the rezoning to facilitate the construction of a multi-family unit.

Address: 1200 Whittier Place Lane, Emporia, KS

Legal description: COMMENCING AT A POINT 223 FEET NORTH OF A STONE AT THE SOUTHEAST CORNER OF THE NE1/4 OF THE SW1/4 OF SECTION 11, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS; THENCE WEST ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID SW1/4, 656 FEET TO A POINT; THENCE NORTH ON A LINE PARALLEL WITH THE EAST LINE OF THE SAID SW1/4, 109 FEET; THENCE EAST ON A LINE PARALLEL WITH THE SOUTH LINE OF SAID SW1/4, 656 FEET TO A POINT ON THE EAST LINE OF SW1/4; THENCE SOUTH 109 FEET TO THE PLACE OF BEGINNING, EXCEPT A TRACT IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., PREPARED BY STEVEN S. BROSEMER, PS 752, ON MAY 15, 2023; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 223 FEET NORTH OF A STONE AT THE SE CORNER OF SAID NE1/4 SW1/4; THENCE S.88°25'17"W. (GRID BEARINGS) FOR 397.96 FEET TO THE POINT OF BEGINNING; THENCE N.01°36'54"W. WITH THE LINE OF AN EXISTING FENCE FOR 108.97 FEET TO THE SOUTH LINE OF KNUTH ADDITION; THENCE S.88°25'38"W. FOR 230.00 FEET TO THE EAST LINE OF WHITTIER STREET; THENCE S.01°05'21"E. ON SAID EAST LINE FOR 109.00 FEET; THENCE N.88°25'17"E. FOR 231.00 FEET TO THE POINT OF BEGINNING, Emporia, Lyon County, Kansas

Lot Size: 395' x 110' (43,450 sq. ft.)

Existing Zoning: Single-Family Detached

Future Zoning in ELC Comp. Plan: Single-Family Attached

Surrounding Zoning:

North – Multi-Family

East – Multi-Family | Single-Family Detached

South – Single-Family Detached

West – Single-Family Detached | Multi-Family

Surrounding Actual Uses:

North – Whittier Place Apartments

East – Single-Family Detached Residential | Single-Family Attached Residential

South – Larger Lot Single-Family Detached Houses

West – Single-Family Detached Houses | Proposed Multi-Family Unit

Analysis: The applicant is requesting a zoning change to expand the number of multi-family units on the property. The subject parcel is an approximately 1-acre tract of land that adjoins the current Whittier Place Apartments. The proposal would see the existing drive and parking are be continued south with another multi-family unit built on what is now vacant land. Another proposed multi-family unit is being considered to be built immediately west of the current apartments. That property is zoned Multi-Family and does not need any action from the Planning Commission to approve the development. The subject tract is of sufficient size to accommodate another unit and parking. Also, the proposed development would redirect stormwater runoff on the site. A portion of the runoff would flow to the west versus going east now, which would help to reduce the volume of water that uses the Mary Street drainage system.

Considerations: 9.8.3.a.8. Factors to be Considered for a Rezoning:

When a proposed amendment would result in a change of the zoning classification of any specific property, the recommendation of the Planning Commission, accompanied by a copy of the record of the hearing, shall contain statements as to the present classification, the classification under the proposed amendment, the reasons for seeking such reclassification, a summary of the facts presented, and a statement of the factors upon which the recommendation of the Planning Commission is based using the following guidelines: Staff Commentary in Bold

1. Whether the change or approval would be consistent with these regulations; Extending the area that multi-family units could be built, would be consistent with the zoning regulations. The area has already been contemplated for multi-family and adding this area would not be inconsistent with the regulations.
2. The character and condition of the neighborhood and its effect on the proposed change; Extending the number of multi-family units in the area would not change or harm the character or condition of the neighborhood. The proposed

development would be an extension of the current multi-family area and proper screening would still provide separation from adjacent single-family detached properties.

3. The zoning and uses of properties nearby; The adjacent properties are single-family detached residences. The properties to the south are very long lots with the homes being located approximately 130 feet from the common property line. The two properties to the east that would abut the proposed development are single-family detached structures with traditional setbacks. Proper screening will help to ensure the new development does not negatively impact these properties.
4. The suitability of the subject property for the uses to which it has been restricted; The subject property has been vacant for an extended period of time and is very well suited for the proposed project. Allowing multi-family units on this property would be an excellent use for the property. The property's only access is from the current multi-family development and restricting it to single-family detached housing, as it is currently zoned is not a feasible use of the property.
5. The extent to which removal of the restrictions will detrimentally affect nearby property; Property values for the single-family detached homes that abut the existing multi-family units have steadily increased in a manner that is consistent with other properties in the city. Staff does not see that the additional units would bring a detrimental impact to the nearby properties.
6. The length of time the subject property has remained vacant as zoned; Staff is unaware of any structures being built on the property in the past, and as previously stated, the only access to the property is thru the multi-family development. If the rezoning is not approved, staff would not anticipate single-family detached dwellings being built on the property.
7. The relative gain to the public health, safety, and welfare by the destruction of the value of plaintiff's property as compared to the hardship imposed upon the individual landowner public services, including transportation, exist or can be provided to serve the uses that would be permitted on the property if it were reclassified or granted a conditional use; Extending the multi-family units in this area is a logical progression for the area. Adequate public services exist in the area and the additional units would not create an undue hardship on those services.
8. The recommendations of a permanent or professional planning staff; Staff is supportive of the request.
9. The conformance of the requested change to Plan ELC; Plan ELC promotes the adaptive use of infill lots such as this project and additional units will help to meet the housing demand in the community.
10. Such other factors as are deemed relevant by the Planning Commission or Governing Body.

Neighborhood Communications: Staff has received several phone and email inquiries about the proposed rezoning and has provided written correspondence as part of the agenda report.

Recommendation: Staff recommends the Planning Commission make a motion of approval for the Rezoning to the Governing Body based on the following;

- 1) The request is consistent with the Comprehensive Plan;

- 2) The request conforms to the intent of the Zoning Regulations
- 3) There would not be a negative impact on the existing neighborhood

Attachments: Aerial Map | Current Zoning Map | Concept Site Plan

Commissioner Barnes asked about the existing drainage issues on Mary Street and if the City Engineer had looked into those issues. Givens responded that he had not been in contact with the City Engineer on any drainage reviews in the area. Commissioner Lingenfelter asked about the existing flooding situation between the properties. Givens stated that the applicant or their agent could address the drainage in the public hearing.

Commissioner Rogers provided some background on previous zoning applications and actions.

The Public Hearing was opened.

Buck Driggs, Driggs Design Group, (Applicant's Agent) spoke on behalf of the applicant and in favor of the project. Driggs provided some general background on the ongoing drainage issues with the property owner immediately to the east of the development, a subsequent lawsuit between the two property owners and a judicial order for correction on the existing drainage. Driggs spoke about the proposed drainage plan for the new development.

Commissioner Barnes asked about the volume of water that the proposed drainage plan would handle and if the City Engineer was involved in the drainage agreement. Driggs stated that the drainage was designed to hold a 100 year storm event and an additional one foot of rain and that the City Engineer had reviewed the accepted plans for mitigation.

Commissioner Bucklinger asked if there had been any calculations on how the new drainage would impact the existing flooding issues on Mary St. Driggs stated that he had not, but felt that removing the apartments drainage would help in reducing the amount of stormwater runoff.

Commissioner Barnes reiterated his question on other developments in the area impacting the drainage issues. Givens responded that yes, the city was working with the property owners engineering firm to help mitigate and reduce the amount and timing of water entering the box culvert on 12th Street. Givens stated that the proposed development was in a holding pattern as they are working on whether the project is viable or not.

Driggs stated that the water from the apartment complex would be redirected away from Mary and that could help the drainage in the area.

Commissioner Rogers asked about the legal agreement between the parties. Driggs stated he was really not that familiar with the actual agreement and would defer to the City Attorney or the parties attorneys as they were involved in those discussions.

Commissioner Lingenfelter asked what safeguards were put in place to minimize any negative impacts on drainage in the area that the new plan might have. Driggs stated that the drainage plan would slow the amount of water released during and after a rain event and would be modeled to conform to the stormwater ordinance.

Marvin Tajchman, 902 Mary St. expressed concerns about the existing drainage issues in the area and on site especially based on the previous development. He stated he was not necessarily against the project, but has expressed concerns about drainage on Mary St.

Terrance Weaver, 1206 E 9th, expressed concerns about the overall development including the existing drainage. He also had concerns about how the development might impact the existing area including a fence line and overhead power lines.

Commissioner Rogers asked about who would be responsible for the maintenance for this area currently and in the future. Givens stated that it would be the responsibility of property owner.

The Public Hearing was closed

Commissioner Rogers stated that based on the public comment, speakers were not necessarily against the project, but the conditions that development had created, and with proper design, those conditions might be alleviated.

Commissioner Lingenfelter asked to clarify that the court settlement would require some of the drainage changes even if the rezoning was not approved. Givens stated that was correct.

Commissioners asked Driggs to readdress and provide more details on the retention ponds as they related to the property at 1206 E 9th. Driggs stated that the owner was willing to work with neighbors to ensure the property was in a good condition.

Commissioner Ogle asked about the enforcement of stormwater regulations. Givens stated that it is the responsibility of the city engineering department.

Commissioner Bucklinger asked if any additional measures would be needed to be put in place from a development perspective prior to approval. Givens stated that Multi-Family projects would require full site plan review and felt that yes, there are safeguards in place to protect neighboring properties.

Commissioner Barnes made a motion to recommend approval of the rezoning from Single-Family Detached to Multi-Family based on the request being consistent with the Comprehensive Plan; the request conforms to the intent of the Zoning Regulations; and there would not be a negative impact on the existing neighborhood contingent upon the City Engineer approving the drainage plan. Commissioner Ogle seconded the motion. The motion carried 5-0.

Justin Givens, Planning and Zoning Administrator, was recognized and addressed the Governing Body. He stated the owner of the property located at 1200 Whittier Place Lane has requested that the property be rezoned from Single-Family Detached (SF-D) to Multi-Family (M-F). The owners intend to build additional apartments to complement the three existing units within the complex. He stated the rezoning would allow the owner to build a 24-unit apartment complex with additional parking to the south of the existing apartments. The owner has proposed this unit and another new unit to the west. That area is currently zoned multi-family and does not necessitate a rezoning. At their August 20, 2024, regular meeting, the Planning Commission voted unanimously to recommend approval of the rezoning from Single-Family Detached to Multi-Family based on the request being consistent with the comprehensive plan and conforms to the zoning regulations. Staff recommend approval of the rezoning of the property located at 1200 Whittier Place Lane from Single-Family Detached (SD-F) to Multi-Family (M-F).

PLANNING AND DEVELOPMENT
(Application No. 2024-09 – Request of Whitter Place III MR, LLC)
(Rezone Property Located at 1200 Whittier Place)
(Ordinance Number 24-31)

AN ORDINANCE REZONING LAND IN THE CITY OF EMPORIA, KANSAS FROM SINGLE FAMILY DETACHED (SF-D) PARCEL TYPE TO MULTI-FAMILY (M-F) PARCEL TYPE AND AMENDING THE OFFICIAL ZONING MAP TO CONFORM WITH SAID ZONING, to which the City Clerk assigned Ordinance Number 24-31, was presented to the Governing Body for their consideration.

Commissioner Curtis made a motion to approve Ordinance Number 24-31, an ordinance rezoning property located at 1200 Whittier Place Lane from Single-Family, (SF-D) to Multi-Family (M-F). Commissioner Brinkman seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Harter, aye.

INDUSTRIAL REVENUE BONDS
(Intent to issue IRB's for \$10,500,000.00)
(Whittier Place III, LP & Whittier Place III MR, LLC)
(Resolution Number 3740)

Tayler Wash, Assistant City Manager, was recognized and addressed the Governing Body. She stated the adoption of the proposed resolution is the first step in the issuance of Industrial Revenue Bonds (IRB's) in the amount of \$10,500,000.00 for the costs of purchasing, acquiring, constructing, furnishing and equipping two residential apartment buildings located at 1002 Whittier Street and South of 1100 and 1200 Whittier Place Lane. The property will be eligible for sales tax exemption and property tax exemption for a term of ten years, subject to conditions of the City's public incentives policy. She stated the City will not be liable for any of the principal or interest payments of the bonds under Kansas Statutes. She stated staff recommend approval of Resolution Number 3740 regarding the intent to issue Industrial Revenue Bonds in the amount of \$10,500,000.00 for Whittier Place III, LP and Whittier Place III MR, LLC.

Commissioner Brinkman made a motion to approve Resolution Number 3740 regarding the intent to issue industrial revenue bonds in the amount of \$10,500,000.00 for Whittier Place III, LP and Whittier Place III MR, LLC. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Curtis, aye; and Mayor Harter, aye.

ENGINEERING
(License Agreement with RCM, LLC)
(Property Located at 502 Graham Street)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated RCM, LLC is expanding their business located at 502 Graham Street, requiring a license agreement for the purpose of storage of stormwater for this site. He stated the proposed stormwater pond is adjacent to the City utility easement/Right-of-Way and this license agreement would allow for construction and maintenance of the stormwater site. RCM, LLC agrees to repair/replace the right-of-way and any improvements or utilities at their expense to City standards. He stated staff recommend approving the License Agreement with RCM, LLC and authorizing the mayor to sign.

Commissioner Brinkman made a motion to approve the License Agreement with RCM, LLC and authorized the mayor to sign the License Agreement. Commissioner Curtis seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

CITY COMMISSION
(Reimbursement of Expenditures Related to Fire Station Facility)
(Resolution Number 3739)

Mark Detter, Deputy City Manager, was recognized and addressed the Governing Body. He stated the City of Emporia is in the process of demolition of an existing building in the 500 Block of Market Street for site preparation for the construction of a new fire station at the same location. The Commission approved Charter Ordinance Number 45 at their meeting on September 18, 2024, which provides additional and alternative methods for financing public buildings and facilities and alternative method of authorizing the issuance of revenue bonds. He stated the charter ordinance becomes effective after a protest period which ends on November 27, 2024. This proposed resolution will allow costs for site preparation and architectural design expenditures eligible as related costs in the issuance of Public Building Commission Revenue Bonds. He stated the construction will begin in the fall and a bond issue of approximately \$15,000,000.00 will be issued by the Public Building Commission for the design, site preparation and construction of a new Fire Station. Staff recommend authorization of Resolution Number 3739 declaring the intent to authorize reimbursement of the expenditures related to the issuance in Public Building Commission Revenue Bonds.

Greg Vahrenberg, representing Raymond James and Dominic Eck, representing Gilmore & Bell, P.C., were present for discussion via phone.

Commissioner Brinkman asked about the Public Building Commission and placing the Fire Station into that, would that create a limit on the PBC, or would it have capacity, or would it have to pass on other projects such as a Recreation Center?

Mr. Eck stated there is not a statutory limit, however, as discussed by Mr. Vahrenberg in a previous meeting, at some point there may be a practical limit on what investors would be willing to purchase, you could have the Rec Center proposed as a public building.

Commissioner Brinkman asked if those two proposed projects would not exceed a practical limit for investors for our city.

Mr. Vahrenberg stated that was correct, with those projects and the debt ratios investors would be looking at, there shouldn't be any problems marketing the bonds.

Following further discussion, Commissioner Brinkman made a motion to approve Resolution Number 3739 declaring the intent of the City of Emporia, Kansas to authorize reimbursement of the expenditures related to the issuance of approximately \$\$15,000,000.00 in Public Building Commission Revenue Bonds. Commissioner Curtis seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

**CITY COMMISSION
(Authorizing Credit Card Fees for Payments)
(Ordinance Number 24-29)**

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS ESTABLISHING A CREDIT CARD PROCESSING FEE, to which the City Clerk assigned Ordinance Number 24-29, was presented to the Governing Body for their consideration.

Janet Harrouff, Director of Finance, was recognized and addressed the Governing Body. She stated the City accepts all types of credit cards for all services including utility payments, permits, court fines, golf course, park rentals transfer station, concession stands and police fees. Currently all credit card fees are paid by the City of Emporia. The use of credit cards and online payments for convenience has increased, so have the costs associated with this type of payment. The fees the City has incurred for credit card processing over the past 4 years are as follows:

2020	\$119,995
2021	\$139,467
2022	\$150,673
2023	\$160,169
2024	\$131,268 (through August)

The City would save over \$100,000 per year by passing through the credit card fees to customers. If approved, the pass-through fees would go into effect January 1, 2025. The fee shall be added to each credit card transaction equal to the charge paid by the City for

the use of the card. The fee for our customers is expected to be approximately 3% per credit card transaction. Customers will still be able to have their payment drafted from their checking account free of charge along with checks or cash. She stated staff recommend approval of Ordinance Number 24-29, establishing a credit card processing fee.

Commissioner Brinkman made a motion to approve Ordinance Number 24-29 establishing a credit card processing fee. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Curtis, aye; and Mayor Harter, aye.

Consent Agenda

It was moved by Mayor Harter, seconded by Commissioner Curtis that the Consent Agenda listed below be ratified as a whole:

- a. Minutes of Regular Commission Meetings Held on September 11, 2024, and September 18, 2024.
- b. Authorize the Mayor to Sign a Letter of Support for Southwick House.

The vote follows: Mayor Harter, aye; Commissioner Curtis, aye; and Commissioner Smith, aye. Commissioner Brinkman abstained from the vote.

CITY COMMISSION (City Manager's Report)

This is an opportunity for the City Manager to present information to the public that may not be reported in other news accounts or City activities or to highlight accomplishments of the organization.

