CITY COMMISSION
WEDNESDAY, MAY 21, 2025 AT 11:00 AM
CITY COMMISSION CHAMBER

ORDER OF BUSINESS

CALL MEETING TO ORDER Mayor Erren Harter

MEMBERS PRESENT

Vice-Mayor Becky Smith
Commissioner Susan Brinkman
Commissioner Tyler Curtis
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 Member to the Emporia Public Library Board**
   Presented by: Mayor Erren Harter & Commissioner Jamie Sauder
   Recommended Action: Approve the appointment of Terri Summey to the Emporia Public Library Board

2) **Appoint Members to the Building Trades Board**
   Presented by: Mayor Erren Harter & Commissioner Tyler Curtis
   Recommended Action: Approve the appointments of Jason Williams and Stan Grimwood to the Building Trades Board

3) **2025 Pavement Preservation Project No. PV2502**
   Presented by: Jim Ubert, City Engineer
   Recommended Action: City staff recommends awarding this project to APAC-Kansas, Inc., Shears Division for the base bid amount of $197,698.61.

4) **Dynamic Brewing Disc-Golf & Foot-Golf Improvements Agreement**
   Presented by: Trey Cocking, City Manager
   Recommended Action: Approve the Tourism-Related Capital Support Agreement with Dynamic Brewing, LLC, and authorize the City Manager to execute the contract and any associated documents, subject to final legal review

COMMUNICATIONS

Presented by Trey Cocking, City Manager.

1) Financials & Permits
2) April Budget
3) Judge W.T. McCarty Home Listed on the National Register of Historic Places

CONSENT AGENDA

Presented by Trey Cocking, City Manager.

1) Commission Meeting Minutes for May 7, 2025

INFORMATIONAL ITEMS

Presented by Trey Cocking, City Manager.

1) Informational Items

GOVERNING BODY COMMENTS

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

EXECUTIVE SESSION

1) Executive Session for 15 minutes, inviting pertinent city staff for the purpose of consultation with the City Attorney regarding a legal matter. The justification for executive session is provided in K.S.A. 75-4319(b)(2) to protect privileged communication in the attorney-client relationship. The open meeting will resume in this room at approximately __:_____ a.m./p.m.

RECESS

Recess to Conference Room 1AB for Study Session

STUDY SESSION AGENDA ITEMS

1) Discuss Chicken Permit Requirements
2) Stormwater ERU/Becker Addition
3) Joint Traffic Safety Committee
4) Joint Task Force on Mill Levy Reduction

ADJOURNMENT

Commission Action Report

Appoint Member to the Emporia Public Library Board

Title:	Appoint Member to the Emporia Public Library Board
Agenda Date:	May 21, 2025
Presented By:	Mayor Erren Harter & Commissioner Jamie Sauder

Background:
The Emporia Public Library Board requests that the City Commission fill board openings with qualified candidates.

Discussion:
Applications were received, and interviews were conducted by Mayor Harter and Commissioner Sauder.

Interviewing Commissioners recommend the appointment of Terri Summey for a term ending April 30, 2029.

Recommended action:
Approve the appointment of Terri Summey to the Emporia Public Library Board.

Outlook

Online Form Submittal: Board Application Form

From noreply@civicplus.com <noreply@civicplus.com>
Date Wed 4/30/2025 10:44 AM
To Sue Bryson <sbryson@emporiaks.gov>; Emporia Info <emporiainfo@emporiaks.gov>

Board Application Form

Select Board, Commission, or Committee to apply.	Emporia Public Library Board
Personal Information	
First Name	Terri
Last Name	Summey
Address1	1105 State St
Address2	*Field not completed.*
City	Emporia
State	KS
Zip	66801
Home Phone Number	6203667064
Business Address	1 Kellogg Circle Box 4051
Business Phone Number	6203415058
Occupation	Librarian / Professor
Email Address	tsummey@emporia.edu
Residency Information	
Length of Residency in Emporia	38 years
Are you a registered voter	Yes
Education and Hobbies	
High School	Waterloo Nebraska High School

College	BA, Dana College (Blair, NE); MS Library Science, North Texas State University (Denton, TX); MA History, Emporia State; PhD in SLIM, Emporia State
Trade or Business School	*Field not completed.*
Hobbies	Reading, camping, cycling, kayaking, crafting, pickleball, traveling
Organization Membership Information	
Are you currently serving on other Boards, Commissions, or Committees?	No
If yes, which	Not in Emporia
Have you served on a Board, Commission, or Committee before?	No
If yes, which	*Field not completed.*
Please, list organization memberships and positions held.	Kansas Library Association, KLAEF Treasurer; KLA Conference Committee; Sertoma of Emporia, Chamber of the Board
Please, list areas of special interest.	Public library accessibility and programming to all
Please, enter basic resume information below.	Link to resume and CV - https://emporia-my.sharepoint.com/:w:/g/personal/tsummey_emporia_edu/EaY6dnuMDIRLtaI-vmGfXp4BHN5F_4P6Cvkjdp5XZEmQRA?e=iqFH0j - I can bring a copy to the library.
Please, enter why you would like to be a member of this board or commission.	As a librarian, I am extremely interested in the public library and I use it and its services. As I move towards retirement, I plan to use the programming more. I believe the EPL is doing wonderful things and is a important asset in the Emporia Community. I would like to add my voice to those directing and advising the leadership at the EPL. I believe in public access to resources and information.

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

Commission Action Report

Appoint Members to the Buildings Trade Board

Title:	Appoint Members to the Building Trades Board
Agenda Date:	May 21, 2025
Presented By:	Mayor Erren Harter & Commissioner Tyler Curtis

Background:
The Building Trades Board requests that the City Commission fill board openings with qualified candidates.

Discussion:
Applications were received, and interviews were conducted by Mayor Harter and Commissioner Curtis.

Interviewing Commissioners recommend the appointment of Jason Williams and Stan Grimwood to fill the terms ending December 31, 2027.

Recommended action:
Approve the appointments of Jason Williams and Stan Grimwood to the Building Trades Board.

Outlook

Online Form Submittal: Board Application Form

From noreply@civicplus.com <noreply@civicplus.com>
Date Wed 4/2/2025 10:54 AM
To Sue Bryson <sbryson@emporiaks.gov>; Emporia Info <emporiainfo@emporiaks.gov>

Board Application Form

Select Board, Commission, or Committee to apply.	Building Trades Board
Personal Information	
First Name	Jason
Last Name	Williams
Address1	1529 Road K
Address2	*Field not completed.*
City	Emporia
State	KS
Zip	66801
Home Phone Number	6207943771
Business Address	1529 Road K
Business Phone Number	6207949216
Occupation	Mechanical Contractor - HVAC
Email Address	emporiahvac@gmail.com
Residency Information	
Length of Residency in Emporia	33 years
Are you a registered voter	No
Education and Hobbies	
High School	Emporia High School
College	Emporia State University

Trade or Business School	Flint Hills Technical College
Hobbies	Professional Arm Wrestling

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.	*Field not completed.*
Please, list areas of special interest.	Heating and Air Conditioning, Plumbing, Electrical
Please, enter basic resume information below.	Graduated from Emporia High School, Associates degree in Network Technology from FHTC, Graduated from the Kansas Law Enforcement Training Center, Master Mechanical Certified, EPA 608 Universal Certified. I was a Law Enforcement Officer in Emporia for four years. I have served the Emporia and surrounding area as a Mechanical Contractor for the last seven years.
Please, enter why you would like to be a member of this board or commission.	This would give me the opportunity to have a more active role in serving the Emporia community.