At the time this Agenda was prepared, the following items were in the works:

TENTATIVE AGENDA FOR OCTOBER 16, 2024, MEETING.

- Appoint Members to the Homelessness Advisory Board.
- Accept Final Plat for Flint Hills Crossing
- Award Contract for Flint Hills Crossing Improvements.
- Accept Easements for Kretsinger Development.
- Equipment Purchases for Golf Course.
- Annex Property at 1500 S. Hwy 99 into City Limits.

- Name City's Portion of Road F.
- Intent to Issue IRB's for 502 Lofts.

STUDY SESSION

Review Snow Removal Policy.

Discuss Economic Development Organization Assessment Review.

Discuss Q&A with Trey on November 14, 2024.

CITY COMMISSION (Governing Body Comment)

This is the time for the Mayor and City Commissioners to make comments and reports to the public.

Commissioner Curtis stated he wanted to comment on the Hospital situation and Economic Development and read the following statement:

Hospital

Like the rest of my fellow commissioners, I've dug into how hospitals work - the services they provide and how those services are funded. The city has very little oversight and authority on the county hospital, but I want to express my appreciation to the many medical workers - medical practitioners, nurses, people in administrative roles. Thank you for your service to our community. I also want to thank the people who have taken the time to discuss this situation with me. I appreciate the perspectives and information.

My focus continues to be on improving the services we offer and can offer in Emporia for the benefit of the citizens of our city and region. My focus is on maximizing these services and having the best health care options available for a community and region our size. Volume matters. And we don't have the market size to produce the volume needed to support every medical service available in today's world. So my focus continues to be on what services are viable in our region. In many ways, we have a system that is indeed the envy of many other communities our size. How do we continue to improve this system and offer the best healthcare options possible for our community?

I am less focused on the name of the entity that provides these services. I'm less focused on the name of the entity that issues the paychecks to our healthcare workers. My focus is on quality healthcare offerings for our community. Period. Full stop. I do think centralizing those services in the area currently owned by Newman Regional Health is the best way to serve our community and provide these services. This will require partnership and cooperation. It is the best option, though, in my opinion.

Again, we as the City of Emporia have very little authority on the matter. Zoning and annexation are two areas we do control. I am not opposed to a zoning text change that creates a policy of how we manage health care in our area, but I am opposed to that change in light of a scenario where an entity is actively looking to expand its services in our community. If the policy was proposed as a best overall policy practice related to managing health care absent of a situation creating fear and anxiety, then I would have supported the discussion and entertained the concept. In other words, had the policy been suggested at a different time and not when adopting such a policy would favor one entity and hurt another, then I would have been open to that discussion. As is, that's not the case, so a zoning text change is off the table for me for right now.

Related to annexation, we don't have a request today to consider the annexation of property. If we receive that request, then we - and I - will study it and evaluate its merits. Until then, I will simply say that maximizing the real estate available where our current hospital is located is my preference.

Eco Devo

I want to clarify where we are at related to structuring an economic development model for our community. The City entered into an agreement with Vision First Advisors to evaluate our current model and offer feedback and considerations. That report was delivered on September 11. During and following that meeting, the report was shared with economic development agencies and the community at large. Those agencies are now discussing the report and its recommendations and offering feedback. We as a commission have not discussed the report nor have we taken any action on implementing the recommendations from the Vision First report. As of today, nothing has changed related to how we do economic development and no decisions on how we are planning to do economic development in the future have been made. Feedback on this issue is welcome and I will say we as a commission and city staff need to work to structure a trustworthy process going forward to discuss options and implement changes aimed at retaining current employers, spurring new industries, and creating more jobs for our citizens. That may start with our study session on Oct. 16. I look forward to these conversations and discussions.

Commissioner Smith stated she appreciates Commissioner Curtis's transparency and his speech.

EXECUTIVE SESSION

Commissioner Brinkman made a motion to recess into Executive Session for 15 minutes inviting pertinent city staff to discuss the possibility of acquiring easement interest

in real property. The justification for the executive session is provided by K.S.A. 75-4319(b)(6) to minimize the cost of the property to the taxpayer. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Curtis, aye; and Mayor Harter, aye.

Upon reconvening the meeting in Regular Session, at 11:44 a.m., this same date, in the City Commission Meeting Room, Mayor Harter stated they had discussed the possibility of acquiring easement interest in real property and no action was taken.

EXECUTIVE SESSION

Mayor Harter made a motion to recess into Executive Session for 30 minutes inviting pertinent city staff to discuss confidential data of a third party relating to economic development. The justification for the executive session is provided by K.S.A. 75-4319(b)(4) to protect financial affairs and trade secrets of third parties. The open meeting will resume at the Emporia Municipal Airport, located at 1005 County Road 120 at approximately 12:45 p.m. Commissioner Brinkman seconded the motion. The vote follows: Mayor Harter, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; and Commissioner Smith, aye.

Upon reconvening the meeting in Regular Session, at 12:45 p.m., this same date, at the Emporia Municipal Airport, Mayor Harter stated they had discussed confidential data of a third party relating to economic development and no action was taken.

Mayor Harter made a motion to recess the meeting to 12:55 p.m., at the Emporia Municipal Airport. Commissioner Curtis seconded the motion. The vote follows: Mayor Harter, aye; Commissioner Curtis, aye; Commissioner Brinkman, aye; and Commissioner Smith, aye.

The following items were discussed at the Study Session:

1. Discuss Social Media in Local Government.
2. Discuss Municipal Airport.
3. Discuss the Hazardous Sidewalk Program Cost Share.

Commissioner Smith then made a motion to adjourn. Commissioner Curtis seconded the motion. The vote follows: Commissioner Smith aye; Commissioner Curtis, aye; Commissioner Brinkman, aye; Mayor Harter, aye.

Erren Harter, Mayor

ATTEST:

Kerry Sull, City Clerk



Commission Action Report

Proposed Street Name Change for a new City Street

Title: Proposed Street Name Change for a new City Street

Agenda Date: October 16, 2024

Presented By: James Ubert, City Engineer

Background:

As cities' corporate boundaries grow in the State of Kansas and to more efficiently direct which emergency service responders to a specific address it is commonplace that County roads are renamed with City street names as they are annexed.

Discussion:

With the recent annexation of Industrial Park IV lands and the County Road F right of way along said Park IV, City staff propose to rename the annexed portion of County Road F from US-50 Highway to Road 180 to City a street named Freedom Road.

Financial considerations:

None.

Recommended action:

Approve the recommendation.

Attachments:

Picture of completed Road F paving project, proposed to be renamed Freedom Road.



County Rd 180

Industrial Park IV

US-50 Highway



Commission Action Report

Resolution No. 3743 Adopting a Social Media Policy.

Title: Resolution No. 3743 Adopting a Social Media Policy.

Agenda Date: October 16, 2024

Presented By: Christina Montgomery, City Attorney

Background:

The City of Emporia has developed social media accounts as communication tools to inform the public about the city's work and mission. Staff recommends adoption of a social media policy to provide guidance for the appropriate use of social media technologies and mitigation of risks inherent in using these services.

Discussion:

Resolution No. 3743 establishes parameters of appropriate use of city social media accounts including requirements for compliance with the Kansas Open Records Act, intellectual property law, anti-discrimination laws, and First Amendment free speech protections. The resolution includes internal policies applicable to city staff, elected officials, and appointees, as well as external policies providing guidance to the public. The resolution will become effective upon passage and will be incorporated into the City of Emporia Policy Manual

Financial considerations:

none

Recommended action:

Approve Resolution No. 3743 Adopting a Social Media Policy.

Attachments:

Resolution No. 3743 Adopting a Social Media Policy.

RESOLUTION NO. 3743

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS
ADOPTING A SOCIAL MEDIA POLICY**

WHEREAS, the City of Emporia has developed social media accounts as communication tools to inform the public about the city's work and mission; and

WHEREAS, the City has an important interest in assuring compliance with legal requirements as well as the accuracy and consistency of information associated with city social media accounts; and

WHEREAS, the Governing Body has determined that it is necessary to adopt a Social Media Policy, a copy of which is attached and incorporated by reference, to provide guidance for the appropriate use of social media technologies and mitigation of risks inherent in using these services.

NOW, THEREFORE, BE IT RESOLVED, that the Social Media Policy, as attached, is hereby adopted; and, further, the policy shall be incorporated into the City of Emporia Policy Manual.

The Resolution shall take effect immediately upon its passage.

APPROVED AND ADOPTED BY THE GOVERNING BODY OF THE CITY OF
EMPORIA, KANSAS, this 16th day of October, 2024.

Erren Harter, Mayor

Attest:

Kerry Sull, City Clerk

Subject: Social Media Policy	Issued by: Resolution No. 3743	Effective Date:
---------------------------------	-----------------------------------	-----------------

2-24 Social Media Policy _____

I. Background:

The City of Emporia has developed social media accounts as tools to inform the public about the city's work and mission. The city has an important interest in assuring compliance with legal requirements and the accuracy and consistency of information associated with our social media accounts. It is the intent of the Governing Body of the City of Emporia to establish a policy to ensure the appropriate use of social media to further the goals of the city.

II. Scope:

This policy shall apply to all city employees, elected city officials, and appointees to city boards. Nothing contained in this policy should be interpreted as conflicting with any person's rights under the Constitution of the United States, state law, or any other written regulation or policy of the City of Emporia.

III. Purpose.

This policy provides guidance for the appropriate use of social media technologies and the mitigation of risks inherent in using these services. This policy also establishes guidelines for the public's use of our social media accounts.

IV. Internal Policy.

- A. Approval and Registration.** All city social media sites must be approved by the communications manager and administered by authorized individuals. Sites shall be published using approved social media platform and tools.
- B. Acceptable Use.** City staff, appointees, or elected officials posting content to social media sites in their official capacity are speaking on behalf of the City and should take appropriate steps to ensure the information they provide meets the following guidelines:
 - 1. All social media posts, comments, and other communications shall be conducted in accordance with the City's communications policy and branding guidelines.
 - 2. Official city content may only be posted to approved city social media sites.
 - 3. Posted information should be accurate and factual.
 - 4. Usage of photos and videos must comply with City photo policies and applicable intellectual property laws.
 - 5. All content on City social media sites is considered public record and must be retained in accordance with city record retention policies.
 - 6. All city posted content shall comply with accessibility requirements of the Americans with Disabilities Act.

7. Professional standards for good grammar, spelling, brevity, clarity, and accuracy should be followed. The use of jargon, obscure terminology, and acronyms should be avoided.
 8. All content and communications through social media platforms should remain professional and courteous in nature.
- C. Prohibitions. Individuals may not publish content on city social media sites that includes:
1. Confidential information of any person, governmental agency, business, or organization.
 2. Improper use of materials protected by copyright, trademark, or other intellectual property protections, including the use of images and graphics that the City has not legally acquired the right to use
 3. Promotion of a political party or a candidate running for office.
 4. Any content endorsing, promoting, or favoring a specific religion or religious belief.
 5. Vulgar or abusive language, personal attacks of any kind, offensive terms targeting individuals or groups, or any content that may be perceived as discriminatory.
 6. Commercial advertising for products or services of businesses or other organizations.
 7. Surveys, polls, or questionnaires or similar requests for information without prior approval by the communications manager.
- D. Public Forum. Government social media accounts are considered limited public forums under federal caselaw. Members of the public have certain free speech rights in limited public forums. City social media administrators shall not block or ban users and shall not hide or delete user content except as specified in Section V(D)(2). Any action taken to limit user content or interaction shall be immediately reported to the communications manager.
- E. Personal Accounts. Personal social media accounts of public officials may be considered government accounts when the account holder has the authority to speak on the government's behalf and exercises that authority through speech on a social media platform. If the city determines that a personal social media account maintained by a city official meets the criteria to be considered a government account, such account shall be maintained in accordance with this policy.
- F. Violations. Violation of this policy by employees or board appointees may result in disciplinary action up to and including termination of employment or removal from board membership.

V. External Policy.

The following terms and conditions shall be provided as a hyperlink or posted as text on city social media accounts when possible:

A. General Guidelines.

1. These terms and conditions apply to all City of Emporia social media accounts.
2. All social media content on city social media sites, including comments, replies, and posts by users, may be public records subject to applicable public records release law.

3. All content published on city social media accounts, including city posts, comments and replies to those posts, and any direct or private messages sent to us, may be considered public records subject to applicable public records release.
4. Our social media accounts are not monitored 24/7 and no one should utilize our social media accounts to seek emergency services. Anyone in need of emergency help should call 9-1-1.
5. We do not guarantee we will respond to comments or messages sent on our social media accounts.

B. Definitions.

1. "Social media" means content (text, images, audio, links, or video) created or shared by us and communicated on our online accounts. The platforms on which we have created these accounts allow sharing, commenting, and other engagement. Examples of social media accounts we may use are Facebook, X, Instagram, YouTube, and LinkedIn.
2. "Comments" include any content (text, images, audio, links, or video) posted to one of our social media accounts by a user.
3. "User" means a person who views or interacts with one or more of our social media accounts.

C. Expectations

1. We believe that honest, civil, and productive discussions provide the best environment for citizens to understand the work of their government and participate in constructive engagement. That's why we ask users to consider that our social media accounts may be viewed by children and other impressionable people. Please avoid profanity, personal attacks, bullying, or use of incorrect information.

D. Content Moderation

1. **Limited Public Forum.** Our social media accounts are created and maintained as limited public forums under federal caselaw pertaining to the First Amendment to the U.S Constitution. We invite members of the public to view and engage with our social media accounts.
2. **Prohibited Content.** Relevant First Amendment caselaw permits us to hide certain comments on our social media accounts. We will not hide comments solely because such comments are critical of our organization, its officials, or its employees. The following comments may be hidden:
 - a. Comments advocating violence or illegal activity.
 - b. Comments containing threats of violence.
 - c. Comments containing sexually explicit content.
 - d. Comments that directly promote or advocate for our organization to illegally discriminate against any person or group of people.
 - e. Comments containing links to malware and/or malicious content that affects the normal functioning of a computer system, server, app, or browser.
 - f. Duplicate comments posted repeatedly by a user within a short period of time.
 - g. Comments containing defamatory or fraudulent content.

- h. Comments that contain images or other content that violate the intellectual property rights of someone else.
 - i. Comments that contain a hyperlink to any website not controlled by the city.
 - j. Content that promotes or campaigns for an elected official or a candidate running for office.
 - k. Comments that include confidential information of a person, business, organization, or agency.
 - l. Comments that are not related to City business.
3. **Retention.** When a comment containing any of the above content is posted to one of our social media accounts and we proceed to hide the comment, a copy or electronic record of that content may be retained pursuant to our records retention policy, along with a brief description of the reason the specific content was hidden.
4. **Right of Appeal.** If we hide or delete a user comment pursuant to these terms and conditions, that user has the right to appeal that decision by sending an email or letter to the City of Emporia within five business days of our action.

Upon receipt of an appeal, our attorney will determine whether the comment at issue contained content protected by the First Amendment. If the appeal is successful, the comment may (if possible) be restored for public view. Upon a determination that the comment was not protected by the First Amendment, the user will be notified that the appeal was denied. The return correspondence, sent within a reasonable amount of time, will provide the user with a brief legal explanation for the action taken.



Commission Action Report

Golf Course Equipment

Title: Golf Course Equipment Purchase

Agenda Date: October 16, 2024

Presented By: Kelley Storch, Golf Course Superintendent

Background:

In the Special Parks fund, \$95,500 was budgeted for the purchase of an aerator and tee/banks reel mower.

Discussion:

We obtained quotes from Professional Turf Products (Toro), Van Wall Equipment (John Deere), and Kansas Golf and Turf (Jacobsen) for a Tees/Banks reel mower using pre-negotiated government contracts.

Aerator:

The Toro ProCore 648 is the only walk-behind aerator on the market that does not run over the freshly pulled cores or holes with the tires and it has a 48" inch coring width. John Deere nor Jacobsen makes a comparable aerator.

Tees/Banks Reel Mower:

Toro Reelmaster 3100-D was quoted at \$54,091.82 using the Sourcewell contract pricing.

This is the only machine that we have had a demo of and has a rear engine. This allows for the operators to get on/off the machine easier and not be subject to hot engine temps while operating. The rear engine design also allows for easy access to engine components, filters, and fluids.

John Deere 2653B was quoted at \$45,945.80 using the Sourcewell contract pricing.

The JD 2653B mower has the engine in front of the operator which blocks the operators view and requires the operator to step over the steering wheel to get on or off of the machine. The front-mounted engine subjects the operator's legs to extra heat given off of the engine and hot engine air is blown back toward the operator while in motion. Also, due to the engine location and mounting of the hydraulic pump, normally minor tasks like changing a fan belt requires removing the entire hydraulic pump and radiator from the engine to accomplish this otherwise minor task.

Jacobsen TR320-D was quoted at \$43,179.00 used the OMNIA contract pricing because they do not participate in the Sourcewell contract.

I am not recommending the Jacobsen due to lack of service support and parts availability from Kansas Golf and Turf. We have requested on multiple occasions beginning in June that they come troubleshoot issues with our Jacobsen greens mowers. They have yet to get a service tech out. Also, Jacobsen's parts have moved back to England. Many parts that we have ordered are taking 10 to 30 days to arrive, in addition to paying freight from England and then again from Kansas Golf and Turf to us. The equipment salesman from Kansas Golf and Turf

also has never been to the golf course to meet in person. We also have not been able to examine or demo the machine in person either.



Commission Action Report

Golf Course Equipment

Financial considerations:

CIP Special Parks Fund in the amount of \$93,422.58.

Recommended action:

The recommended purchase of the Toro ProCore 648 and the Toro ReelMaster 3100-D would be \$93,422.58 which is \$2,077.42 under the budgeted amount.