Outlook

Online Form Submittal: Board Application Form

From noreply@civicplus.com <noreply@civicplus.com>
Date Sun 4/6/2025 1:54 PM
To Sue Bryson <sbryson@emporiaks.gov>; Emporia Info <emporiainfo@emporiaks.gov>

Board Application Form

Select Board, Commission, or Committee to apply.	Building Trades Board
Personal Information	
First Name	Stan
Last Name	Grimwood
Address1	2810 Sonora Dr.
Address2	*Field not completed.*
City	Emporia
State	Ks
Zip	66801
Home Phone Number	620-757-1786
Business Address	825 E 6th Ave
Business Phone Number	620-342-0218
Occupation	President Mark II Lumber Inc
Email Address	m2lumberstan@gmail.com
Residency Information	
Length of Residency in Emporia	Life
Are you a registered voter	Yes
Education and Hobbies	
High School	EHS
College	ESU

Trade or Business School	none
Hobbies	Fishing, Golfing

Organization Membership Information

Are you currently serving on other Boards, Commissions, or Committees?	Yes
If yes, which	Emporia Area Habitat For Humanity
Have you served on a Board, Commission, or Committee before?	Yes
If yes, which	Emporia Area Habitat For Humanity
Please, list organization memberships and positions held.	Construction Committe
Please, list areas of special interest.	Residential Codes
Please, enter basic resume information below.	I have worked at Mark II Lumber for over 20 years. I enjoy assisting contractors and customers build their dream house and giving knowledge of the construction process.
Please, enter why you would like to be a member of this board or commission.	To help Emporia grow and move forward.

Commission Action Report

Award 2025 Pavement Preservation Project

Title: Awarding 2025 Pavement Preservation (Various Streets), Project No. PV2502

Agenda Date: May 21, 2025

Presented By: James Ubert, City Engineer

Background:

The 2025 Pavement Preservation (Various Streets) Project will consist of chip seal and fog seal on the following streets:

3rd Avenue (Neosho Street to Rural Street)
8th Avenue (Congress Street to West Street & Woodland Street to Prairie Street)
10th Avenue (State Street to Neosho Street)
Grove Avenue (West Street to Walnut Street)
Sherman Street (3rd Avenue to 6th Avenue)
State Street (Railroad to 12th Avenue)
Washington Street (Grove Avenue to 12th Avenue)
West 6th Avenue (US-50 Highway to Graphic Arts Road)
West Street (3rd Avenue to 6th Avenue)
Wilson Street (6th Avenue to 9th Avenue)

Discussion:

At 2:00 pm on Tuesday, May 13th, 2025, the City Engineer's Office publicly opened bids on the 2025 Pavement Preservation (Various Streets) Project No. PV2502. The Engineering Office received a total of four (4) bids for this project. The four (4) bids received and Engineer's Estimate are as follows:

Bidder Name	Base Bid
Engineer's Estimate	$294,125.90
APAC-Kansas Inc, Shears Division	$197,698.61
American Road Maintenance	$315,065.00
Bettis Asphalt & Construction	$330,004.31
Vance Brothers, LLC	$425,476.22

Financial considerations:

This project will be funded by the City's Multi Year Fund and the City's portion of County wide one cent sales tax.

Recommended action:

City staff recommends awarding this project to APAC-Kansas, Inc., Shears Division for the base bid amount of $197,698.61.

Attachments:

Bid tabulation is attached.

CITY OF EMPORIA, KS

BID TABULATION
FOR 2025 STREET PRESERVATION PROJECT NO. PV2502 (VARIOUS LOCATIONS AROUND CITY)

Location: City of Emporia
Date: 2:00 pm, May 13, 2025

			APAC-Kansas Inc, Shears Division		American Road Maintenance		Bettis Asphalt & Construction		Vance Brothers, LLC		CITY ENGINEER'S ESTIMATE	
Quantity	**Units**	**Description**	**Unit**	**Total**	**Unit**	**Total**	**Unit**	**Total**	**Unit**	**Total**	**Unit**	**Total**
30	TON	Asphalt Leveling Course	$200.78	$6,023.40	$350.00	$10,500.00	$402.82	$12,084.60	$350.00	$10,500.00	$480.00	$14,400.00
56,913	S.Y.	Chip Seal	$2.26	$128,623.38	$3.75	$213,423.75	$3.43	$195,211.59	$5.69	$323,834.97	$3.60	$204,886.80
56,913	S.Y.	Fog Seal	$0.61	$34,716.93	$1.25	$71,141.25	$1.63	$92,768.19	$1.25	$71,141.25	$0.70	$39,839.10
1	L.S.	Mobilization	$7,442.76	$7,442.76	$10,000.00	$10,000.00	$16,646.98	$16,646.98	$10,000.00	$10,000.00	$25,000.00	$25,000.00
1	L.S.	Traffic Control	$20,892.14	$20,892.14	$10,000.00	$10,000.00	$13,292.95	$13,292.95	$10,000.00	$10,000.00	$10,000.00	$10,000.00
		TOTAL AMOUNT OF BASE BID:		**$197,698.61**		**$315,065.00**		**$330,004.31**		**$425,476.22**		**$294,125.90**

Denotes a math correction

Commission Action Report

Dynamic Brewing Disc-Golf & Foot-Golf Improvements Agreement

Title: Dynamic Brewing Disc-Golf & Foot-Golf Improvements Agreement

Agenda Date: May 21, 2025

Presented By: Trey Cocking, City Manager

Background:

Dynamic Brewing, LLC (doing business as Champions Landing) proposes to construct three regulation disc-golf courses and one foot-golf course at Champions Landing, 1801 Rural Street, Emporia. To stimulate tourism and outdoor recreation, the City will provide Transient Guest Tax (TGT) funding in exchange for four years of limited free public access. The attached agreement outlines the project scope, funding mechanics, maintenance standards, and repayment safeguards.

Key Points

- **Project Elements:** 54 PDGA-approved baskets, 54 disc-golf tee signs, 18-foot-golf tee signs/markers, foot-golf course material, and bridge/spillway repairs.
- **Completion Deadlines:** Equipment installed within 120 days; remaining work and bridge repairs within 180 days, subject to reasonable extensions for weather or force majeure.
- **City Investment:** Up to $53,950 from the TGT Fund for equipment, installation, site preparations, and marketing.
- **Disbursement Schedule:** 60 % ($32,370) advanced at contract execution upon receipt of required documentation; 40 % ($21,580) reimbursed after City acceptance of deliverables.
- **Public-Access Term:** Free greens-fee play for Emporia residents, Emporia State University students, and Flint Hills Technical College students (valid ID required) seven days a week, dawn-to-dusk, for four years. Rental equipment, paid tournaments, and private events are excluded. The course may be closed for weather, maintenance, or special events with at least 48 hours' written notice to the City Clerk.
- **Repayment Protections:** Full or pro-rated repayment required for non-completion, early closure, or other material breach; the City may accept equipment in lieu of repayment.
- **Contractor Obligations:** Ongoing maintenance to public-facility standards, annual tournament coordination, City-approved sponsorship messaging, and $1 million/$2 million CGL insurance naming the City as additional insured.
- **Standard Terms:** Independent-contractor status, Kansas law governing, cash-basis safeguards, and anti-discrimination provisions (Exhibit A).

Discussion:

Emporia is already recognized as a disc-golf destination; expanding play at Champions Landing strengthens that reputation, extends visitor stays, and leverages existing tourism marketing.

Financial Considerations:

$53,950 is appropriated from the Transient Guest Tax Fund for this agreement. The fund has sufficient resources to absorb the expenditure within current resources without impacting other commitments.

Recommended Action:

Approve the Tourism-Related Capital Support Agreement with Dynamic Brewing, LLC, and authorize the City Manager to execute the contract and any associated documents, subject to final legal review.

Attachments:

Dynamic Brewing Contact 5/19/25

CONTRACT FOR TOURISM-RELATED CAPITAL SUPPORT
(Transient Guest Tax Fund – Phase 1 Disc-Golf & Foot-Golf Improvements)

This Contract ("Agreement") is entered into this ___ day of __________ 20___ ("Effective Date") by and between **Dynamic Brewing, LLC**, a Kansas limited-liability company doing business as Champions Landing ("Contractor"), and the **City of Emporia, Kansas**, a municipal corporation organized under the laws of the State of Kansas ("City").

1. Purpose

The City desires to promote tourism by supporting the development of new outdoor recreation amenities that attract visitors, enhance community engagement, and strengthen Emporia's reputation as a destination for active experiences.

Contractor proposes to install new recreation amenities available to the public, consisting of three regulation disc-golf courses and one foot-golf course (collectively, the "Phase 1 Improvements") at Champions Landing, 1801 Rural Street, Emporia, KS 66801

The City agrees to provide funding from Transient Guest Tax ("TGT") revenues to support the project. In return, the Contractor shall maintain public access to the courses and provide access to Emporia residents, Emporia State University students, and Flint Hills Technical College students free of charge for a minimum of four (4) years.

2. Scope of Work

The Contractor shall complete the following tasks related to the Phase 1 Improvements by the deadlines specified below. All work must comply with applicable standards and be subject to City review. The Scope of Work shall include the following:

2.1 Labor and Equipment

Task	Deadline
• Purchase and install 54 PDGA-approved baskets	120 Days
• Design, purchase, and install 54-disc golf tee signs	120 Days
• Design, purchase, and install 18-foot golf tee signs and markers	120 Days
• Purchase and install foot golf course material	180 Days
• Repair bridge & spillway existing washout damage	180 Days

2.2 Marketing

Task	Deadline
• PDGA and non-sanctioned disc golf events marketing	prior to final disbursement
• Foot golf tournaments marketing	prior to final disbursement

2.3 Deliverables

Task	Deadline
• Submit as-built map of Phase 1 improvements	prior to final disbursement
• Provide paid invoices for all Scope of Work expenditures	prior to final disbursement

The City Manager may grant reasonable extensions for weather or other force-majeure events.

3. Funding, Disbursement & Repayment

3.1 Amount.

The City will disburse up to $53,950 from TGT Funds in accordance with the terms of this Agreement. Such amount shall include up to $41,950 for Equipment and Labor as described in § 2.1, and up to $12,000 for Marketing, as described in § 2.2.

3.2 Disbursement.

(a) **Initial Disbursement – 60 % ($32,370).** To be paid within thirty (30) days after the following conditions are met:

- (i) Execution of this Agreement by both parties;
- (ii) Submission of a completed IRS Form W-9 by the Contractor;
- (iii) Submission of a certificate of insurance as required in Section 7; and
- (iv) Submission of documentation evidencing that orders have been placed for the equipment described in § 2.

(b) **Final Disbursement – 40 % ($21,580).** Reimbursement of actual expenses to be paid upon the City's written acceptance of all deliverables required in § 2. Final disbursement is subject to verification of compliance with § 2 Scope of Work and § 3.3 Allowable Cost provisions of this Agreement.

3.3 Allowable Costs.

Funds may be used solely for the eligible expenses necessary to complete the tasks outlined in § 2 Scope of Work, including the purchase of equipment, freight and delivery charges, installation labor, incidental materials directly related to the Phase 1 Improvements, and event marketing.

Use of funds for concrete tee pads or any goods, services, or improvements associated with Phase 2 or other projects is expressly prohibited. The City reserves the right to withhold reimbursement for any costs not properly documented or not in compliance with this section.

3.4 Repayment and Other Remedies.
The Contractor's obligations under this Agreement including Public-Access Requirements, Scope and Completion, Maintenance, Marketing, Insurance and Reporting obligations are material to the City's decision to provide funding.

If the Contractor breaches any material provision of this Agreement, then the City may exercise any one or more of the following remedies, at its sole discretion:

(a) Repayment for Non-Completion.
If Contractor fails to complete the Phase 1 Improvements by the § 2 deadlines (as they may be extended), City may demand full repayment of all TGT funds disbursed, and Contractor shall repay such funds within thirty (30) days.

(b) Pro Rata Repayment for Early Closure.
If the Contractor permanently closes the courses or otherwise eliminates free-play or Public-Access as required in Section 4 during the term of this Agreement, the Contractor shall notify the City in writing within five (5) days, and shall repay the City a pro rata share of the City's funding for Equipment and Labor as follows:

Repayment Due = $873.96 × (48 − number of full months of compliant public access provided).
Example: Closure after 30 full compliant months: $873.96 × (48 − 30) = $15,731,28.

Repayment for Early Closure is due within ninety (90) days.

(c) Repayment for Other Material Breach.
If the Contractor breaches any other material term of this Agreement, the City may require partial

repayment in proportion to the scope and impact of the breach, following written notice and a thirty (30) day opportunity to cure (unless a shorter period is required by law or public safety).

(d) Repayment Reduction.
The City may elect to reduce the amount of any repayment owed to the City by an amount equal to the mutually agreed actual cash value of any disc-golf or foot-golf equipment the City elects to accept and repurpose.