Attachments:

Professional Turf Products (Toro)
Van Wall Equipment (John Deere)
Kansas Golf and Turf (Jacobsen)



Professional Turf Products, L.P.

10935 Eicher Dr.
Lenexa, Kansas 66219
Derek Harrison
(316) 250-2902
harrisond@proturf.com



Count on it.



Ship To	Emporia Municipal Golf Course	Date:	9/17/2024
Bill To		Tax Rate	
Contact	Kelley Storch	Destination	
Address	1133 S. Highway 99, Emporia, KS 66801-7548	Trade-In	
		Finance	
Phone	(316) 342 7666	Account Type	Contract
Email	kstorch@emporiaks.gov	QMS: ID	Q154702
Comments:	All pricing includes setup & delivery. Quoted for Sourcewell Member ID# 137227		

Proposal

Qty	Model #	Description		Extended
1	09200	ProCore 648	\$	38,226.84
3	09796	4 Tine 3/4 Inch Head Set	\$	776.37
24	108-9203	Titan Solid Round 3/4 Inch (4.50 " X .600 ")	\$	139.10
2	120-1045	Guard-Turf, 4 Tine, Short	\$	106.59
1	120-1046	Guard-Turf, 4 Tine, Long	\$	81.85
1	09964	TransPro 648	\$	-
		ProCore 648	\$	39,330.76
1	09960	ProCore 648s	\$	42,402.36
3	09796	4 Tine 3/4 Inch Head Set	\$	805.66
24	108-9203	Titan Solid Round 3/4 Inch (4.50 " X .600 ")	\$	144.35
2	120-1045	Guard-Turf, 4 Tine, Short	\$	110.62
1	120-1046	Guard-Turf, 4 Tine, Long	\$	84.94
1	09962	LED Light Kit	\$	552.55
1	09964	TransPro 648	\$	-
		ProCore 648s	\$	44,100.49
1	03171	Reelmaster 3100-D Sidewinder	\$	34,066.03
3	03191	32 Inch 8 Blade (RR) Radial Reel EdgeSeries	\$	17,109.38
1	03173	32 Inch Lift Arm Kit	\$	1,744.31
1	119-0635	DPA CU Tipper Kit	\$	81.06
3	03246	32 Inch Powered Rear Roller Brush (Kit Of 1)	\$	3,132.56
1	30053	400 Hour Filter Maintenance Kit	\$	75.16
1	30629	Deluxe Suspension Seat Kit	\$	1,010.72
		Reelmaster 3100-D Sidewinder	\$	57,219.23

SubTotal	\$	140,650.48
Destination Tax (Estimated)	\$	Included -
TOTAL	\$	140,650.48

Comments:

For all New Equipment, Demo units may be available for up to 20% savings.

For all New Equipment, Refurbished units may be available for up to 40% savings.

Due to unexpected issues with much of our supply chain, we are experiencing longer lead times than we have seen in the past. We are doing everything we can to get products to you as quickly as possible.

Terms & Conditions:

1. Prices & Finance Rates are subject to change at any time. Monthly Payments are Estimates based on Prices & Rates when quoted.
2. Due to the volatility of inflation, rising transportation costs, and supply shortages, some orders may incur additional cost increases that beyond the control of PTP and the vendors we represent. These pricing adjustments may be made from the time the order is entered equipment delivery. Any adjustments will be communicated to customers with orders in the system with a new sale price as they occur.
3. Order cancellations are subject to fees up to 10% of the original order value.
4. Equipment delivery time is estimated once credit is approved & documents are executed & is contingent on Manufacturer availability.
5. Payments by Credit Card are subject to convenience fee.
6. Used and Demo equipment is in high demand and availability is subject to change.
 - A. Upon firm customer commitment to purchase & credit is approved, said equipment availability will be determined.
 - B. In the event equipment is unavailable at time of order, PTP will employ every resource to secure an acceptable substitute.
 - C. PTP strongly advises the customer to issue a firm PO as quickly as possible after acceptance of quotation.
7. "Trade In Allowances" will be treated as a credit for future parts purchases on PTP account unless other arrangements have been made.

Returns Policy:

1. All returns & Canceled PO's are subject to restocking, refurbishing, usage, and shipping fees.
2. All returns must be able to be sold as new.
3. Items missing parts are non returnable.

Payment:

1. Terms are net 10 unless prior arrangements have been made.
2. Quoted prices are subject to credit approval.
 - A. PTP will work with third party financial institutions to secure leases when requested to do so.
 - B. When using third party financiers, documentation fees & advance payments may be required.
 - C. For convenience, monthly payments are estimated based on third party rate factors in effect at time of the quotation.
 - D. PTP assumes no liability in the event credit becomes unavailable or rates change during the approval process.
3. There will be a service charge equal to 1.5% per month (18% per annum) on all past due invoices.
4. By Law we are required to file a "Notice to Owner" of our intent to file lien in the event of payment default. This notice must be sent days of the date the original invoice and will happen automatically regardless of any special payment arrangements that may have been

Authorized Signature: _____

Date: _____



Professional Turf Products, L.P.

10935 Eicher Dr.
Lenexa, Kansas 66219
Derek Harrison
(316) 250-2902
harrisond@proturf.com



Count on it.



Ship To	Emporia Municipal Golf Course	Date:	9/17/2024
Bill To		Tax Rate	
Contact	Kelley Storch	Destination	
Address	1133 S. Highway 99, Emporia, KS 66801-7548	Trade-In	
		Finance	
Phone	(316) 342 7666	Account Type	Contract
Email	kstorch@emporiaks.gov	QMS: ID	Q154702
Comments:	All pricing includes setup & delivery. Quoted for Sourcewell Member ID# 137227		

Proposal

Qty	Model #	Description		Extended
1	03170	Reelmaster 3100-D	\$	30,938.62
3	03191	32 Inch 8 Blade (RR) Radial Reel EdgeSeries	\$	17,109.38
1	03173	32 Inch Lift Arm Kit	\$	1,744.31
1	119-0635	DPA CU Tipper Kit	\$	81.06
3	03246	32 Inch Powered Rear Roller Brush (Kit Of 1)	\$	3,132.56
1	30053	400 Hour Filter Maintenance Kit	\$	75.16
1	30629	Deluxe Suspension Seat Kit	\$	1,010.72
		Reelmaster 3100-D	\$	54,091.82

SubTotal	\$	54,091.82
Destination		Included
Tax (Estimated)	\$	-
TOTAL	\$	54,091.82

Comments:

For all New Equipment, Demo units may be available for up to 20% savings.

For all New Equipment, Refurbished units may be available for up to 40% savings.

Due to unexpected issues with much of our supply chain, we are experiencing longer lead times than we have seen in the past. We are doing everything we can to get products to you as quickly as possible.

Terms & Conditions:

1. Prices & Finance Rates are subject to change at any time. Monthly Payments are Estimates based on Prices & Rates when quoted.

2. Due to the volatility of inflation, rising transportation costs, and supply shortages, some orders may incur additional cost increases that

- beyond the control of PTP and the vendors we represent. These pricing adjustments may be made from the time the order is entered equipment delivery. Any adjustments will be communicated to customers with orders in the system with a new sale price as they occur.
3. Order cancellations are subject to fees up to 10% of the original order value.
 4. Equipment delivery time is estimated once credit is approved & documents are executed & is contingent on Manufacturer availability.
 5. Payments by Credit Card are subject to convenience fee.
 6. Used and Demo equipment is in high demand and availability is subject to change.
 - A. Upon firm customer commitment to purchase & credit is approved, said equipment availability will be determined.
 - B. In the event equipment is unavailable at time of order, PTP will employ every resource to secure an acceptable substitute.
 - C. PTP strongly advises the customer to issue a firm PO as quickly as possible after acceptance of quotation.
 7. "Trade In Allowances" will be treated as a credit for future parts purchases on PTP account unless other arrangements have been made.

Returns Policy:

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3. Items missing parts are non returnable.

Payment:

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2. Quoted prices are subject to credit approval.
 - A. PTP will work with third party financial institutions to secure leases when requested to do so.
 - B. When using third party financiers, documentation fees & advance payments may be required.
 - C. For convenience, monthly payments are estimated based on third party rate factors in effect at time of the quotation.
 - D. PTP assumes no liability in the event credit becomes unavailable or rates change during the approval process.
3. There will be a service charge equal to 1.5% per month (18% per annum) on all past due invoices.
4. By Law we are required to file a "Notice to Owner" of our intent to file lien in the event of payment default. This notice must be sent days of the date the original invoice and will happen automatically regardless of any special payment arrangements that may have been

Authorized Signature: _____

Date: _____



ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):
Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:
Van-Wall Equipment, Inc.
9650 Dice Lane
Lenexa, KS 66215
913-397-6009
mailbot.jd@vanwall.com

Quote Summary

Prepared For:

Kelley Storch
EMPORIA GOLF COURSE
Kelley Storch
1133 S HIGHWAY 99
EMPORIA, KS 66801
Business: 620-481-0396

Delivering Dealer:

Van-Wall Equipment, Inc.
Terrill Elliot
9650 Dice Lane
Lenexa, KS 66215
Phone: 913-397-6009
terry.elliott@vanwall.com

Customer Sourcewell Account # 137227

Quote ID: 31684798
Created On: 17 September 2024
Last Modified On: 17 September 2024
Expiration Date: 17 October 2024

Equipment Summary	Suggested List	Selling Price	Qty		Extended
JOHN DEERE Aercore 800 Aerator	\$ 33,494.00	\$ 25,455.44 X	1	=	\$ 25,455.44
Contract: Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70)					
Price Effective Date: April 10, 2024					
JOHN DEERE 2653B PrecisionCut Trim and Surrounds Mower	\$ 60,455.00	\$ 45,945.80 X	1	=	\$ 45,945.80
Contract: Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70)					
Price Effective Date: April 10, 2024					
JOHN DEERE 4066R Compact Utility Tractor (52 PTO hp)	\$ 76,740.39	\$ 62,927.12 X	1	=	\$ 62,927.12
Contract: Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70)					
Price Effective Date: April 10, 2024					
JOHN DEERE 485A Backhoe	\$ 15,289.00	\$ 12,536.98 X	1	=	\$ 12,536.98
Contract: Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70)					
Price Effective Date: April 10, 2024					
Equipment Total	\$ 146,865.34				

* Includes Fees and Non-contract items

Quote Summary

Equipment Total \$ 146,865.34

Salesperson : X _____

Accepted By : X _____

Confidential



**ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):**

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

**ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:**

Van-Wall Equipment, Inc.
9650 Dice Lane
Lenexa, KS 66215
913-397-6009
mailto:mailbot.jd@vanwall.com

Trade In	
SubTotal	\$ 146,865.34
Est. Service	\$ 0.00
Agreement Tax	
Total	\$ 146,865.34
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 146,865.34

Salesperson : X _____

Accepted By : X _____

Confidential

**JOHN DEERE**

Selling Equipment

Quote Id: 31684798

Customer Name: EMPORIA GOLF COURSE

ALL PURCHASE ORDERS MUST BE MADE OUT
TO (VENDOR):Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53ALL PURCHASE ORDERS MUST BE SENT
TO DELIVERING DEALER:Van-Wall Equipment, Inc.
9650 Dice Lane
Lenexa, KS 66215
913-397-6009
mailbot.jd@vanwall.com

JOHN DEERE Aercore 800 Aerator

Hours:

Suggested List *

Stock Number:

\$ 33,494.00

Contract: Sourcewell Grounds Maintenance 031121-DAC
(PG NB CG 70)

Selling Price *

\$ 25,455.44

Price Effective Date: April 10, 2024

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
456ATC	Aercore 800 Aerator	1	\$ 32,342.00	24.00	\$ 7,762.08	\$ 24,579.92	\$ 24,579.92
Standard Options - Per Unit							
001A	United States and Canada	1	\$ 0.00	24.00	\$ 0.00	\$ 0.00	\$ 0.00
0443	All Other Countries (English / Spanish)	1	\$ 0.00	24.00	\$ 0.00	\$ 0.00	\$ 0.00
9030	Mini Tine Kit	1	\$ 1,152.00	24.00	\$ 276.48	\$ 875.52	\$ 875.52
Standard Options Total			\$ 1,152.00		\$ 276.48	\$ 875.52	\$ 875.52
Total Selling Price			\$ 33,494.00		\$ 8,038.56	\$ 25,455.44	\$ 25,455.44

JOHN DEERE 2653B PrecisionCut Trim and Surrounds Mower

Equipment Notes:

Suggested List *

Hours:

\$ 60,455.00

Stock Number:

Selling Price *

Contract: Sourcewell Grounds Maintenance 031121-DAC
(PG NB CG 70)

\$ 45,945.80

Price Effective Date: April 10, 2024

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
1229TC	2653B PrecisionCut Trim and Surrounds Mower	1	\$ 41,883.00	24.00	\$ 10,051.92	\$ 31,831.08	\$ 31,831.08
Standard Options - Per Unit							
001A	United States and Canada	1	\$ 0.00	24.00	\$ 0.00	\$ 0.00	\$ 0.00
183E	JDLink™ Modem	1	\$ 0.00	24.00	\$ 0.00	\$ 0.00	\$ 0.00

Confidential



JOHN DEERE

Selling Equipment

Quote Id: 31684798

Customer Name: EMPORIA GOLF COURSE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

Van-Wall Equipment, Inc.
9650 Dice Lane
Lenexa, KS 66215
913-397-6009
mailbot.jd@vanwall.com

0443	All Other Countries (English / Spanish)	1	\$ 0.00	24.00	\$ 0.00	\$ 0.00	\$ 0.00
1145	20x12-10 Turf Trac Front Tires with 20x10-8 Turf Trac Rear Tire	1	\$ 412.00	24.00	\$ 98.88	\$ 313.12	\$ 313.12
1207	Quick Adjust 7 (QA7) 8-blade 76.2 cm (30-in.) Cutting Units	1	\$ 15,253.00	24.00	\$ 3,660.72	\$ 11,592.28	\$ 11,592.28
1319	76.2 cm (30-in.) Wide x 76.2 mm (3-in.) Diameter Heavy Duty Grooved Disc Rollers	1	\$ 1,191.00	24.00	\$ 285.84	\$ 905.16	\$ 905.16
1402	Cutting Unit ONLY Counterweights	1	\$ 297.00	24.00	\$ 71.28	\$ 225.72	\$ 225.72
2009	Standard Seat	1	\$ 701.00	24.00	\$ 168.24	\$ 532.76	\$ 532.76
9766	LED Work Light Kit	1	\$ 718.00	24.00	\$ 172.32	\$ 545.68	\$ 545.68
Standard Options Total			\$ 18,572.00		\$ 4,457.28	\$ 14,114.72	\$ 14,114.72
Value Added Services Total			\$ 0.00		\$ 0.00	\$ 0.00	\$ 0.00
Total Selling Price			\$ 60,455.00		\$ 14,509.20	\$ 45,945.80	\$ 45,945.80

JOHN DEERE 4066R Compact Utility Tractor (52 PTO hp)

Equipment Notes:

Hours:

Stock Number:

Contract: Sourcewell Grounds Maintenance 031121-DAC (PG NB CG 70)

Price Effective Date: April 10, 2024

Suggested List *

\$ 76,740.39

Selling Price *

\$ 62,927.12

* Price per item - includes Fees and Non-contract items

Code	Description	Qty	List Price	Discount%	Discount Amount	Contract Price	Extended Contract Price
038BLV	4066R Compact Utility Tractor (52 PTO hp)	1	\$ 51,150.00	18.00	\$ 9,207.00	\$ 41,943.00	\$ 41,943.00
Standard Options - Per Unit							
0202	United States	1	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00
0409	English Operator's Manual and Decal Kit	1	\$ 0.00	18.00	\$ 0.00	\$ 0.00	\$ 0.00

Confidential



9/18/2024

WWW.KANSASGOLFANDTURF.COM

800-260-6095 316-267-9111
5701 N CHUZY DRIVE WICHITA, KS 67219

QUOTE

ATTENTION: KELLEY STORCH
CITY OF EMPORIA - GOLF COURSE

MANUFACTURER:	MODEL DESCRIPTION:	LIST PRICE	OMNIA PRICE
JACOBSEN	TR320 - DIESEL	\$57,572.00	\$43,179.00
	30" REELS	INCLUDED	INCLUDED
	GROOVED STEEL FRONT ROLLERS	INCLUDED	INCLUDED
		SUBTOTAL:	\$43,179.00

JACOBSEN	TR330 - DIESEL	\$62,343.00	\$46,725.25
	30" REELS	INCLUDED	INCLUDED
	GROOVED STEEL FRONT ROLLERS	INCLUDED	INCLUDED
		SUBTOTAL:	\$46,757.25

OPTIONAL: GROOVED FRONT ROLLER SCRAPERS	\$408.00	\$306.00
REAR ROLLER SCRAPERS	\$336.00	\$252.00

DELIVERY:	NO CHARGE
FREIGHT AND SETUP:	NO CHARGE
SUB TOTAL:	
TAX:	AS APPLICABLE
TOTAL PRICE:	

THANK YOU FOR CONSIDERING KANSAS GOLF AND TURF FOR ALL YOUR
EQUIPMENT NEEDS. THE PRICES QUOTED ARE VALID FOR 30 DAYS.

QUOTE BY: RYAN BLEW, KGT

Approved by: _____ Date: _____



Customer:

Quotes are valid for 30 days from the creation date or upon contract expiration, whichever occurs first.

A Purchase Order (PO) or Letter of Intent (LOI) including the below information is required to proceed with this sale. The PO or LOI will be returned if information is missing.