(e) Other Remedies.
The City may also pursue damages, equitable relief, termination of the Agreement, or any other remedy available under law or equity. The City's acceptance of deliverables or disbursement of funds shall not be deemed a waiver of any enforcement rights.

(f) Repayment Waiver After Full Performance.
No repayment shall be required if the Contractor maintains compliant public access for the full four-year Public-Access Term and fulfills all other material obligations under this Agreement.

4. Public-Access Requirements and Term

The Contractor shall ensure public access to the Phase 1 Improvements for a minimum of four (4) years from the date the first course opens for play ("Public-Access Term"). The Contractor shall provide written notice of the opening date of each course. The following conditions shall apply throughout this Public-Access Term:

4.1 Free Play.
Individuals who meet any of the following criteria shall be permitted to play the disc-golf and foot-golf courses free of charge ("free-play"):
(i) residents of the City of Emporia;
(ii) currently enrolled students at Emporia State University; or
(iii) currently enrolled students at Flint Hills Technical College.

4.2 Operating Hours.
Courses must be open to the public at least dawn-to-dusk, seven days per week, except for temporary closures due to weather, maintenance, or special events. Any closure exceeding forty-eight (48) consecutive hours requires prior notice by email to the City Clerk.

4.3 Verification & Reporting.
Contractor will implement a registration system to verify free-play eligibility, unless the Contractor elects to expand free-play to all members of the public. Free-play participation data shall be included in the Contractor's annual report to the City, along with any other use metrics reasonably requested by the City.

5. Maintenance & Operation

(a) The Contractor shall be solely responsible for all ongoing maintenance, mowing, vegetation control, litter removal, and repair or replacement of equipment necessary to keep the Phase 1 Improvements in safe, clean, and playable condition. All maintenance shall be performed in a manner consistent with generally accepted standards for public recreational facilities. The City shall have no obligation to maintain or operate the courses and shall incur no liability for the condition of the improvements.
(b) The City may, upon reasonable notice, inspect the site to verify compliance with this Section. If the City identifies a material deficiency in maintenance or operational condition, it shall notify the Contractor in writing, and the Contractor shall have thirty (30) days from the date of such

notice to correct the deficiency to the City's reasonable satisfaction. If public health or safety is at risk, the City may require a shorter correction period, specified in the notice.

(c) Failure to cure a material deficiency shall constitute a breach of contract, subject to the remedies set forth in Section 3.4.

(d) Nothing in this Section shall be construed to limit the authority of the City to enforce applicable City Code provisions, including but not limited to nuisance abatement or property maintenance regulations.

6. Marketing Cooperation

To support tourism promotion and acknowledge public funding support, the Contractor shall:

(a) Display City-approved sponsorship messaging on course signage, promotional materials, and any relevant websites, indicating that the project received support from the Transient Guest Tax Fund;

(b) Provide site access to City staff upon request for purposes of photographing and recording video footage of the Phase 1 Improvements; and

(c) Coordinate with the City to host at least one publicly accessible tournament annually, including engaging in planning meetings with city staff and providing relevant event details (e.g. tournament schedule, marketing plan, participant numbers, etc.)

This Section does not grant the Contractor permission to use any other City logos, seals, images, or branding elements beyond the approved sponsorship messaging, except with prior written authorization from the City.

7. Insurance

During the 4-year Public-Access term described in Section 4, the Contractor shall maintain commercial general liability insurance with coverage limits of not less than One Million Dollars ($1,000,000) per occurrence and Two Million Dollars ($2,000,000) aggregate. The policy shall name the City of Emporia, Kansas, as an additional insured on a primary and non-contributory basis. A current certificate of insurance, including an endorsement confirming the City's additional insured status, shall be filed with the City Clerk prior to any disbursement of funds under this Agreement. The Contractor shall ensure that coverage remains in effect for the entire duration of the Public-Access Term and shall promptly provide updated certificates upon renewal or change in policy. Contractor shall notify the City in writing at least thirty (30) days prior to cancellation or material change in policy terms.

8. Independent Contractor; No Agency Relationship Created

This Agreement does not create, and shall not be construed to create, any employment, partnership, joint venture, fiduciary, or agency relationship between the City and the Contractor. The Contractor is and shall remain an independent contractor responsible for its own operations, personnel, and obligations. Neither party shall have the authority to bind the other or to incur any obligation on behalf of the other except as expressly provided in this Agreement.

9. Term & Termination

This Agreement takes effect on the Effective Date and continues until expiration of the four-year Public-Access Term, unless earlier terminated in accordance with this Agreement. The termination of this Agreement shall not relieve the Contractor of any obligation or liability that accrued prior to such termination, regardless of the reason for termination. Certain provisions shall survive expiration or termination of this Agreement, including but not limited to Sections 3.4, 4, 5, 6, 7, 9, and any other provisions that by their nature are intended to survive.

10. Notice

Notices must be in writing and are effective when delivered in person, by certified U.S. Mail (return-receipt requested), or by nationally recognized overnight courier to:

City:	Contractor:
City Manager – City of Emporia	Dynamic Brewing, LLC
521 Market Street, P.O. Box 928	2811 W. Highway 50
Emporia, KS 66801	Emporia, KS 66801

Either party may change its notice address by written notice.

11. Entire Agreement; Order of Precedence

This document and **Exhibit A: City of Emporia Contractual Provisions Attachment** constitute the entire agreement. In case of conflict, Exhibit A controls, followed by the body of this Agreement.

12. Amendment

No amendment or waiver is effective unless in writing and signed by authorized representatives of both parties.

13. Contractual Provisions

The provisions found in the City of Emporia, Kansas, Contractual Provisions Attachment, which is attached hereto as Exhibit A, are hereby incorporated in this contract and made a part thereof.

The Parties have executed this Agreement as of the date first written above.

CITY OF EMPORIA, KANSAS

____
Trey Cocking, City Manager

Attest:

____
Kerry Sull, City Clerk

DYNAMIC BREWING, LLC

____
Jeremy Rusco
Title:

Exhibit A

CITY OF EMPORIA, KANSAS, MANDATORY CONTRACTUAL PROVISIONS ATTACHMENT

Important: This form contains mandatory contract provisions for the City of Emporia, Kansas (hereinafter "the City") and must be attached to or incorporated in all copies of any contractual agreement. If it is attached to the vendor/contractor's standard contract form, then that form must be altered to contain the following provision:

The provisions found in City of Emporia, Kansas, Contractual Provisions Attachment which is attached hereto, are hereby incorporated in this contract and made a part thereof.

The parties agree that the following provisions are hereby incorporated into the contract to which attached and made a part thereof, said contract being the ____ day of _________________, 20____.

1. Controlling Provisions. It is expressly agreed that the terms of this Contractual Provisions Attachment prevail and control over the terms of any other conflicting provision in any other document relating to the Agreement in which this attachment is incorporated.

2. Representative's Authority to Contract. By signing this Agreement, the representative of the Contractor thereby represents that such person is duly authorized by the Contractor to execute this Agreement on behalf of the Contractor and that the Contractor agrees to be bound by the provisions thereof.