Vendor: Deere & Company

- ☐ 2000 John Deere Run
Cary, NC 27513

- ☐ Signature on all LOIs and POs with a signature line

- ☐ Contract name or number; or JD Quote ID

- ☐ Sold to street address

- ☐ Ship to street address (no PO box)

- ☐ Bill to contact name and phone number

- ☐ Bill to address

- ☐ Bill to email address (required to send the invoice and/or to obtain the tax exemption certificate)

- ☐ Membership number if required by the contract

For any questions, please contact:

Terrill Elliot

Van-Wall Equipment, Inc.
9650 Dice Lane
Lenexa, KS 66215

Tel: 913-397-6009

Fax: 913-397-6090

Email: terry.elliott@vanwall.com

Quotes of equipment offered through contracts between Deere & Company, its divisions and subsidiaries (collectively "Deere") and government agencies are subject to audit and access by Deere's Strategic Accounts Business Division to ensure compliance with the terms and conditions of the contracts.



Commission Action Report

Accepting Kretsinger Easements

Title: Accepting Kretsinger Addition Right of Way & Easements, Project No. HD23KRET

Agenda Date: October 16, 2024

Presented By: James Ubert, City Engineer

Background:

Kretsinger Addition Paving & Utility Improvements will provide the city infrastructure to serve the proposed 55 lot single family residential subdivision near South Exchange and Soden's Road. The attached permanent easements were acquired as a part of the preliminary engineering phase to construct said improvements.

Discussion:

The attached Permanent Drainage Easement documents will provide the land or access to land for the construction of the proposed subdivision infrastructure improvements.

Financial considerations:

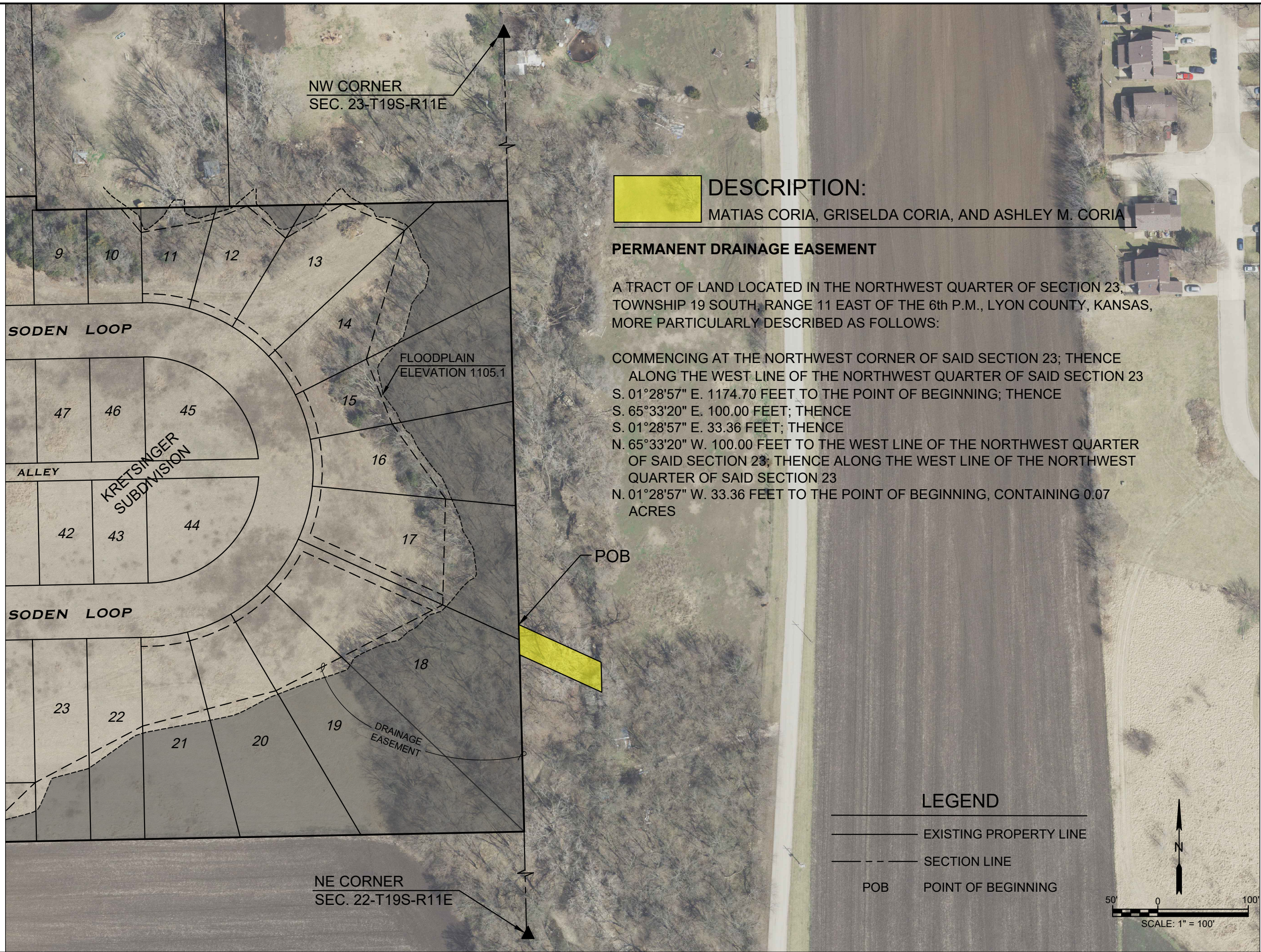
The permanent easement purchase from the adjacent property owner is part of the infrastructure costs for the subdivision.

Recommended action:

Accept the permanent drainage easement.

Attachments:

Permanent Drainage Easement and Exhibit.



DESCRIPTION:

MATIAS CORIA, GRISELDA CORIA, AND ASHLEY M. CORIA

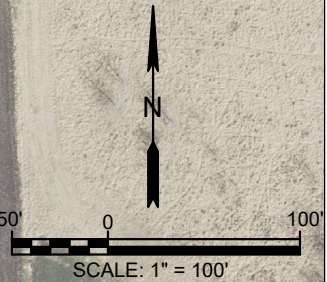
PERMANENT DRAINAGE EASEMENT

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6th P.M., LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23; THENCE
ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23
S. 01°28'57" E. 1174.70 FEET TO THE POINT OF BEGINNING; THENCE
S. 65°33'20" E. 100.00 FEET; THENCE
S. 01°28'57" E. 33.36 FEET; THENCE
N. 65°33'20" W. 100.00 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER
OF SAID SECTION 23; THENCE ALONG THE WEST LINE OF THE NORTHWEST
QUARTER OF SAID SECTION 23
N. 01°28'57" W. 33.36 FEET TO THE POINT OF BEGINNING, CONTAINING 0.07
ACRES

LEGEND

- EXISTING PROPERTY LINE
- - - - - SECTION LINE
- POB POINT OF BEGINNING



PERMANENT DRAINAGE EASEMENT

This indenture made the 15 day of September, 2023, between Ashley M. Coria and Benjamin I. Coria, hereinafter called First Party and the City of Emporia, Kansas, hereinafter called Second Party.

WITNESSETH, That the said First Party in consideration of One Dollar (\$1.00) and other valuable considerations, receipt of which is acknowledged, do by these presents grant unto the Second Party, its successors and assigns, a perpetual easement in and over the following described real estate situated in the City of Emporia, County of Lyon and State of Kansas, to-wit:

DRAINAGE EASEMENT:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6th P.M., LYON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 23; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23 S. 01°28'57" E. 1174.70 FEET TO THE POINT OF BEGINNING; THENCE S. 65°33'20" E. 100.00 FEET; THENCE S. 01°28'57" E. 33.36 FEET; THENCE N. 65°33'20" W. 100.00 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23 N. 01°28'57" W. 33.36 FEET TO THE POINT OF BEGINNING, CONTAINING 0.07 ACRES

for the purpose of constructing and maintaining Storm Sewer Pipes, Drainage Channels, Swales, or other Drainage Improvements on said tract.

See attached Exhibit A

The duration of the easement herein granted shall be perpetual, unless the Second Party agrees to terminate or abandon its use of the same for the stated purpose. The drainage easement shall specifically include, the right and privilege of the Second Party, its agents, employees, contractors, and assigns, of ingress and egress over the lands of the First Party to access the drainage infrastructure and to traverse the easement with vehicles and equipment, and to make such improvements and excavations thereon and thereunder as may be reasonably necessary to construct, install, maintain, repair, replace, operate, or use the drainage easement. Second party shall save and hold the First Party harmless from any and liability for personal injury and property damage resulting from said drainage easement, or any related facilities or activities conducted or located within said easement, except liability for personal injuries or property damage caused solely by the negligence or wrongdoing of the First Party. Second Party, its contractors and assigns shall take all reasonable steps to restore and revegetate any ground areas disturbed by maintenance or construction or related activities in the permanent easement herein granted. The parties acknowledge and agree that the First Party, its heirs, successors or assigns, shall be entitled at all times to travel over the easements, and to conduct any and all activities which they may desire to conduct provided the same does not unreasonably interfere with Second Party's use of said easement for the construction, installation, maintenance, repair, operation or use of the drainage infrastructure located in the easement.

IN WITNESS WHEREOF, The First Party has executed this instrument the day and year first above written.

Ashley M. Coria
Ashley M. Coria
Owner

Benjamin I. Coria
Benjamin I. Coria
Owner

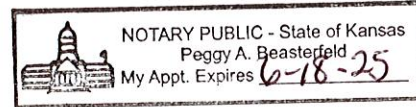
BE IT REMEMBERED, That on this 15 day of September A.D., 2024, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Ms. Ashley M. Coria, who are personally known to me to be the same persons who executed the above instrument of writing and such persons duly acknowledge the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Peggy Beasterfeld
Notary Public

My Commission Expires

6/18/2024
2025



State of Kansas)
) ss:
County of Lyon)

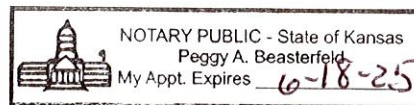
BE IT REMEMBERED, That on this 15 day of September A.D., 2024 before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Mr. Benjamin I. Coria, who are personally known to me to be the same persons who executed the above instrument of writing and such persons duly acknowledge the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

Peggy Beasterfeld
Notary Public

My Commission Expires

6/18/2025



State of Kansas)
) ss:
County of Lyon)



Commission Action Report

Informational Items

Title: Informational Items

Agenda Date: October 16, 2024

Presented By: Trey Cocking, City Manager

Background:

This is an opportunity for the City Manager to present information to the public that may not be reported in other news accounts or City activities or to highlight the organization's accomplishments.

Discussion:

At the time this Agenda was prepared, the following items were in the works for the tentative Agendas of the upcoming meetings on Wednesday, November 6, 2024.

Commission Meeting :

- Proclamation Naming Small Business Saturday.
- ESU Update
- Resolution for Hazardous Sidewalk Policy.
- Easement for Kretsinger Development.

Study Session:

- Discuss Utility Rates Increase.
- Discuss Tyler Technologies' Work Order Asset Management.

Title: Economic Development Organizational Assessment Review

Agenda Date: October 16th, 2024

Presented By: Trey Cocking, City Manager

Background:

The report from VisionFirst Advisors was first discussed at a special meeting on Wednesday, September 11th, 2024. After that meeting, the intent was for all entities to review the report and make observations about it.

Discussion:

The City Commission along with other entities will further review the document and determine next steps.

Financial Considerations:

N/A

Attachments:

VisionFirst Economic Development Organizational Assessment



ECONOMIC DEVELOPMENT ORGANIZATIONAL ASSESSMENT

EMPORIA, KANSAS

SEPTEMBER 2024

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Executive Summary »

The City of Emporia is fortunate to have dedicated elected officials, staff and partners committed to driving the city's growth and prosperity. In 2017, the city achieved voter approval for a referendum that extended the half-percent sales tax, targeting two key objectives: promoting industrial and economic development, and reducing city-levied property taxes. While this illustrates strong community support and provides a stable financial foundation, these measures alone do not constitute a complete strategy.

The sales tax revenue has enabled the city to support the operating budgets of various economic development organizations. Recognizing the significance of these organizations, the city commission engaged VisionFirst Advisors to evaluate the potential and effectiveness of the economic development ecosystem. The commission understands that government alone cannot tackle every challenge—successful communities are built on strong partnerships.

Utilizing both data analytics and stakeholder engagement, VisionFirst evaluated the structure of system, which is made up of the city, the Emporia Area Chamber of Commerce, Emporia Main Street, the Emporia Regional Development Association and Visit Emporia.

In meeting with more than 30 stakeholders, VisionFirst asked each why it was necessary to bring in a third-party consulting firm to recommend improvements in the city's economic development efforts. Responses fell into two themes:

1. "They are trying to fix a problem that does not exist."
2. "There is a lack of collaboration. Without partnerships, people and businesses will go somewhere else."

Ultimately, both can be true. The structure of having several organizations in addition to the city overseeing economic development activities is not flawed. What is flawed is the implementation of the activities. Critical elements such as meaningful collaboration, coordinated annual programs of work and contracted metrics to measure success are all currently missing.

It is critical to remember the referendum. The funds that are being utilized are taxpayer dollars. Dollars that demand accountability and transparency. Dollars that demand results. But achieving results requires breaking down silos, fostering collaboration and creating opportunities for open dialogue. By working together and actively listening to one another, these organizations can thrive both individually and collectively, and can set a new course for the city's future.

But it all begins with the city. Coordinated success will require selfless leadership that emphasizes metrics and fosters a holistic approach across various organizations. While structure provides the framework for implementation, leadership at the city and within each organization is the key to driving success.

A comprehensive vision and strategy are needed—one that encompasses business recruitment for competitive projects, business expansion and retention, entrepreneurship, small business formation, tourism and visitor attraction, retail development and downtown revitalization. The organizations responsible for these functions should be resourced based on proposed programs and services, with clear, measurable outcomes expected.

To drive meaningful outcomes, VisionFirst has developed a suite of recommendations and metrics for the city and its partner organizations, prioritizing alignment and accountability. These recommendations are grounded in research, best practices, stakeholder input and an understanding of community priorities. Each is designed to guide daily decision-making and shape the programs of work of the organizations, with the city government playing a pivotal role in ensuring success.

While the tactics provided do not suggest the need for an umbrella organization at this time, it is because understanding and collaboration must come first. Only after a deeper level of insight is achieved can the idea truly be considered – if and only if it serves the needs of the customer. If confidentiality is threatened, if resources are shifted based on personality rather than programming, if benefits to the taxpayers and businesses cannot be measured, then one organization is a detriment rather than an asset.

Regardless of the model, true success will only take place if both elected and private sector leadership create and share a unified vision, utilizing the existing organizations. This means holding each entity accountable for focusing on its core functions while collaborating within a well-aligned ecosystem.



Project Approach »

VisionFirst's approach incorporated a collection of local and regional data, a review of existing documentation and stakeholder feedback to offer recommendations to strategically align the city's economic development efforts. While each phase was unique, together the results provide the foundation for the recommendations.

01

Analyzed current economic factors and benchmarked the City of Emporia against the 60-minute drive time, the state and the nation.

02

Engaged leaders and staff, municipal officials and stakeholders about the city's priorities, values, strengths and challenges.

03

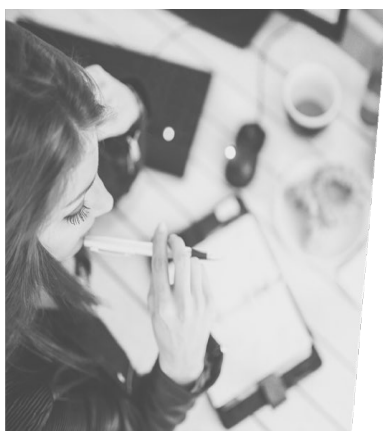
Assessed and evaluated organizational programs, practices and demographic data to identify how those factors support effectiveness and resident needs.

04

Synthesized key findings, themes along with best practices to develop the recommendations that meet community objectives.

05

Developed tactics and metrics for implementation across the ecosystem. The recommendations align resources to serve residents while ensuring fiscal accountability.



The First Impression | The Data »

To identify the best structure and strategies for the City of Emporia's economic development efforts, VisionFirst conducted high-level research on the county along with a 60-minute drive time (from the city center) and how those two regions compare to the state and the nation.

The figures on the following pages provide a snapshot of indicators that demonstrate the vitality of the community and region to residents, business and visitors alike. VisionFirst utilizes the data to provide insight into the community and offers the data as a benchmark for measuring the success of activities undertaken. Unless otherwise noted, the data is compiled from Chmura's JobsEQ as of Q4 in 2023 – the latest data available.