3. Governing Law and Venue. This Agreement is subject to, governed by, and construed according to the laws of the State of Kansas, and jurisdiction and venue of any suit in connection with this contract shall reside only in courts located in the State of Kansas.

4. Arbitration, Damages, Jury Trial and Warranties. The Contractor and the City shall not be obligated to resolve any claim or dispute related to this Agreement by arbitration. Any reference to arbitration in bid or proposal documents is deemed void. The City never consents to the payment of damages or penalties upon the occurrence of a contingency, and expressly denies such acceptance for this Agreement. The City never consents to a jury trial to resolve any disputes that may arise hereunder, and expressly denies such consent for this Agreement. Contractor waives its right to a jury trial to resolve any disputes that may arise hereunder. No provisions of any document within the Agreement between the Parties will be given effect which attempts to exclude, modify, disclaim or otherwise attempt to limit implied warranties of merchantability and fitness for a particular purpose.

5. Cash Basis and Budget Law. This Agreement is subject to the Kansas Cash Basis Law, (K.S.A. 10-1101), the Budget Law (K.S.A. 79-2935), and all other laws of the State of Kansas. This Agreement shall be construed and interpreted so as to ensure that the City shall at all time stay in conformity with such laws, and as a condition of this Agreement, the City reserves the right to unilaterally sever, modify, or terminate this Agreement at any time if, in the opinion of its legal counsel, the Agreement may be deemed to violate the terms of such laws.

6. Termination Due to Lack of Funding Appropriation. If, in the judgement of the City’s Director of Finance, sufficient funds are not appropriated to continue the function performed in this Agreement and for the payment of the charges hereunder, City may terminate this Agreement at the end of its current fiscal year. City agrees to give written notice of termination to Contractor at least thirty (30) days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided for in the Agreement, except that such notices shall not be required prior to ninety (90) days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided to the City under the Agreement. City will pay to the Contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any related equipment. Upon the effective termination of this Agreement by City, title to any such equipment shall revert to Contractor. The termination of the Agreement pursuant to this paragraph shall not cause any penalty to be charged to the City or the Contractor.

7. Anti-Discrimination Requirements. Contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 et seq.), the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 et seq.), the Discrimination Against Military Personnel Act, K.S.A. 44-1125, and the applicable provisions of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) (ADA); (b) to not engage in discrimination in employment against its contractors, subcontractors, or employees on the basis of their age, color, disability, familial status, gender identity, genetic information, national origin or ancestry, race, religion, sex, sexual orientation, gender identity, veteran status or any other factor protected by law ("protected class"), subject to the qualifications found in Chapter 13, Article II of the Municipal Code of the City of Emporia; (c) to include in all solicitations or advertisements for employees the phrase "equal opportunity employer;" (d) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (e) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (f) that Contractor's failure to comply with the reporting requirements of (d) above, or if the Contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission or City of Emporia Human Rights Commission, such violation shall constitute a breach of contract and the Agreement may be cancelled, terminated or suspended, in whole or in part by City without incurring contractual damages or penalty; and (g) if it is determined that the Contractor has violated applicable provisions of the ADA, such violation shall constitute a breach of the Agreement and the Agreement may be cancelled, terminated or suspended, in whole or in part by City without incurring contractual damages or penalty.

8. No Limit of Liability. Nothing in this Agreement shall be construed to limit the Contractor's liability to the City as such liability may exist by or under the operation of law.

9. Disclaimer of Liability. The City shall not hold harmless nor indemnify the Contractor for any liability whatsoever. The liability of the City is defined under the Kansas Tort Claims Act (K.S.A. 75-6101, *et seq*.).

10. Taxes. The City shall not be responsible for, nor indemnify the Contractor for, any federal, state, or local taxes which may be imposed or levied upon the subject matter of this Agreement.

11. Insurance. City shall not be required to purchase any insurance against any liability loss or damage to which this Agreement relates, nor shall this Agreement require the City to establish a "self-insurance" fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act, (K.S.A. 75-6101 *et seq*.), Contractor shall bear the risk of any loss or damage to any personal property to which Contractor holds title.

12. Compliance with Law. Contractor shall comply with all applicable local, state, and federal laws and regulations in carrying out this Agreement, regardless of whether said laws are specifically referenced in this Agreement.

Commission Action Report
Financials and Permits

Title:	Financials and Permits
Agenda Date:	May 21, 2025
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 April 2025 for the community:

Monthly Local Retail Sales Tax Receipts Update

	2024	2025	
	$ 492,491.26	$ 500,397.02	**Increase of $7,905.76** for the month, and Overall increase of 2.63% from year 2024.
YTD	**$ 2,091,926.48**	**$2,148,522.40**	

City Share from County Tax

	2024	2025	
	$ 250,316.44	$ 264,261.39	**Increase of $13,944.95** for the month, and Overall increase of 3.73% from year 2024.
YTD	**$ 1,065,834.91**	**$ 1,107,078.41**	

Building Permits issued from 4/1/2025 to 4/30/2025 for new construction, remodeling/repairs and demolition.

Total number of building permits issued through Code Services:	64
Total of valuations associated with those building permits:	$3,653,478.65
Total number of dollars collected for Building Permit Fees:	$ 18,369.50
Construct – Single-family dwellings	5
Demo – Single-family dwellings	0

Flint Hills Mall CID for April 2025	$ 11,599.18
YTD	**$ 63,259.65**
Pavilions CID for April 2025	$ 12,008.22
CID #2	**$** 12,008.22
YTD	**$ 126,509.64**
Fairview Hotel CID for April 2025	**$** 6,414.02
YTD	**$ 26,711.30**
West Plaza CID for April 2025	**$** 5,830.00
YTD	**$ 31,145.93**

DATE:	May 13, 2025
TO:	City Commissioners
FROM:	Janet Harrouff
SUBJECT:	Budget Comparison

The **General Fund** Income Statement for the four-month period ending April 30, 2025, has been reviewed and the significant budget variations have been explained below.

Revenue:

Ad Valorem Tax 58% has been received to date and 16% more than 2024

Sales Tax is $69,000 higher than 2024 and 33% of the YTD budget

Franchise tax is $114,000 higher than 2024 and 20% of the YTD budget

Administration fees are $75,000 higher than 2024 and 34% of the YTD budget

Expense

Personnel Services is 8% more than 2024 and 32% of the YTD budget.
Maintenance and Repairs are down 18% from 2024
Commodities are up 34% from 2024 due to the purchase of the Tyler Technologies software.

Total revenues for the four-month period ending April 30, 2025, were $11,224,258 and expenses were $9,607,534. The unencumbered cash balance is $8,223,724.

I have reviewed the **Water Fund** Income Statement for the four-month period ending April 30, 2025. The significant budget variations have been explained below.

Revenue
Sale of Water is 8% higher than 2024 or $246,000 more.   30% of the budget has been received.

Expense

Almost all expenses are down significantly from 2024 which is $452,000 less in expenses.

Total revenues for the four-month period ending April 30, 2025, were $3,445,055 while expenses were $5,247,754. The expense amount includes the entire bond payment that will be made in August. The ending cash balance is negative $1,802,699.

I have reviewed the **Wastewater Fund** Income Statement for the four-month period ending April 30, 2025. The significant budget variations have been explained below.

Revenue:
Sewer Charges are 16% higher than in 2024 which is $337,000 more in revenue.

Expenses

Maintenance and repair and commodities are down sufficiently from 2024 in the amount of $214,000.

Total revenues for the four-month period ending April 30, 2025, were $2,450,912 and expenses were $3,707,775. The cash balance is negative $615,882.

I have reviewed the **Solid Waste Fund** Income Statement for the four-month period ending April 30, 2025. The significant budget variations have been explained below.

Revenue
Fees for polycarts and dumpsters are almost 9% higher than 2024. Roll off containers are up 5% and landfill fess are up 38% for a revenue increase of $185,000 over 2024.

Expenses

Personnel services and utilities are 13% higher than 2024. Maintenance and repair is 18% lower than 2024. Overall expenses are up $1,112,000 from 2024.

Total revenues for the four-month period ending April 30, 2025, were $2,019,460 and expenses were $3,001,517. The fund has experienced a loss of $982,000 in the first three months of the year. The cash balance has decreased $1,112,411 since April 2024.

City of Emporia, Kansas

GENERAL FUND

as of April 30, 2025

GENERAL FUND

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	6,450,183	5,489,073	6,450,183	6,741,570	
REVENUE					
Ad Valorem Property Tax	6,401,026	7,141,464	3,611,619	4,193,479	16.11%
Sales Tax	9,789,887	9,960,982	3,186,165	3,255,601	2.18%
Franchise Tax	2,819,267	2,776,900	954,433	1,068,454	11.95%
Other Taxes	747,810	696,594	203,506	139,097	-31.65%
Intergovernmental Taxes	424,887	399,838	169,964	171,697	1.02%
Licenses & Permits	294,976	264,350	95,640	72,656	-24.03%
Charges for Services	2,411,599	2,420,816	857,751	883,660	3.02%
Fines & Fees	525,589	495,400	160,869	219,539	36.47%
Use of Property and Money	914,263	185,596	51,573	86,326	67.39%
Interest Receivable		550,000	114,253	60,499	-47.05%
Reimbursements	226,524	5,100	2,029	143	-92.97%
Administrative Transfers	2,731,921	2,953,560	954,049	1,028,400	7.79%
Misc Revenue		41,500	37,604	9,792	-73.96%
Contrubitions			25,000	25,700	2.80%
Operating Revenues	240	0	0	0	0.00%
Nonoperating Revenues	225,753	100,000	17,807	9,216	-48.25%
TOTAL RECEIPTS	27,513,743	27,992,100	10,442,263	11,224,258	7.49%
EXPENDITURES					
Personnel Services	17,949,291	18,052,533	5,324,461	5,777,579	8.51%
Vacancy Rate		0	0		0.00%
Maintenance & Repair	968,713	1,153,800	235,973	207,752	-11.96%
Commodities	1,631,449	2,134,335	613,368	731,182	19.21%
Other Charges	354,999	910,645	56,388	65,494	16.15%
Capital Outlay	225,163	201,500	10,957	0	-100.00%
Transfer to Economic Development	925,000	925,000	231,250	308,333	33.33%
Transfer to Multi Year Fund	3,358,119	3,416,507	815,518	1,107,078	35.75%
Transfer to Project accounts	(1,774)	0	40,000	0	0.00%
Transfer to Equipment Reserve	0	572,200		706,558	0.00%
Utilities	550,047	635,050	154,626	150,746	-2.51%
Communications	107,898	145,250	36,118	33,656	-6.82%
Training and Travel	182,158	239,200	56,069	79,174	41.21%
Jail Expenses	62,200	87,500	19,450	17,950	-7.71%
Other Contractual	888,344	1,205,316	306,797	364,391	18.77%
Outstanding PO's		0	0	57,640	
TOTAL EXPENDITURES	27,201,608	29,678,836	7,900,976	9,607,534	21.60%
Revenue less expenses	312,135	(1,686,736)	2,541,288	1,616,724	
Cash Basis Adjustments/Non-appropri	(20,748)	0	0	(134,570)	
Ending Cash Balance	**6,741,570**	**3,802,337**	**8,991,471**	**8,223,724**	
Base for Reserve calculation	22,695,100	24,563,629	6,803,251	7,485,564	
15% Reserve	3,404,265	3,684,544	1,020,488	1,122,835	
Amount over 15% Reserve	3,337,305	117,793	7,970,983	7,100,890	

GENERAL FUND

as of April 30, 2025

	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
EXPENDITURES				
Administration	-	123,130.26	125,283.04	2,152.78
Commission/Manager/Clerk	5,310,627.00	475,949.11	429,480.54	(46,468.57)
Accounting/HR	546,811.00	137,156.10	147,140.96	9,984.86
IT	549,437.00	132,207.42	173,775.88	41,568.46
Communication	20,100.00	-	9,796.25	9,796.25
Police	5,982,680.00	1,607,370.18	2,145,816.26	538,446.08
Animal Control	286,834.00	74,528.19	79,822.80	5,294.61
Fire	3,589,287.00	989,766.80	1,133,154.77	143,387.97
EMS	4,176,286.00	1,025,294.38	1,151,884.16	126,589.78
Municipal Court	659,309.00	193,309.38	211,321.83	18,012.45
Engineering	755,403.00	193,649.93	257,831.43	64,181.50
Street - Snow Removal	75,000.00	21,386.57	70,381.57	48,995.00
Golf Course Maintenance	584,155.00	152,716.86	176,646.07	23,929.21
Golf Course Shop	528,024.00	158,119.28	212,978.55	54,859.27
Park	1,356,066.00	357,803.69	397,972.89	40,169.20
Disc Golf	226,735.00	32,902.92	694.91	(32,208.01)
Aquatic Center	243,300.00	12,813.84	16,511.40	3,697.56
Zoo	938,587.00	245,201.07	227,831.01	(17,370.06)
Civic Auditorium	908,451.00	257,663.63	303,653.55	45,989.92
Civic/Library	86,417.00	44,954.68	61,713.60	16,758.92
Civic/Grounds Maintenance	139,727.00	22,585.07	21,762.85	(822.22)
Civic/ Concessions	90,952.00	56,347.96	59,605.06	3,257.10
Building & Neighborhood Development	998,619.00	315,843.94	362,035.80	46,191.86
Shop	92,616.00	(17,179.23)	(14,478.19)	2,701.04
Street Lighting	349,020.00	103,712.58	104,315.27	602.69
Appropriations	91,500.00	54,717.24	54,773.57	56.33
Airport	897,333.00	200,204.51	212,225.35	12,020.84
Parking Facility	11,600.00	3,028.46	2,704.05	(324.41)
Sales Tax Transfer	4,341,507.00	1,046,768.46	1,415,411.73	368,643.27
TOTAL EXPENDITURES	33,836,383.00	8,021,953.28	9,552,046.96	1,530,093.68