Figure 1: Demographic & Economic Overview

	Lyon County	60-Min Drive Time	Kansas	USA
Key Metrics				
Population (ACS)	32,182	614,191	2,935,922	331,097,593
Median Age	32.9	37.3	37.1	38.5
Under 18 Years	22.1%	22.7%	23.9%	22.1%
Population (Pop Estimates)	32,172	614,984	2,940,546	334,914,895
Population Annual Average Growth	-0.4%	0.1%	0.2%	0.6%
Labor Force Participation Rate (<i>civilian population 16 years and over</i>)	68.1%	64.8%	65.9%	63.3%
Prime-Age Labor Force Participation Rate (<i>civilian population 25-54</i>)	85.1%	84.9%	84.7%	82.8%
Median Household Income	\$56,415	\$66,712	\$69,747	\$75,149
Per Capita Income	\$29,425	\$35,002	\$38,108	\$41,261
Mean Commute Time (minutes)	14.9	21.1	19.7	26.7
Diversity & Race				
Race: White	79.80%	82.7%	79.80%	65.90%
Race: Black or African American	1.80%	4.8%	5.60%	12.50%
Race: American Indian and Alaska Native	0.50%	0.8%	0.70%	0.80%
Race: Asian	1.90%	2.0%	3.00%	5.80%
Race: Native Hawaiian and Other Pacific Islander	0.00%	0.1%	0.10%	0.20%
Race: Some Other Race	2.80%	2.4%	3.50%	6.00%
Race: Two or More Races	13.20%	7.2%	7.30%	8.80%
Hispanic or Latino (of any race)	22.50%	9.5%	12.60%	18.70%
Foreign Born	10.40%	4.3%	7.10%	13.70%
Speak English Less Than Very Well (population 5 yrs and over)	7.40%	2.7%	4.50%	8.20%

Educational Attainment, Age 25-64	Lyon County	60-Min Drive Time	Kansas	USA
No High School Diploma	12.4%	6.3%	8.3%	10.1%
High School Graduate	30.9%	26.9%	23.7%	25.1%
Some College, No Degree	21.7%	23.2%	22.2%	19.7%
Associate's Degree	8.3%	9.7%	9.8%	9.2%
Bachelor's Degree	16.4%	21.9%	23.2%	22.4%
Postgraduate Degree	10.3%	12.1%	12.9%	13.4%
Housing				
Total Housing Units	14,998	272,640	1,278,548	140,943,613
Median House Value (of owner-occupied units)	\$136,100	\$179,991	\$189,300	\$281,900
Occupied Housing Units with No Vehicle Available (% of Occupied Units)	6.5%	5.5%	5.1%	8.3%
Social				
Poverty Level (of all people)	16.2%	12.3%	11.6%	12.5%
Households Receiving Food Stamps/SNAP	7.2%	6.7%	7.0%	11.5%
Enrolled in Grade 12 (% of total population)	1.2%	1.2%	1.4%	1.4%
Disconnected Youth ³	1.8%	2.1%	2.2%	2.5%
Children in Single Parent Families (% of all children)	33.9%	28.9%	29.1%	34.0%
Commuting				
Worked in Region of Residence	89.8%	N/A	93.7%	100.0%
Worked Outside Region of Residence	10.2%	N/A	6.3%	0.0%
Worked in State of Residence	99.6%	N/A	93.7%	96.8%
Worked Outside State of Residence	0.4%	N/A	6.3%	3.2%
K-12 Characteristics				
Total Enrollment ²	5,128	101,253	485,424	49,342,118
Total Teachers (FTE) ^{2,6}	418	7,694	38,353	3,210,437
Pupil/Teacher Ratio ^{2,6}	12.3	13.8	12.7	15.4
Spending Per Pupil ³	\$14,096	\$11,829	\$11,960	\$13,514
Electricity Rates				
Residential ⁵	\$0.143	\$0.142	\$0.140	\$0.149
Commercial ⁵	\$0.116	\$0.116	\$0.115	\$0.125
Industrial ⁵	\$0.091	\$0.088	\$0.083	\$0.084
Union Membership				
Total ⁴	8.3%	13.8%	9.1%	10.0%
Private Sector ⁴	5.9%	12.0%	7.0%	6.0%
Manufacturing ⁴	10.8%	16.0%	13.8%	7.7%
Public Sector ⁴	15.9%	19.6%	18.9%	34.0%

Figure 2: Industry Snapshot | Emporia, Lyon County & 60-Minute Drive Time

NAICS	Industry	Empl	Current		5-Year History			5-Year Forecast
			Avg Ann Wages	LQ	Ann %	Ann % - Lyon County	Ann % 60 Min Drive	Ann % Growth
31	Manufacturing	4,189	\$56,559	3.37	4.8%	4.7%	2.8%	0.1%
62	Health Care & Social Assistance	1,872	\$47,265	0.82	-1.7%	-1.9%	0.5%	0.5%
61	Educational Services	1,859	\$44,187	1.50	-1.3%	-1.3%	-0.4%	-0.5%
44	Retail Trade	1,843	\$28,575	1.20	1.0%	0.9%	-0.4%	-0.6%
72	Accommod & Food Services	1,353	\$17,162	1.01	-0.3%	-0.4%	0.8%	-0.1%
92	Public Administration	697	\$50,222	0.98	0.6%	0.6%	0.3%	-0.2%
56	Administrative, Support & Waste Mgmt and Remediation Services	604	\$41,489	0.62	-5.6%	-5.1%	-1.2%	0.1%
81	Other Services (except Public Admin)	498	\$26,265	0.76	1.8%	1.9%	-1.3%	0.0%
42	Wholesale Trade	446	\$67,785	0.76	1.7%	1.5%	1.4%	-0.4%
48	Transportation & Warehousing	438	\$55,980	0.57	5.7%	1.5%	4.0%	0.2%
23	Construction	388	\$50,252	0.42	2.4%	2.1%	2.2%	-0.1%
54	Professional, Scientific & Tech Services	298	\$49,634	0.26	4.6%	5.1%	2.4%	0.3%
52	Finance & Insurance	254	\$56,705	0.41	0.1%	0.3%	-0.5%	0.0%
51	Information	213	\$41,332	0.70	-6.1%	-5.8%	-2.4%	-0.3%
71	Arts, Entertainment & Recreation	189	\$14,720	0.61	-0.2%	1.5%	1.0%	0.6%
53	Real Estate, Rental & Leasing	142	\$44,559	0.51	-5.6%	-3.5%	-1.5%	0.2%
11	Ag, Forestry, Fishing & Hunting	105	\$44,545	0.55	-2.0%	-1.1%	-1.3%	-1.0%
22	Utilities	75	\$106,638	0.95	-0.5%	0.6%	-0.5%	3.0%
21	Mining, Quarrying, Oil, Gas Extraction	13	\$36,853	0.22	-11.2%	-11.5%	-4.8%	-0.4%
55	Mgmt of Companies/Enterprises	0	n/a	0.00	n/a	n/a	-0.6%	0.7%
Total - All Industries		15,475	\$44,847	1.00	0.8%	0.7%	0.5%	0.0%

Figure 3: 60-Minute Drive Time County Definition

Emporia - 60 Minute Drive Time is defined as the following counties:	
Anderson County, Kansas	Jefferson County, Kansas
Butler County, Kansas	Lyon County, Kansas
Chase County, Kansas	Marion County, Kansas
Coffey County, Kansas	Miami County, Kansas
Douglas County, Kansas	Morris County, Kansas
Franklin County, Kansas	Osage County, Kansas
Geary County, Kansas	Shawnee County, Kansas
Greenwood County, Kansas	Wabaunsee County, Kansas
Harvey County, Kansas	Woodson County, Kansas

Analyzing the data provides valuable insight into how the city is perceived online. By leveraging online metrics in conjunction with JobsEQ data, it becomes clear that the city functions as a regional hub with a diverse economic base. Several key data points stand out and are worth noting.

Manufacturing \\\

- Emporia is home to several manufacturing facilities, including Hopkins Manufacturing, Inc., Simmons Pet Foods, Hills Pet Nutrition and Michelin/Casmo are notable.
- Manufacturing offers a wage significantly higher at \$56,559 compared to the average of \$44,847. The industry saw significant growth over the last five years at 4.8%.

Employment and Unionization \\\

- Major employers include Emporia State University, Tyson Fresh Meats and Hostess Brands, which provide stable employment opportunities.
- Union rates are lower than the benchmarked regions, but per capita income is significantly lower. There is a need to recruit industry that offers a higher wage but still offers value to business.

Education and Health Services \\\

- Emporia State University offers employment opportunities and contributes to the educational services sector. Health services provided by Newman Regional Health and other medical facilities are vital for residents and the local economy. The two provide more than 3,700 jobs at wages slightly higher than the average.

Infrastructure and Transportation \\\

- Emporia's strategic location at the intersection of major highways (I-35 and I-335) enhances its logistics and transportation sectors. This facilitates the movement of goods and services, supporting local businesses and industries. The transportation and warehousing sector has seen significant growth at 5.7% and is projected to grow at 0.2% over the next five years.

Population & Workforce \\\

- Given the size of the community, the labor force participation rate is impressive. The labor force participation rate for the civilian population 16 years and over is 68.1% and the prime-age labor force participation rate for the civilian population 25-54 is 85.1% - higher than the drive-time region, the state and the nation.
- The city has also experienced a significant growth in the Hispanic population topping more than 22% with 10% as foreign born.
- Two areas where the city should aim to improve are poverty level which currently is 16.2 higher than the other regions as well as educational attainment for those with an associate degree or higher which lags at 35.0%, compared to 43.6%, 45.8% and 45.0%, respectively.

Stakeholder Engagement | Themes & Takeaways »

In assessing the economic development structure and goals of the City of Emporia, VisionFirst Advisors, along with city staff, developed an engagement plan that included in-person interviews and discussions with municipal leaders, organizational heads and stakeholders. The purpose of this engagement was to gather candid observations, feedback and ideas from the community to help direct focus and prioritize efforts. Stakeholder engagement sought to answer key questions such as:

- What are your thoughts on how the city can grow?
- What does economic development success look like to you?
- How are the entities working together today? What's working well, and what isn't?
- Where should the city and each entity focus their efforts over the next three to five years?
- What is the city's top three strengths in growing the economy?
- What does success look like, and how should implementation proceed?

Additionally, VisionFirst asked stakeholders why it was necessary to bring in a third-party consulting firm to recommend improvements. The responses generally fell into two distinct groups, reflecting differing definitions of economic development. These strong and differing opinions could lead to resistance against any proposed organizational changes, making it challenging to implement necessary reforms.

The themes highlight the complexity and challenges facing Emporia's economic development efforts, emphasizing the need for strategic alignment, improved communication and greater collaboration among stakeholders.

The key findings from these meetings are summarized on the following pages, grouped by the main themes that emerged from stakeholder conversations. The comments presented are a sampling of the feedback from stakeholder engagement and do not reflect the opinions of VisionFirst Advisors.



PASSIONATE STAFF & BOARD LEADERSHIP

- Each organization is fortunate to have passionate leaders and a supportive board who are committed to organizational success.
- Staff at each of the organizations have developed innovative programming to engage their customers and clients.
- There are opportunities for improvement through better use of data, best practices and strategic partnerships.
- There is a need to engage and develop programming that leverages the growing Hispanic community especially for small business and workforce growth.



LACK OF COORDINATION

- Without contracts that define measures of success, each organization is undertaking programs and initiatives without considering the city's needs and outlined strategic plan.
- Retail development is wanted by many of the community, but no organization is willing to lead the effort or define the parameters for success.
- The changing economy and demographics provide a need for more long-term planning.
- There is a need for additional collaboration and a suite of metrics that each organization utilizes.
- There's a debate over the roles and responsibilities of various organizations such as the RDA, city commission, Main Street and others, and whether they overlap or complement each other effectively.
- Multiple sources mention communication problems among different entities involved in economic development, which hampers collaboration and creates misunderstandings.



RESIDENTS ARE PROUD BUT WANT ADDITIONAL SERVICES

- Residents enjoy the multitude of activities including the gravel bike event, disc golf, the PRIDE parade and Veteran's Day history.
- The community has supported novel ideas including funding for expanding local childcare, affordable housing as well as creating a makerspace with the Main Street offices.
- Residents would like more services and amenities including large scale grocery stores and additional health care choices.
- Metrics need to be shared for residents to understand value and services.



What we heard...

"If we expect more, we have to do more."

"The structures should change because the times have changed."

"Trying to fix a problem where there isn't one."

"They should all be natural allies; they all have a role."

"There's a lot of fence building" and the longer this goes on, the deeper the division."

"Without partnerships, people and businesses will go somewhere else."



CONCERNS OVER IMPLEMENTATION

- Doubts exist if there really is a problem to fix and due to the current divides, no one will spearhead implementation of any recommendation despite validity.
- Programs, services and metrics need to align with the city's strategic plan.
- The importance of fostering collaboration and partnerships between different organizations and sectors to achieve common economic development goals.
- There is a desire for a unified approach to economic development goals and strategies.



BROAD DEFINITION OF ECONOMIC DEVELOPMENT

- Each organization has a different definition of economic development rather than a unified city approach.
- While each organization felt it was accomplishing objectives for economic prosperity there was little collaboration for focused efforts.
- Large misconceptions of traditional economic development and economic impact to area.
- Without an overarching vision, entrepreneurship and tourism is seen as competing with business recruitment.
- Lacking an in-depth business retention and expansion program (BR&E).

The Second Impression | What We Saw & Heard »

Developing an effective strategy necessitates a clear understanding of the city's current situation from an outsider's perspective. **The following information presents VisionFirst's initial impressions of the city, the existing economic development organizations, the activities carried out and the level of stakeholder support.**



OUTPERFORMING EXPECTATIONS

The city's population is just 24,000, fitting the definition of a rural area. However, upon exiting the interstate, the city reveals a different narrative. Significant retail outlets and manufacturing activities are present, a vibrant main street is emerging and the city hosts international events.

Furthermore, the community's diversity and inclusivity, exemplified by its Pride parade, distinguish it from other similarly sized communities. Additionally, the city boasts impressive labor force participation rates for both the 16-and-over and prime-age categories.



MYTH VS. FACT

Throughout the stakeholder interviews, VisionFirst encountered several statements that undervalue the community's strengths. For instance, many mentioned that the community struggles to attract new industry due to the two-year timeframe required to bring utilities to a site. However, this is a national issue, with many communities facing similar timelines. Additionally, many stakeholders were unaware of the community's notable labor participation rates and amenities, considering its size. Finally, most stakeholders viewed the city's size as a disadvantage. However, companies and site selectors rarely focus solely on city limits. The area within a 60-minute drive encompasses a population of over 635,000 and is well-served by major interstates, highlighting its strategic location.



RESOURCES WITHOUT PLANS & MEASUREMENT

The city's leadership is dedicated to fostering a comprehensive economic development ecosystem, with each organization boasting passionate staff and leaders. However, the current funding process for these organizations does not promote or require collaboration, a coordinated plan of work or clear metrics for success. The issue is not the number of organizations but the lack of a unified vision to guide their efforts, collaboration and defined initiatives. Each organization should align its activities with the city's four strategic priorities: responsible resource stewardship, growth, quality of life and citizen engagement.

Emporia's Economic Development Ecosystem »

Government functions as an interconnected system driven by the needs of its residents, guided by the policies set by elected officials, executed by staff and stakeholder organizations and measured by the achievement of desired outcomes.

The city's strategic plan and subsequent goals serve as a roadmap for this system. Local goal setting and policymaking are complex processes that require the collective efforts of officials, staff, support organizations and even residents. Each participant must view the city as a whole, rather than focusing solely on individual interests, to create a system that ensures prosperity both now and in the future.

The City of Emporia's vision statement is:

"The City of Emporia is a thriving community where every citizen enjoys a high quality of life. Committed to excellence and good stewardship of our resources, we provide quality essential services and foster an environment where families and businesses flourish."

The vision, goals, priorities and policies adopted by the city for its 2024-2026 strategic plan impact everyone in the community – residents, businesses, customers and visitors. The pathway, priorities and policies determine what services will be provided, the level of those services, what kinds of development will occur and ultimately the community's future.

When goals are clearly defined and assigned, stakeholders can determine effectiveness. When staff and resources are allocated, stakeholders can measure efficiency. When rules and policies are developed and reported, stakeholders can understand progress and celebrate successful outcomes.

The same is true for the organizations that contract and support the city's services and priorities. An effective system requires those that work directly or indirectly within it to have a shared vision, an achievable mission, aligned goals and strategies that achieve each.

The creation, implementation and measurement of the city's strategic plan form the foundation for the road ahead. Aligning goals and strategies around a shared vision, mission and values enables those responsible for executing the plan to understand their roles and responsibilities in achieving success while showing programmatic and financial commitment to residents. This is particularly important for the organizations funded by the city. Their programs and associated metrics must align with the city's overall goals.

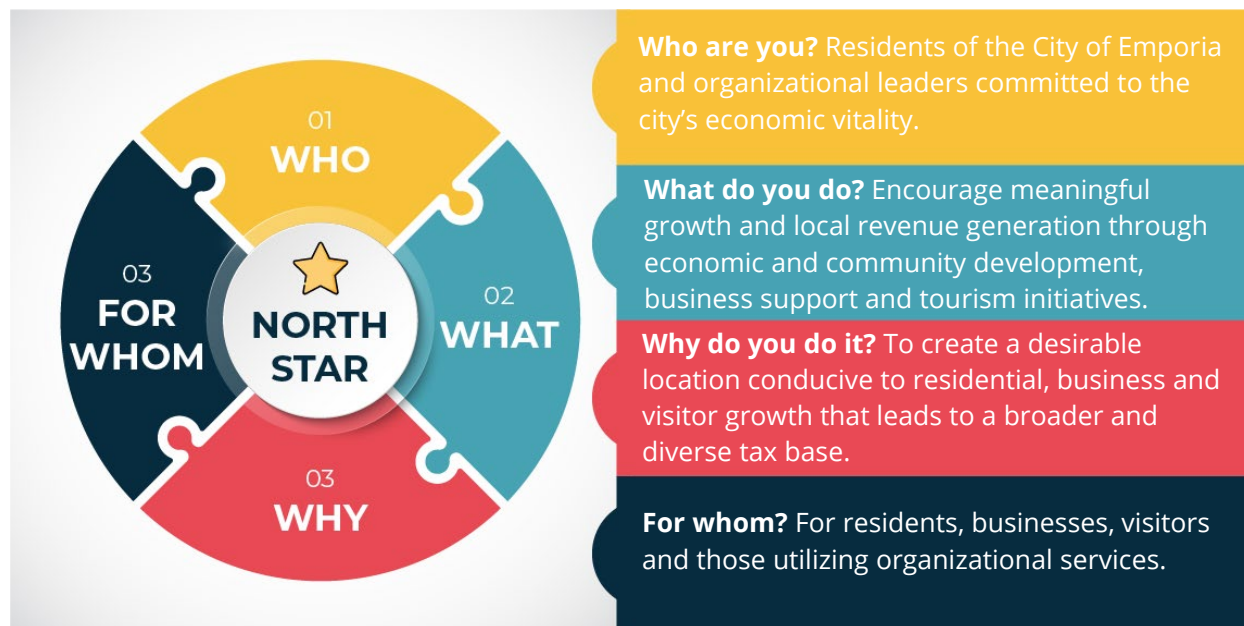
A Shared Vision for Economic Development //

Despite the city's vision and plan, the absence of a unified strategic direction for economic development has led to fragmented programs and hindered progress. A collaborative and inclusive approach is essential. By fostering a positive, dynamic and demonstrating collaboration, the city can generate momentum that not only excites and engages the community but also achieves results faster than ever before.

VisionFirst emphasizes the importance of identifying the community's "North Star"—a shared vision that reflects the community's values and aspirations and paints a collective image of what they want to achieve. This vision is too expansive for any single organization, individual or group to realize on their own; it can only be accomplished through collective effort.

This North Star, resonating with all those involved in the city's economic development, should guide efforts, outline a clear course of action, inspire participants and provide metrics to measure success. Aligning the vision, mission and values with the community's goals fosters trust and confidence. To this end, VisionFirst utilized the "Four W's": who you are, what you do, why you do it and for whom—ensuring that the community's aspirations are at the heart of every initiative.

Figure 4: The 4 W Visioning Process



Based on the interviews and engagement, VisionFirst developed the following vision, mission and values for the city's economic development efforts. However, this iteration will need to be discussed by staff and stakeholders.



VISION

Emporia is an economically vibrant community that provides opportunities for residents, visitors and businesses alike.



MISSION

Together, Emporia's economic development activities provide services that foster economic growth, community placemaking and fiscal sustainability and promoting resident, business and visitor wellbeing.



VALUES

Core values help define and drive behavior and should be integrated into daily operations. VisionFirst recommends adopting the following core values to ensure the delivery of services that the residents of the City of Emporia value.

- **Trusted:** Delivering services in a professional and honest manner that conveys trust, mutual respect and open lines of communication with elected officials, employees, residents and partner organizations.
 - **Collaborative:** Emphasizing the importance of cooperation, synergy and collective effort among individuals, teams and entities within the economic development ecosystem.
 - **Transparent:** Clearly communicating and engaging residents about plans, priorities and progress as well as ensuring easy access to public information and services.
 - **Responsive:** Consistently providing excellent customer service through active engagement and timely problem-solving to exceed expectations.
 - **Innovative:** Creating an environment that supports innovative ideas, creative solutions that elevate and diversify the city's services and economy.
-

A Pathway Forward | Recommendations »

The City of Emporia is fortunate to have dedicated elected officials, staff and partners committed to driving the city's growth and prosperity. In 2017, the city achieved voter approval for a referendum that extended a half-percent sales tax, targeting two key objectives: promoting industrial and economic development, and reducing city-levied property taxes. While this illustrates strong community support and provides a stable financial foundation, these measures alone do not constitute a complete strategy.

The sales tax revenue has enabled the city to support the operating budgets of various economic development organizations. However, critical elements such as collaboration, annual work programs and metrics to measure success are currently missing.

Recognizing the significance of these organizations, the city commission engaged VisionFirst Advisors to evaluate the potential and effectiveness of the economic development ecosystem. They understand that government alone cannot tackle every challenge—successful communities are built on strong partnerships.

While each entity within Emporia's economic development ecosystem plays a crucial role, achieving transformational change requires breaking down silos, fostering collaboration and creating opportunities for open dialogue. By working together and actively listening to one another, these organizations can thrive both individually and collectively, setting a new course for the city's future.

This initiative begins with the city. To drive meaningful outcomes, VisionFirst has developed a suite of recommendations and metrics for the city and its partner organizations, prioritizing alignment and accountability. These recommendations, grounded in research, best practices, stakeholder input and an understanding of community priorities, are designed to guide daily decision-making and shape the work programs of each organization, with the city government playing a pivotal role in ensuring success.

Short-Term Recommended Tactics //

Implementation would begin upon action plan approval through the next 18 months

Identify the Needs of the Customer

- **Utilize Customer Needs Matrix to Align Organizations:** Before developing annual activities, it is essential to outline the focus and responsibilities of each organization involved and then use this foundation to identify their customers and understand their needs. Based on the focus and responsibilities of each organization, VisionFirst developed a customer needs matrix, reflecting recommendations below, to optimize the efforts of these entities. The responsibilities outlined in Figure 6 to ensure roles are defined while identifying opportunities for strategic alliances. In a small city like Emporia, with limited resources, coordination and collaboration are vital to serving a broad range of customers effectively.

Figure 5: Organizational Focus & Roles

City	RDA	Chamber	Main Street	Visit Emporia
FOCUS				
Deliver Public Services to Enhance the Quality of Life for Residents	Business Recruitment, Retention & Expansion within Targeted Industry Sectors	Small Business Support for New & Growing Companies along with New Resident Services	Development & Revitalization of Designated Main Street Corridor	Increase Tourism to Emporia by Generating Awareness & Demand
RESPONSIBILITIES				
Provide essential services, such as public safety, infrastructure and utilities, enforcing local laws and regulations, managing public resources and promoting the overall welfare and development of the community.	Attract new businesses, supporting existing industry and promoting job creation. In coordination with the city, lead land acquisition and sales, provide financial incentives and infrastructure support to foster a job creation and capital investment.	Support and advocate for the business community and its members, by providing resources, networking opportunities and representation to help businesses thrive.	Revitalize and preserve the downtown area by promoting by supporting local businesses and enhancing the community's quality of life through redevelopment and community engagement.	Lead tourism planning, identify competitive advantages, create unique experiences, support the local community and ensuring tourism sustainability.

Figure 6: Customer Groups & Needs Assessment Matrix

	Needs	Expectations	Programs, Products, Services
Competitive Projects	• Developable sites that are shovel-ready • Competitive incentives and tax structure	• Accurate, timely and understandable information • Confidentiality • City and RDA are reliable partners • Seamless partner coordination	• Information on sites, buildings, incentives, regulatory environment, workforce, utilities • Long-term partnership
Existing Industry	• Long-term relationships that support growth • Available and reliable workforce • Conducive regulatory environment • Infrastructure to move product	• Accurate, timely and understandable information • Advocacy and partnership	• Assist in workforce development, attraction and retention • Relationships that support expansion, retention and prevent closure. • Connect to local suppliers to reduce logistics costs, getting critical materials
Small Businesses	• Programs that support business growth • Financing resources • Advocacy for policies and regulations that support growth • Access to customers • Market data	• Accurate, timely and understandable information • Advocacy and partnership	• Workshops and networking events, permitting and business regulation assistance • Advocate for small business growth • Inventory of space in downtown or other locations
Out-of-Market Retail	• Sites with infrastructure • Ease of permitting and regulatory environment	• Accurate, timely and understandable information • Advocacy and partnership	• Market demographics • Site characteristics • Public finance programs
Visitors	• Attractions • Events • Accommodations • Ease of travel • Ideas for leisure travel	• Accurate and updated information • Information is easy to find	• Websites, publications, news stories
Residents	• Housing options, quality education, safe environment, affordability, amenities, accountable government, job opportunities	• Knowledge of area as it relates to city services and options	• Online resources for new residents • Dashboard of economic measures

Not all customers are the same for each organization. Ultimately, there are two types of customers:

1. Core customers are critical to the organization's existence.
2. Indirect customers or stakeholders, while not central to the organization's mission, can significantly impact its success (e.g., media).

Each customer group has distinct needs and expectations that are dynamic and vary over time. A holistic economic development approach optimizes the city's ability to meet these needs by leveraging all organizations within a customer-focused framework.

The challenge is to establish ongoing methods to capture the "voice of the customer," translate these needs into improved products and services and gather feedback to assess performance. Successfully meeting these needs will turn customers into advocates for Emporia, amplifying the city's marketing and sales efforts.

Figure 7: Which Entities Support the Customer Group

	Competitive Projects	Existing Industry	Small Business (In-Market Retail)	Out-of-Market Retail (Chains & Franchises)	Visitors	Residents
City Staff	X	X	X	X	X	X
RDA	X	X		X		X
Chamber			X		X	X
Visit Emporia					X	X
Main Street			X	X		X

Establish a Coordinated Framework

- **Form a Steering Committee:** Create a steering committee comprising representatives from each organization and one city commissioner to oversee collaborative efforts, set goals and ensure accountability. The first meeting should be the joint planning session outlined below.
- **Set Shared Goals:** Conduct a half-day joint planning session to establish shared goals that align with each organization's mission, objectives and customers. The session should be facilitated by a professional from outside the community. The session should include the entire staff of each organization, the board chair, the city manager and one commissioner.
- **Identify Collaborative Projects:** Identify and prioritize projects that leverage the strengths of multiple organizations and where increased synergies could be beneficial.
- **Establish Annual Metrics:** Using the metrics located in the appendix, establish 10 metrics that apply to all organizations and 10 specific annual metrics related to their individual programs of work and activities – these should be tied to annual budget requests. The metrics should range from attainable to aspirational.

- **Streamline Data and Information Sharing:** Establish protocols for sharing data and information relevant to economic development initiatives. This includes market research, economic impact studies and community needs assessments. Identify cost savings measures as part of the effort.

Enhance Accountability & Transparency

- **Improve Contracting Mechanisms:** New agreements between the city and each entity should be reviewed annually but guarantee a three-year funding cycle.
- **Establish Reporting Timeframes:** Each agreement/contract between the city and the economic development organization should contain deliverables and reporting requirements, to include but not limited to:
 - **Annual Report** to include information, status and updates on the goals, metrics, key activities and deliverables as established in the funding agreement and how each aligns with the city's strategic plan (June).
 - **Quarterly Economic Development Meetings** to include the mayor, one additional city commissioner along with the executive director and board chair of each organization. The meetings will include but are not limited to the discussion of contracted programs and initiatives, the status of recruitments or ongoing projects (within confidentiality agreements); and discussion of any resources or assistance needed from the city to achieve the shared goals.
- **Implement Annual Board Training:** It is essential for board members to understand not only the operations of their own organization but also those within the broader economic development ecosystem. To achieve this, an annual joint board orientation should be established as part of the onboarding process for any new members and elected officials. Components of the orientation should include, but not limited to:

– Ethics policy	– Overall value proposition of past projects
– Role of the board	– Role of the staff
– Programs, products & services	– Financial overview
– How each organization fits in the economic development ecosystem	– Confidentiality of work and what is shared publicly
- **Executive Director Contracting:** Long-term consideration should be given to the approval of the contract of the executive director of each organization along with associated performance metrics.
- **Dissolve Emporia Enterprises:** Given the RDA's ability to purchase and sell land, Emporia Enterprises role is duplicative. In dissolving the organization, the Chamber would gain control of the assets which would then be transferred to the RDA. Coordination among the leadership of both entities along with the city is needed to ensure a smooth transition along with communicating the accountability and transparency aspects of eliminating the entity which would include additional board oversight. A new board structure is needed to ensure broad representation and the ability to maintain a quorum The current structure includes: from two city representatives, two county representatives, one Chamber representative,

one Emporia Enterprises representative and one at-large position. The structure would expand to 11 members and include: three city representatives (can include one commissioner, city manager and one representative), three county representatives (can include one commissioner, county controller and one representative), an utility representative, the Emporia State University president, the Flint Hills Technical College president, one representative from a business with more than 100 employees, one representative from a small business with less than 100 employees. In addition, both the Main Street director and the Chamber president would have non-voting seats on the board.

Expand Stakeholder Engagement

- **Enhance Websites:** Each organization’s website lacks details about programs, services and success. Collectively, the group should reimagine their websites with a unified look that clearly outlines staffing, programs by customer, services, how to volunteer, funding and metrics.
- **Gather Community Input:** Solicit feedback and input from the community through surveys, town hall meetings and focus groups. Ensure transparency and accountability in decision-making processes.

Aspirational: Transition to an Umbrella Organization //

Implementation to begin upon completion of short-term strategies and seek to create new organization at three years.

Based on our discussions and feedback, there is support for establishing a private, not-for-profit umbrella organization to coordinate a holistic approach to economic development in the city and county. However, the strong and varied opinions on which existing organizations should be consolidated, preserved or restructured—along with differing views on governance and funding—make this approach challenging to implement. Simply rebranding the existing organizations and creating an overarching 501(c)(6) board to direct funding is unlikely to succeed. Instead, VisionFirst recommends a strategic, phased approach with short-term, intermediate and long-term objective – a crawl, walk, run approach. **VisionFirst recommends the early development of an organization at 18 months with a goal to launch a new organization in three years.**

The short-term recommendations focus on fostering greater collaboration through clearly defined goals for each organization. These goals should be supported by appropriate funding and measured through metrics, with oversight provided by a steering committee to guide initial efforts.

Sustained success in economic development, however defined, is most effectively achieved when the business sector leads in partnership with government. While public-led economic development funded by single-source tax revenue can be effective, it often struggles to maintain long-term success due to the shifting nature of political influence. This is true not only for Emporia but for any economic development organization reliant on public funding.

As Emporia begins to reshape its overall organizational model, the focus should be on clearly defining economic development, establishing a forward-looking vision, allocating public funding based on sound objectives and metrics and leveraging selfless business leadership across all involved organizations to achieve these goals. The city must drive the vision and framework for the overall economic development strategy.

Any new umbrella organization should be designed around a clearly defined vision and measurable outcomes, such as increasing visitor spending, hotel room nights, reducing downtown property vacancy rates, boosting retail sales, fostering small business growth, supporting new business start-ups and attracting manufacturing capital investment and jobs. More ambitious goals might include population growth, higher household incomes, reduced poverty rates and an expanded tax base.

The umbrella organization should be structured around the functions required and the needs of its customer groups (as outlined in the matrix), utilizing a single paid team and drawing on resources from special-purpose entities like the RDA and Main Street, which could contract with the new 501(c)(6) organization. In this model, the boards of existing government organizations would continue to exist but would contract with the umbrella group, which would be led by a single CEO and governing board.

Regardless of structure, each of the entities should strive to be high-performing organizations operating efficiently and professionally, focusing on meeting the needs of its customers and proactively engaging stakeholders.

In working with and for numerous economic development entities throughout the country, VisionFirst has observed certain characteristics of those EDOs operating at a higher performance level regardless of structure which include:

- Operates at the speed of business.
- Solicits private sector involvement for incorporating business practices.
- Utilizes intellectual capital of business leaders to develop policy and strategy.
- Instills a laser-like focus on vision and purpose.
- Develops a culture for professional development of others within the community.
- Creates a collaboration of the public and private sectors and their various entities to achieve economic success.
- Focuses on programs and strategies that demonstrate measurable success.
- Understands the value proposition of investments and demonstrates the value of a project for public support.
- Commits to fiscal responsibility and management of programs and initiatives.
- Practices transparency with operations.
- Builds support and trust through proactive communications.
- Creates an operating congruence amongst the various boards that support and/or enable economic development.
- Communicates effectively so that stakeholders understand the purpose.

- Have succession planning in place for staff and board members.

One such example of an umbrella organization model described above is the **Area Development Partnership** in Hattiesburg, Mississippi.

Private Partnership with Public Support

In this model, the private corporation is a 501(c)(3) or 501(c)(6) not-for-profit corporation and serves as the leader in economic development. In certain instances, the funding comes directly from the city/county to the corporation and in others there is a contract for services.

About: The Area Development Partnership (ADP), based in Hattiesburg, Mississippi is recognized as the lead economic development organization for the greater Hattiesburg area serving Forrest, Lamar and Perry counties. All the staff are employees of the ADP and report to one board that is private sector driven with multiple public sector partners.

In 1992, the Hattiesburg Chamber of Commerce and the Forrest County Industrial Foundation were merged in to the new 501(c)(6) corporation named the Area Development Partnership. All the assets of those two organizations and staff become part of the ADP. While the new private sector organization was created, several public sector economic development partners remained in existence. Those public partners include the Forrest County Industrial Park Commission (FCIPC), Lamar County Economic Development Authority (LCEDA) and the Perry County Economic Development District (PCEDD).

While all three of these entities have a board, each has a multi-year contract with the ADP to provide specific economic development functions and services. These public entities are support organizations to the ADP providing critical tools for successful economic development. The FCIPC owns the industrial park and has built and leased spec buildings and purchased property with the intent of recruiting job creating businesses to the region. The same is true for both the LCEDA and PCEDD. The ADP staff manages the day-to-day operations and financials of these support organizations. In addition to the contract fees received, the ADP adds private sector dollars to the overall budget through membership dues, nontraditional income and capital campaigns.

- **Year Formed:** 1992 - In 1992, the Hattiesburg Chamber of Commerce and the Forrest County Industrial Foundation were merged in to the new 501(c)(6) corporation named the Area Development Partnership
- **Model:** Public/Private Economic Development Partnership
- **Staff Size:** 11: President, Executive Vice President, Chief Financial Officer, VP of Marketing & Research, Economic Development Director, Community Development Manager, Community Development Coordinator, Communications & Events Director, Communications & Events Coordinator, Membership Director, Investor Relations Director.
- **Board Members & Structure:** 20 representatives from the corporate sector and the president of the ADP serve as members on the board. 8 ex-officio members (non-voting) serve on the board including the Chair of Hattiesburg Tourism Commission, Forrest County

Industrial Park Commission, Hattiesburg Convention Commission, Lamar County Board of Supervisors, Mayor of the City of Hattiesburg, Forrest County Board of Supervisors, Mayor City of Petal, Perry County Board of Supervisors.