City of Emporia, Kansas

Multi Year Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Original Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	2,995,997.41	3,060,010.61	2,995,997.41	2,723,727.31	
REVENUE					
Sales Tax	3,358,119.39	3,416,507.00	815,518.47	1,107,078.41	35.75%
Reimburance from state	473,211.16				
Interest	191,881.54	130,000.00	42,718.82	24,916.54	-41.67%
Total Revenue	4,023,212.09	3,546,507.00	858,237.29	1,131,994.95	31.90%
EXPENSES					
Unspent expenses				(497,212.19)	
Maintenance & Repair		250,000.00	96.80	2,275.00	2250.21%
Other Charges			-	-	
Capital	2,492,228.31	3,427,800.00	40,393.22	107,682.65	166.59%
Transfer Out	200,000.00	-	200,000.00	350,000.00	75.00%
Communications			433.40	-	-100.00%
Contractual Services	1,603,253.88	2,295,130.00	277,791.97	221,430.42	-20.29%
Outstanding PO's				1,668,041.47	#DIV/0!
Total Expenses	4,295,482.19	5,972,930.00	518,715.39	1,852,217.35	#DIV/0!
Ending Cash Balance	**2,723,727.31**	**633,587.61**	**3,335,519.31**	**2,003,504.91**	

City of Emporia, Kansas

Insurance Reserve

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Original Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$663,358	$0	$663,358	$699,713	
REVENUE					
Transfer from General	$0	$0	$0	$0	
Transfer from Int Improvem	$0			$0	
Insurance payment	$0			$0	
Interest	$36,355	$0	$7,699	$5,258	-31.71%
TOTAL RECEIPTS	$36,355	$0	$7,699	$5,258	-31.71%
EXPENDITURES					
Maintenance & Repair	$0	$0			
Misc Projects	$0	$0			
TOTAL EXPENDITURES	$0	$0	$0	$0	
Ending Cash Balance	**$699,713**	**$0**	**$671,057**	**$704,971**	

City of Emporia, Kansas

Vacant Property Program

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Original Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$90,362	$0	$0	$7,580	
REVENUE					
Transfer from ARPA funds	$0	$0	$0	$0	
Interest	$2,358	$0	$848	$34	-96.02%
TOTAL RECEIPTS	$2,358	$0	$848	$34	-96.02%
EXPENDITURES					
Maintenance & Repair	$0	$0	$0	$21	0.00%
Other Contractual Services	$85,140	$0	$47,335	$6,065	-87.19%
TOTAL EXPENDITURES	$85,140	$0	$47,335	$6,086	-87.14%
Ending Cash Balance	**$7,580**	**$0**	**($46,486)**	**$1,528**	

City of Emporia, Kansas

Library Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Original Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$0	$0	$0	$78	
REVENUE					
Ad Valorem Property Tax	$1,086,316	$1,104,165	$622,953	$674,816	8.33%
Other Taxes	$115,497	$97,578	$30,927	$18,971	-38.66%
TOTAL RECEIPTS	$1,201,813	$1,201,743	$653,880	$693,787	6.10%
EXPENDITURES					
Insurance Refund		$0			
Misc Projects		$0			
Appropriation	$1,201,735	$1,248,955	$653,880	$693,787	3.20%
TOTAL EXPENDITURES	$1,201,735	$1,248,955	$653,880	$693,787	
Ending Cash Balance	**$78**	**($47,212)**	**$0**	**$78**	

City of Emporia, Kansas

Transient Guest Tax

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$999,063	$588,887	$999,063	$671,185	
REVENUE					
Transient Guest Tax	$932,626	$950,000	$208,253	$384,033	84.41%
Interest on Investment	$24,211	$10,000	$9,699	$5,889	-39.29%
Fence rental	$2,369	$0	$0	$0	
Miscellaneous	$14,432			$0	
Accounts Receviable - fence rental	$8,540			$0	
TOTAL RECEIPTS	$982,178	$960,000	$217,952	$389,922	78.90%
EXPENDITURES					
CVB Appropriation	$462,000	$480,000	$120,000	$120,000	0.00%
Trusler Sports Complex		$0			#DIV/0!
City cost associated with events	$40,000	$40,000			#DIV/0!
Civic Auditorium improvements	$50,000	$50,000	$50,000	$50,000	0.00%
Red Rock's Appropriation	$7,500	$10,000			#DIV/0!
ESU Welch Stadium	$400,000	$0			#DIV/0!
Disc Golf Course Maintenance & Employe	$100,000	$100,000			#DIV/0!
Emporia Main Street	$95,000	$95,000	$95,000	$95,000	0.00%
Emporia Arts Council Support	$30,000	$30,000			#DIV/0!
Emporia Granda	$30,000	$30,000			#DIV/0!
Symphony in the Flint Hills		$0			#DIV/0!
Unbound Bike Event	$15,000	$20,000			#DIV/0!
DDO	$20,000	$50,000	$50,000	$50,000	0.00%
PDGA Professional Disc Golf World	$20,000	$20,000	$20,000	$20,000	0.00%
Immaginarium		$45,000			#DIV/0!
National Teachers Hall of Fame		$10,000			#DIV/0!
Free for Kansas - Music event	$20,000	$20,000			#DIV/0!
Dynamic Discs - Jones course improvemen	$17,900				#DIV/0!
Hispanics of Today and Tommorrow	$0	$20,000		$0	#DIV/0!
Marketing money (Mainstreet & Visit Emporia)		$120,000			#DIV/0!
Miscellaneous	$2,656	$0	$56,185	$0	-100.00%
Special Projects		$0	$17,900		-100.00%
Outstanding PO's	$0			$0	#DIV/0!
TOTAL EXPENDITURES	$1,310,056	$1,140,000	$409,085	$335,000	-18.11%
Ending Cash Balance	**$671,185**	**$408,887**	**$807,930**	**$726,107**	

Transient Guest Tax Receipts	2021	2022	2023	2024	2025
1ST QUARTER-JANUARY	$105,764.76	$184,682.75	$217,964.96	$208,253.00	$229,900.15
2ND QUARTER-APRIL	$135,567.13	$143,987.80	$170,824.51	$163,048.74	$0.00
3RD QUARTER-JULY	$192,642.58	$223,905.58	$232,566.63	$298,395.94	$0.00
4TH QUARTER-OCTOBER	$200,102.99	$219,288.14	$230,393.63	$262,929.27	$0.00
TOTAL	$634,077.46	$771,864.27	$851,749.73	$932,626.95	$229,900.15