- **Funding:** Public and private

PROS	CONS
• Utilizes existing organizations. • A business focused board drives the decision making with limited direct public involvement. • Private funds support operations. • Staff are all private employees. • Public board focuses on managing its assets, i.e., industrial park, buildings, etc. • Private organization leads the process. • Disruptions in public funding can be offset by the private sector. • No local or state legislation required.	• Model relies on contractual relationships between private and public entities. • Public board focuses on managing its assets, i.e., industrial park, buildings, etc. • Contracts can become cumbersome. • Short-sighted agendas can disrupt the process. • Possible disruptions in funding.

Appendix: Suggested Metrics »

CITY METRICS

Indicator	Quantity	Units
Population growth	Population	#, % share
Median income growth (total, race, gender)	Population	\$, %
Tax revenue (sales, transient guest tax, etc.)	Revenue	\$
Cost (Taxes) per citizen versus peers	Revenue	\$
Surplus/deficit per citizen	Revenue	\$
Population diversity	Population	#, % share
New housing starts and sales	Infrastructure	#, %
Businesses by employment size	Businesses	#, %
Percent of locally owned businesses	Businesses	#, % share
Total and per capita expenditures on arts and culture	Investment	\$
Social amenities and services (parks, recreation, churches, schools, medical)	Facilities	#
Socio-economic profiles and indices (rank of local health areas)	Index	Rank
Poverty rate	Population	#, %
Health facilities (hospitals, beds, health centers)	Facilities	#
Average life expectancy, morbidity, mortality rates, other health measures	Years	#
Childcare openings	Facilities	#, % growth
Schools	Facilities	#
School achievement	Test scores	%
Third grade reading scores	Test scores	%
Attendance (reduce chronic absenteeism)	Achievement	%
Graduation numbers, rates	Graduation rates	#, %
Educational Attainment (associate degree & above)	Achievement	#, % increase in advanced education
Crime rates	Occurrences/1000	%
Transit services	Facilities	#, type
Festivals and events	Events	#, type

COLLECTIVE METRICS FOR CITY & FUNDED ENTITIES

Indicator	Quantity	Units
Linkage between city strategic plan & organizations' strategic plans	Relationships	#, narrative
Relationships with residents, business, educational institutions	Relationships	#, survey, qualitative
Partnerships for sharing resources	Partnerships	#, qualitative
Board roles and responsibilities trainings	Partnerships	#, qualitative
Volunteers	People	#, qualitative
Community outreach - meetings, workshops, presentations,	Interactions	#, survey, qualitative
Local/regional partnerships	Partnerships	#, size, type
Private/public contributions to engagement/outreach	Investment	\$, qualitative
Information sharing with stakeholders	Interactions	#, qualitative
Businesses participating in board/leadership	Businesses	#
Businesses, individuals participating in program delivery	Businesses	#
Website ranking (search engine optimization)	Search position	#
Client success stories	Stories	#, qualitative

CHAMBER METRICS

Indicator	Quantity	Units
Ignite funding granted	Grants	#, qualitative
Members (new and retained)	Partnerships	#, %
Programs conducted (satisfaction survey)	Programming	#, %, qualitative
Childcare spots created	Programs	#, % increase
Kindergarten readiness	Testing	% increase
Recipients of coaching/advocacy	Recipients	#, qualitative
Recipients of technical assistance	Recipients	#, qualitative
Recipients of training	Recipients	#, qualitative
Small business assisted	Recipients	#, qualitative
Small businesses surveyed	Businesses	#, qualitative
Host small business start-up and growth programs	Businesses	#, qualitative
Minority businesses supported	Businesses	#, % change
Marketing campaigns, type, reach, efficiency	Campaigns	#
Marketing expenditures	Expenditures	\$

MAIN STREET METRICS

Indicator	Quantity	Units
Total net jobs created (full, part-time, total)		#, \$ payroll
Hourly wage increase		%, \$ change
Square feet of buildings rehabilitated		#, \$ value
Vacancy rates		% change
Business program participants still in business 1 - 5 years		#, % change
Succession plans, transfers to new owners	Plans, Transfers	#, qualitative
Resources to current and prospective businesses		#, % change
Connect businesses with outside financial resources		%, \$ change
Networking and mentorship initiatives		#, % change
Minority businesses supported		#, % change
Offer direct financial support to businesses	Grants	#, \$
Assist with business marketing efforts		#, % change
Host entrepreneurship and incubator programs		#, % change
Volunteer recruitment, retention		#, hours
Online reputation	Net Promoter Score (NPS)	%
Website/social media hits	Page hits	#

RDA METRICS

Indicator	Quantity	Units
Businesses by industry	Businesses	#, %
Businesses created (by industry or sector) versus all businesses	Businesses	#, %
Availability and cost of business inputs (tax rates, energy, labor)	Various	#, \$
Business climate rating	Business climate	rank; qualitative
Labor force participation size and rate	Workforce	#, %
Relationships with site selectors	Relationships	#, qualitative
Businesses attracted (by industry or sector) versus all businesses	Attraction	#, %, qualitative
Business leads that choose to locate in community/region	Attraction	#, %, qualitative
Presence, quality, ROI of incentive programs	Investment	#, survey, qualitative
Branding efforts launched	Attraction	#, click rates, success measures
FDI attracted to the community/region	Attraction	#, \$
Timeline for project completion	Attraction	#
Businesses retained (by industry or sector) versus all businesses	Retention	#, %

Businesses expanded (by industry or sector) versus all businesses	Expansion	#, %
New products, product lines, services	Expansion	#, qualitative
Exports and trade activity	Exports, trade	\$, % growth
New market development	Expansion	\$
Businesses at risk retained	Retention	#, qualitative
Assessment of business workforce needs	Workers	rating, narrative

VISIT EMPORIA METRICS

Indicator	Quantity	Units
Tourists/visitors	Tourists	#, % change
Tourists/visitor total spending	Expenditures	\$, % change
Tourist/visitor average spending	Expenditures	\$
Tourist/visitor length of stay	Days	#
Accommodations facilities (hotels, motels, bed and breakfasts, vacation properties, lodges, resorts)	Properties	#
Accommodation units (hotels, motels, bed and breakfasts, vacation properties, lodges, resorts)	Rooms	#
Room revenues	Revenues	\$
Campground/RV facilities	Properties	#
Campground/RV units	Sites	#
Approved tourism facilities (accommodations, attractions, festivals, events)	Properties	#
Tourism businesses	Businesses	#
Packages, experiences	Packages	#
Online reputation	Net Promoter Score (NPS)	%
Website/social media hits	Page hits	#
Municipal and regional district tax (MRDT)	Revenues	\$

Appendix: RDA Recruitment Profile

Suggested Title »

- President & CEO

Suggested Compensation Range »

- Given the community's size, existing industry, organization size and fiduciary responsibilities the suggested salary range is \$150,000 to \$175,000 based on experience. This does not account for additional compensation such as vehicle allowance, bonus structure, etc.

Desired Job Experience and Expertise »

- Executive management experience with proven track record of successfully leading a similar organization, economic development or corporate experience
- Strong experience and knowledge of implementing programs and initiatives
- Ability to collaborate with local business, leaders and stakeholders and provide solutions and break down silos
- History of leadership with attention to details
- Knowledge and understanding of economic development operational functions
- Proven track record of successfully navigating relationships with industry professionals, consultants, elected officials, community partner organizations and community stakeholders
- Exceptional communication skills
- Ability to recommend and implement new programs and initiatives when needed

Characteristics & Personality Traits »

- | | |
|---------------------|-----------------------------|
| • Forward thinker | • Approachable |
| • Natural leader | • Resourceful |
| • Facilitator | • Driven |
| • Strong work ethic | • Creative |
| • Communicator | • Collaborator/team builder |
| • Focused | • Good listener |

Education »

Qualified candidates will have a bachelor's degree from an accredited college or university with major coursework in Business, Business Administration, Marketing or related field. The most highly qualified candidates for consideration will be selected based on a combination of education, career experience and accomplishments that best fits the needs of the organization.

Top Requirements »

- Executive leadership experience
- Leading as a team builder
- Ability to partner with local community leaders and partner organizations to deliver results
- Background, knowledge and familiarity with chamber of commerce, main street programs and economic development functions
- Strong work ethic
- Professionalism
- Communication skills
- Ability to navigate various issues and conversations

Goals & Objectives »

- Close communication with the Board of Directors, members and local leaders to prioritize initiatives
- Coordinate existing resources and identify needed resources, programs and partners to fill gaps
- Build reporting capability to allow for measuring activity and success
- Execute overall administrative strategy of the organization and build support for the strategy through creative leadership
- Develop the needed infrastructure, systems, protocols and partnerships
- Engage public and private sector leadership in activities and initiatives
- Gain quick understanding of Emporia region and community culture
- Continue focused approach to support minority business and diversity

Strengths of the Position »

- Engaged economic development community and stakeholders eager to move the community forward
- Opportunity to make significant impact
- Fulfilling professional growth opportunity
- Dedicated funding source and committed community to sell to prospects
- Existing institutions and industries headquartered in the community, region and state

Appendix: Programmatic Best Practices

REGIONAL DEVELOPMENT ASSOCIATION

Building Broad Understanding of Economic Development: The Jackson County Florida EDC

(JCEDC) organized their strategic plan into a two-page PDF to guide residents, committee and board members, investors and elected officials through the key components of the organization's vision, mission, purpose, strategies and metrics for the next five years. The PDF is available for download and made available at all board and public gatherings.

The EDC also created **BASICS (Building Aware Stakeholders and Interested Citizens for Success)**.

The course spans two to three hours and focuses on five key components: an overview of economic development at all levels, the benefits of local economic development, the importance of competitiveness, supporting business and how residents can help. Cohorts are offered quarterly and rotate between lunchtime and early evening meetings to allow for maximum participation.



Leveraging Outdoor Resources: Roanoke Regional Partnership in Virginia includes the outdoor industry highlighting the area's natural resources including trails, events such as marathons and cycling events, parks and conservation lands. Bolstering the efforts, the region commissioned a study comparing it to other regions known for their outdoor lifestyle and highlighted in industry magazines and sites. The region also hosted the outdoor blogger summit, giving social media influencers a first-hand look at what the community offers. The efforts have been incredibly successful with the region home to two outdoor gear distribution centers, nearly 10 small manufacturers and a host of small businesses ranging from skills training to outfitters to retail.

CHAMBER OF COMMERCE

Supporting Entrepreneurs: 1 Million Cups is a national program designed to engage, educate and connect local entrepreneurs. Founded by the Kauffman Foundation, 1MC is based on the idea that entrepreneurs network and discover solutions over a million cups of coffee. The free, bi-weekly coffee gathering helps build startup communities at a grassroots level. At 1MC, everyone connects with each other: the entrepreneurs who present, the communities that offer support and the organizers who dedicate their time to make the program happen.

Grow Small Business: Kauffman's FastTrac Program is Designed in Spanish and English, FastTrac equips aspiring entrepreneurs with the business skills and insights, tools, resources and peer networks necessary to start and grow successful businesses. Coursework is offered in an 8–16-week format to help entrepreneurs build a business plan. Affiliates can determine the best delivery method for their entrepreneurial community: in-person, virtual or hybrid. FastTrac affiliates are expected to hold at least two FastTrac cohorts, or classes, and enroll at least 20 participants annually.

Reduce Employment Language Barriers: GreeneSpeaks! in Greene County, Tennessee is an English as a second language program that is open to any English language learner. The program is taught by volunteers and coordinated through the Greene County Partnership and the United Way of Greene County. With Greene County's ever-growing population of non-English speakers, a need for an English as a second language program was identified. By learning English, this growing population can obtain jobs or apply for better jobs, communicate effectively with children's teachers and integrate with the community.

Increase Home-Based Childcare: Transylvania County, North Carolina is supporting the county's home-based childcare providers through a comprehensive network that connects and educates the grandmas, aunts and neighbors taking care of the community's children and provides the financial and technical assistance to those who want to become licensed childcare providers in their own homes. Funded by a Building Comprehensive Networks grant from Home Grown and regional funders, the network will eventually serve as many as 150 home-based providers. Each provider who signs up for the program receives a developmental tool kit—books, toys, lessons and sometimes a free tablet that they can use with their children at home. They also get a gift card stipend for attendance at various social or learning activities: story time at the library, playtime at the recreation center and training on nutrition or safety led by experts. Finally, and most importantly, they are welcomed into a monthly roundtable which is run by home-based providers just like them. By licensing previously unlicensed providers, the community is increasing the number of childcare spots in their community.

MAIN STREET

Use Micro-Grants for Beautification Countywide: For more than seven years the [Hamilton County Development Authority \(HCDA\)](#) has utilized its Commercial Beautification Micro-Grant Program aimed to improve the visual appearance of businesses in Hamilton County. The micro-grant program provides matching funds to renovate and improve the visual impact of the properties in the county. This grant is available to all retail, commercial and industrial property owners. The board of the HCDA authorized a budget of \$25,000 for the initial pilot program with eligible businesses able to receive up to \$1,000 in matching funds – the effort has since been renewed. The funds can be used for beautification purposes for such things as exterior painting, new awnings, sign improvements, planting shrubs, flowers, trees, etc. The goal of the grants is to help stimulate redevelopment and increase property values while providing safe and attractive environments.

Support Low-Income Residents & Local Restaurants: [Hope & Main](#), a Rhode Island Culinary Incubator, hosts Main Street Meals which provides meals prepared by local food businesses to food insecure neighbors. Each week the organization distributes hundreds of meals at the point of need. No ID or registration is required. This program supports lives and livelihoods and is an innovative way to provide emergency food assistance while supporting the local economy. The organization also hosts a BOGO event where residents can purchase a single-serving meal, and another is automatically donated to a neighbor that is unable to pay for their own at this time. The program would offer exponential opportunity during Emporia's major tourism events.

VISIT EMPORIA

Attract Regional Visitors: [Downtown Thomasville Georgia](#), recognized as [Georgia's Downtown of the Year](#), has focused on reviving its downtown to enhance the community's identity and historic character. The goal of the community's improvement efforts was to create a dynamic and creative city center where people want "to live, aspire to work, love to play and long to return." Since 1981, hundreds of millions of in funding has been reinvested in downtown Thomasville in public and private improvements. In addition to facade restorations on downtown storefronts by individuals with grants and other funding, city government has boosted downtown by providing an amphitheater facility, removal of asphalt exposing downtown's original brick streets, improved parking at storefronts, improved sidewalks and enhanced lighting and landscaping. Tourism [generates](#) approximately \$77 million in total visitor spending, 845 jobs directly supported by tourism, \$6.2 million in state and local taxes generated by visitors, which equals an approximate \$347 in tax savings per household. What's notable is most visitors come from a three to five-hour radius of the community, with 50 percent of the city's downtown sales coming from Tallahassee – which is approximately one-hour away.

Appendix: Additional Organization Models for Consideration

GREATER WICHITA PARTNERSHIP

In 2012, more than 100 private-sector companies came together within the Wichita Regional Chamber of Commerce to form the Leadership Council, a group looking for ways to move the region's economic development forward. It was determined that the best approach to achieve the region's long-term goals was through greater coordination between local businesses, non-profits and government agencies. To facilitate this strategy, the group began the process of forming the Greater Wichita Partnership — an organization that could serve as a hub for collaboration and communication between public and private sectors. **The [Greater Wichita Partnership](#) was officially launched in 2015, bringing Downtown Wichita, the Greater Wichita Economic Development Coalition, and multiple economic development committees and task forces together as a collaborative initiative.**

- The Leadership Council was originally initiated by the Wichita Regional Chamber of Commerce.
- The Greater Wichita Partnership consists of 130 investors, including both public and private organizations and businesses.
- The staff of 19 works within three key priorities — Jobs, Talent and Quality of Place.
- Primary work plans include the Regional Growth Plan, the Accelerate Wichita Report, the Talent Roadmap and Talent Marketing Blueprint, Project Wichita and Project Downtown.
- **Budget:** According to publicly available data, the partnership is a 501(c)(6) with an estimated budget of \$3.5 million for FY 2022.¹ The top three salaried positions are:
 - President: Compensation - \$280,407; Related: \$70,102; Other: \$80,817
 - Executive VP of Economic Development: Compensation - \$167,788; Related: \$0; Other: \$50,935
 - Executive VP of Economic Operations: Compensation - \$154,226; Related: \$0; Other: \$43,612

GREATER TOPEKA PARTNERSHIP

On January 1, 2018, four Topeka organizations came together under the shared belief that through unified efforts, prosperity can be achieved throughout the community. The organizations maintain their individual managers and boards, as well as becoming the founding organizations of the Greater Topeka Partnership. Matt Pivarnik serves as the President and CEO of the Greater Topeka Partnership. The Partnership is governed by one chair and chair-elect from each organization and seven community elected members. Together, the organizations focus on Momentum 2027 (the original plan was Momentum 2022), an economic development plan for Topeka & Shawnee County.

¹ ProPublica Nonprofit Explored

The unity provided by combining the organizations allows resources to be shared and more common goals to be met. [Greater Topeka Partnership](#) organizations include, the **Greater Topeka Chamber of Commerce, GO Topeka, Visit Topeka, and Downtown Topeka, Inc.**

- **Budget:** According to publicly available data, the partnership is a 501(c)(6) with an estimated budget of \$9.1 million for FY 2022.² The top three salaried positions are:
 - President & CEO: Compensation \$327,803; Other: \$37,100
 - Go Topeka President: Compensation: \$162,065; Other: \$26,440
 - Visit Topeka President: \$152,067; Other: \$13,210
 - Chamber President: Compensation: \$109,572; Other: \$22,501

[GREATER IOWA CITY, INC.](#)

On July 1, 2023, Iowa City leaders merged economic development and the local chamber of commerce into Greater Iowa City, Inc. With the merger, Greater Iowa City, Inc. also integrated the non-profit 501(c)3 Better Together 2030 (BT2030) to help implement the community wide All In Vision Plan. Since BT2030 is a community development corporation, this will allow for public/private development opportunities and will be a new tool in the tool box for the organization.

The new organization is a network of business and public sector leaders who collaborate to support local companies, guide investment, and grow a resilient economy. The organization works in cities, towns, and rural areas in the greater Iowa City area – or Johnson County, Iowa. Because the success of greater Iowa City depends on regional collaborations, Greater Iowa City, Inc. with partners throughout the seven-county area and the state of Iowa to develop the region.

The organization is developing new business councils to guide and oversee our work. Councils, each with a unique focus based on business needs and goals, will give Greater IC investors an opportunity to engage with one another and problem-solve collectively. These business councils are a direct response to focus groups conducted in preparation of the merger in the Spring 2023. Working with a third-party facilitator, results revealed that business leaders want Greater IC to drive the economy with clear plans by strategically convening community leaders.

Full details on the merger plan can be found at: <https://greateriowacity.com/merger/>

² ProPublica Nonprofit Explored

Thank You



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Let's Think Differently About Local Government Trying to Solve Big Problems Alone

It takes a community of stakeholders to address our biggest issues.

by [Ed Everett, ICMA-CM \(Retired\)](#), Feb 01, 2024 | PM MAGAZINE - ARTICLE



Thesis

Local government must stop thinking that we can solve big problems alone, like gangs, addiction, homelessness, failing infrastructure, civic divisiveness, and affordable housing, to name a few. By acknowledging this fact, local government will free itself to create essential and indispensable coalitions and partnerships with multiple stakeholders to effectively begin solving these big problems.

Context

The big problems mentioned in the previous paragraph are complicated and challenging to accurately define. As a result, it is equally difficult to develop holistic solutions. These problems are not and will never be the responsibility of just one governmental entity or organization. Resolution requires effective collaborative efforts by a multitude of stakeholders. Local government does not have sufficient resources, knowledge, expertise, or assets to solve these big problems alone.

These problems will not be solved by assigning them to a department or even a team of local government departments. We all know the saying: "It takes a village to raise a child." We need to apply this same thinking to our big problems: "It takes a community of stakeholders to solve our big problems."

What Are the Barriers to This Approach?

Getting a large group of stakeholders together takes careful planning to avoid the barriers created by local government and stakeholders alike. Those barriers identified here must be addressed before any serious problem solving can commence.

1. Unfortunately, many city and county leaders, including elected officials, believe and state that they can solve these problems. Accordingly, the public expects local government to assume total responsibility.
2. The silos within and between governments prevent effective solutions to our big problems. Similarly, turfs, egos, and control issues separate government from other important stakeholders who are necessary to solve these problems.

3. Stakeholders may have conflicting needs or objectives, making problem-solving more challenging.

4. Historically, we have done an abysmal job of involving our residents, NGOs, businesses, faith communities, educational institutions, and philanthropic groups. We don't have a track record of effectively involving these groups in problem solving, which may make them wary of this approach.

5. We have rarely asked stakeholders to help solve problems. Some may be reluctant or not have experience working in collaboratives.

We Pretend to Involve Stakeholders

Figure 1, the Stakeholder Model, is a good example of how we see the world and the various stakeholders. We list and acknowledge all of the stakeholders, but do we really involve them as equals?

Figure 1

Stakeholder Model

Local Government in the Center



Source: Ray Patchett, ICMA-CM (Retired)

By putting ourselves in the center of the diagram, we are indicating to our stakeholders that we are the responsible party. They see us in the center and assume that they have no responsibility or accountability to help resolve or mitigate problems. They assume that it's the job of local government to "fix" the problems. This attitude is explored in depth in my [August 2015 PM article](#) about the "Bitch and Fix" model of local government.

Once we have clarified with all stakeholders that we cannot solve these problems without their involvement, only then will they begin to understand that they have a responsibility and role to play in mitigating these problems.

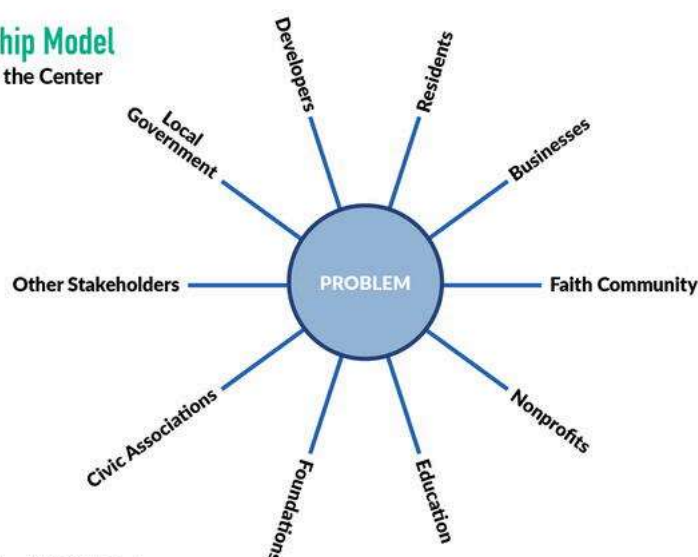
We Need to Embrace the Partnership Model

Figure 2, the Partnership Model, resembles Figure 1, but there is a significant difference. In the Partnership Model, local government is just one of the many stakeholders.¹ The "problem/issue" is in the middle, not local government. This model shifts the focus of all stakeholders to the problem, not on local government having total responsibility to solve the problem.

Figure 2

Partnership Model

Problem in the Center



Source: Ray Patchett, ICMA-CM (Retired)

This approach requires a significant shift in both attitudes and behaviors by local government and stakeholders. It is the responsibility of local government to start the dialogue to make this shift. The discussion among stakeholders must include the following:

- We must admit that local government is responsible for the current mindset that we are solely responsible for solving all problems.
- We must acknowledge that stakeholders have skills, assets, and perspectives that local government doesn't have.
- No one group or organization caused these problems; however, our disconnectedness is part of the challenge in mitigating these problems.
- Collectively, we are powerful. Individually, we lack resources.
- Egos, turfs, control issues, silos, and past behaviors prevent us from forming effective collaborations.
- Stakeholders need to acknowledge that they have a role and a responsibility as part of the solution.
- All parties have thought-provoking ideas and theories that need to be explored.
- No stakeholder gets a pass to refuse to participate and own some part of the problem.
- All parties must acknowledge that together we succeed and separately we fail.

Each stakeholder may have a different lens in viewing a problem and how best to mitigate it. Collectively, the best lens will emerge, and it's this collective lens that is powerful and will lead to effective mitigation of the problem.

Local Government's Role in the Partnership Model

Local government must change its role from sole problem solver to *facilitator* of problem solving. Our role should be to convene and facilitate a group problem-solving process.

What does that look like? It involves bringing together a divergent group of stakeholders and facilitating a process that includes:

- Gathering data and current research on the issue.
- Fully and accurately defining the problem and its causes. Problem definition must precede the development of possible solutions.
- Getting agreement on the problem definition, as well as agreement that all parties should play some role in the mitigation efforts.
- Preventing "group think," old theories, and past practices from dominating the discussions.
- Developing numerous actions that will be needed to mitigate the problem. There is never one "silver bullet" but rather a plethora of "silver actions."
- Allowing, not controlling, the group to assign the various action steps to different and appropriate stakeholders.
- Securing agreement that the group owns the problem definition and the proposed actions steps if the effort is to succeed.

Facilitating such a process is difficult and time consuming. It takes a skilled facilitator with patience and perseverance to work through the conflicts that will arise. It also takes relinquishing some of our control needs if we are to genuinely involve others. If a local government does not have such facilitation skills, then it needs to hire a professional facilitator.

At times, this process will be complex, frustrating, and arduous; however, big problems are not for the faint of heart and quick solutions almost never work.

A Transformational Approach

Yes, this is a daunting approach for solving our big problems. Without question, it is an approach in which most of us don't have a lot of experience. Yeah, it is complicated and slower. At first, you may feel uncomfortable and a bit overwhelmed.

Alternatively, we can keep on doing what we do, keep repeating old processes, and keep failing to solve our big problems. This new process will bring community skills, assets, resources, and broader ownership to the problem. It will yield other significant benefits to government and the community, including:

- Creating the best chance of actually solving the problems that have been negatively affecting your community for years.
- Developing trust and transparency between the community and government.
- Providing a process that can be used in addressing many issues in your community.

I guarantee you will make mistakes, screw up, take a wrong turn, and upset some folks. But, you will learn, get better, and ultimately change the problem-solving culture of your community. That might be the most important thing you do in your entire career and it's a powerful legacy.

Again, I offer to consult (at no charge) with any local government willing to try this approach. Good luck!



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Endnote

¹ This model was first developed by Ray Pachett, retired city manager of Carlsbad, California. I have modified it slightly to apply to this topic.

Author's Note: An update from [my previous article on performance evaluations](#): Only one local government contacted me and said they were throwing out their old performance evaluation system and implementing a system focused on employee development. If you would like to learn more, contact Sam Anselm, city administrator of West Plains, Missouri. Way to go, Sam!

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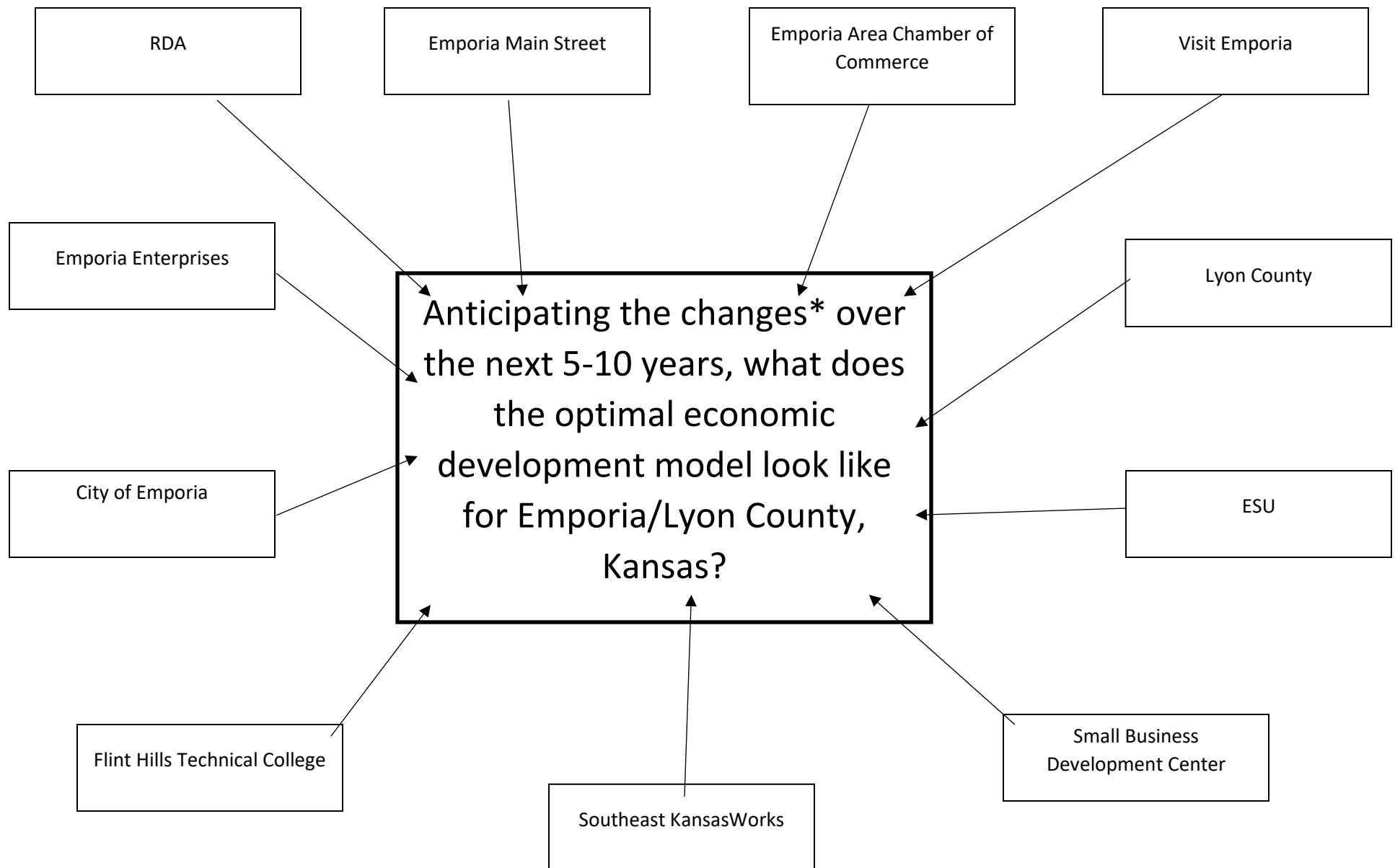
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Emporia Area Economic Development Stakeholder Web



*Anticipated Changes: More automation, more skilled workers / fewer manual labor workers, continued increase in the need for power/electricity, access to broadband/5G, remote work, AgTech, vertical farming, renewables, ecotourism, cultural tourism, onshoring/reshoring, small scale/specialty manufacturing, 3D/advanced manufacturing, local entrepreneurship, coops, career/tech ed (CTE), public-private partnerships, circular economy...

Title: Removal of Snow and Ice from Sidewalks
Agenda Date: October 16, 2024
Presented By: James Watson

Background:

Current City Code 24-8 requires snow and ice to be removed from sidewalks within five (5) hours from the end of a snow or ice event or in the case of the accumulation ending during the night, within five (5) hours of sunrise.

Discussion:

Whether modifications should be made to the existing code better clarify the requirements of property owners for snow and ice removal on public sidewalks and lengthening time to comply with the ordinance.

Property owners would be given additional time from the end of a snow or ice event to have snow and ice removed from sidewalks. Property owners would now have 24 hours after the end of the snow or ice event to have snow and ice removed or alternative measures performed.

The proposed code gives an alternative remedy on ice events where removal is impossible.

The proposed code allows property owners the opportunity to comply with the code requirements rather than have to choose between missing work or complying with the five (5) hour removal requirement. Business owners would be given better opportunity to comply during operational hours instead of having to comply during times their business is closed. The additional time frame further allows owners to hire professionals to perform the service and still be in compliance.

Attachments: Current City Code Section 24-8
Proposed City Code Section 24-8

Sec. 24-8. Removal Of Snow, Ice And Dirt From Sidewalks:

It is hereby made the duty of the owner and of the occupant of any lots abutting upon any sidewalks to cause to be removed from such sidewalks all snow and ice within five (5) hours from the time the said snow has fallen or ice has accumulated; provided, that if the snow falls or ice accumulates upon said sidewalks in the nighttime, removal of same must be made within five (5) hours after sunrise on the following day. Such owner and occupant must at all times keep the surface of such sidewalks free from dirt, mud and all other obstructions. Any person violating the provisions of this section shall, upon conviction thereof, be fined in any sum not exceeding fifty dollars (\$50.00). Whenever snow or ice is not removed as herein provided, the city manager may cause such snow and ice to be removed and the cost therefor shall be assessed against the abutting lot or lots and collected as provided by law. (1962 Code, § 20-411; Ord. 847, § 1, 6-15-1977)

Section 24-8. Removal of Snow, Ice from Sidewalks

Section 1. SNOW AND ICE TO BE REMOVED.

- (a) It shall be unlawful for the owner and/or the occupant of any lots abutting upon any sidewalks to fail to cause to be removed from such sidewalks all snow and ice within 24 hours from the time that the snow fall or ice storm ceases.
- (b) It shall be unlawful for any person to place snow removed from private property upon any public street, alley or sidewalk.

Section 2. SAME: EXCEPTION; ALTERNATE REMEDY. Where there shall be ice or compacted snow on any such sidewalk of such a character as to make it practically impossible to remove the same, the sprinkling of ashes, sand or other noncorrosive chemicals on the accumulation of ice or snow in such a manner as to make such sidewalk reasonably safe for pedestrian travel shall be deemed a sufficient compliance with the provisions of this ordinance until the ice or snow can be removed.

Section 3. SAME; PENALTY. That any person violating the provisions of Section 1 shall, upon conviction, be fined \$25 for the first violation and an amount of not less than \$50.00 nor more than \$100.00 for a second or subsequent violation within a continuous 12 month period of the first violation.

Section 4. REMOVAL MAY BE MADE BY CITY. If any owner or occupant of any lot or lots shall refuse or neglect to clean or remove from the sidewalk abutting the lot or lots all snow and ice within the time specified, the city may cause such snow and ice to be removed from sidewalks and the cost thereof shall be assessed against such abutting lot or lots, and the city clerk shall certify the same to the county clerk for collection as provided by law.

Section 5. COSTS ON TAX ROLLS. The city clerk shall, at the time of certifying other city taxes to the county clerk, certify the unpaid costs for removal of snow or ice performed under the authority of Section 4 and the county clerk shall extend the same on the tax roll of the county against the lot or parcel of ground. The cost of such work shall be paid from the general fund or other proper fund of the city, and such fund shall be reimbursed when payments therefor are received or when such assessments are collected and received by the city.