City of Emporia, Kansas

Industrial Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	23,447	24,265	23,447	25,977	
REVENUE					
Ad Valorem Property Tax	1,060	1,000	609	660	8.42%
Other Taxes	136		34	19	-46.04%
Interest on Investment	1,334	800	279	200	-28.38%
TOTAL RECEIPTS	2,530	1,800	923	879	-4.75%
EXPENDITURES					
Travel Expense & Miscellaneous	0	1,185	0		0
Other charges	0				0
Contractual Services	0	0			0
Special Projects and Reserve Fund	0	24,976			0
TOTAL EXPENDITURES	0	26,161	0	0	0
Ending Cash Balance	**25,977**	**(96)**	**24,370**	**26,856**	

City of Emporia, Kansas

Economic Sales Tax

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$1,319,820	$989,728	$1,319,820	$1,038,291	
Revenue:					
Sales Tax Receipts	$925,000	$925,000	$231,250	$308,333	33.33%
Interest Income	$31,551	$20,000	$5,422	$6,615	21.99%
Money for Land Purchases	$195,906	$0		$0	
RDA returned money				$79,182	#DIV/0!
Total Revenue	$1,152,457	$945,000	$236,672	$394,130	66.53%
Expense:					
Appropriation to the RDA	$358,184	$386,192	$100,000	$96,548	-3.45%
Emporia Enterprises	$35,000	$0	$0	$0	
Main Street	$45,000	$45,000	$45,000	$45,000	0.00%
Land Purchase Bond Pmt	$85,963	$86,000	$85,963	$85,963	0.00%
Transfer to B&I water proj	$350,000	$350,000	$350,000	$350,000	0.00%
Dynamic Brewing Compar	$500,000		$500,000	$0	-100.00%
VisionFirst Advisors	$59,826		$9,423	$6,650	-29.43%
Special Projects	$13	$967,535	$0		
Total Expenses	$1,433,986	$1,834,727	$1,090,386	$584,161	-46.43%
Ending Cash Balance	**$1,038,291**	**$100,001**	**$466,106**	**$848,260**	

City of Emporia, Kansas

Special Alcohol Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	120,433	116,893	120,433	122,643	
REVENUE					
Private Club Liquor Tax	108,123	104,660	26,804	26,397	-1.52%
Interest on Investment	6,287	3,000	1,318	862	-34.60%
TOTAL RECEIPTS	114,410	107,660	28,122	**27,258**	-3.07%
EXPENDITURES					
Appropriations	112,200	144,400	33,450	40,650	21.52%
Special Projects		0	0	0	
TOTAL EXPENDITURES	112,200	144,400	33,450	40,650	21.52%
Ending Cash Balance	**122,643**	**80,153**	**115,105**	**109,251**	

Appropriations	Receive in 2021	Receive in 2022	Receive in 2023	Receive in 2024	Receive in 2025
Cross Winds	$15,000.00	$15,000.00	$15,000.00	$20,000.00	$105,000.00
Corner House	$48,750.00	$65,000.00	$75,000.00	$85,000.00	$0.00
Emporia State University	$6,750.00	$6,750.00	$7,200.00	$7,200.00	$7,200.00
Flint Hills Tech (Mental Hea	$0.00				$7,200.00
Crosswinds Building Match					25,000.00
Total	$70,500.00	$86,750.00	$97,200.00	$112,200.00	$144,400.00

Receipts	2021	2022	2023	2024	2025
1ST QUARTER - MARCH	$17,214.78	$23,976.09	$25,545.76	$26,804.33	$26,397.00
2ND QUARTER - JUNE	$18,634.04	$22,129.19	$26,129.12	$26,489.58	$0.00
3RD QUARTER - SEPTEM	$25,844.73	$28,544.72	$31,037.27	$29,035.42	$0.00
4TH QUARTER - DECEMB	$24,664.21	$25,393.46	$27,455.87	$25,793.55	$0.00
TOTAL	$86,357.76	$100,043.46	$110,168.02	$108,122.88	$26,397.00

City of Emporia, Kansas

Special Park Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$115,908	$103,068	$115,908	$124,327	
REVENUE					
Private Club Liquor Tax	$108,123	$104,660	$26,804	$26,397	-1.52%
Interest on Investment	$8,719	$4,000	$1,606	$1,471	-8.43%
TOTAL RECEIPTS	$116,842	$108,660	$28,410	$27,867	-1.91%
EXPENDITURES					
Capital Outlay	$93,423	$135,250	$67,859	$674	-99.01%
Municipal Band Allocation	$15,000	$15,000	$0	$0	#DIV/0!
Miscellaneous					#DIV/0!
Commodities	$0	$0		$0	#DIV/0!
Contractual Services	$0	$0	$0	$0	#DIV/0!
Other Charges					#DIV/0!
Transfer to Project Account	$0			$0	#DIV/0!
Special Projects	$0	$61,478	$0		#DIV/0!
TOTAL EXPENDITURES	$108,423	$211,728	$67,859	$674	-99.01%
Ending Cash Balance	**$124,327**	**$0**	**$76,459**	**$151,520**	

Receipts	2021	2022	2023	2024	2025
1ST QUARTER - MARCH	$17,214.77	$23,976.10	$25,545.75	$26,804.32	$26,397.00
2ND QUARTER - JUNE	$18,634.04	$22,129.19	$26,129.11	$26,489.57	
3RD QUARTER - SEPTEMBER	$25,844.73	$28,544.72	$31,037.26	$29,035.43	
4TH QUARTER - DECEMBER	$24,664.03	$25,393.46	$27,455.86	$25,793.55	
TOTAL	$86,357.57	$100,043.47	$110,167.98	$108,122.87	$26,397.00

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)
	95,500.00		

City of Emporia, Kansas

Special Street Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	179,135	113,211	179,135	188,562	
REVENUE					
Gasoline Tax	733,844	745,383	330,361	329,241	-0.34%
Damages	20,438	5,000	6,328	8,771	38.61%
Interest on Investment	15,927	10,000	3,936	2,484	-36.89%
Transfer of Funds	102,420	100,000	100,000	100,000	0.00%
Sale of Salvage	0			0	
Miscellaneous	125	0		0	
TOTAL RECEIPTS	872,754	860,383	440,625	440,496	-0.03%
EXPENDITURES					
Personnel Services	632,443	634,288	215,814	197,675	-8.40%
Vacancy		(12,147)			#DIV/0!
Maintenance & Repair	87,417	131,870	25,993	12,165	-53.20%
Commodities	108,214	154,350	47,925	48,211	0.60%
Other Charges	20,827	(41,712)	(12,763)	16,506	-229.33%
Capital Outlay	0	0		0	#DIV/0!
Transfer of Funds	0	25,000	0	33,109	#DIV/0!
Utilities	9,225	5,750	7,957	2,909	-63.44%
Communications	2,420	2,700	467	908	94.26%
Training & Travel	6,216	8,000	3,066	6,135	100.08%
Contractual Services	24,585	41,100	7,258	3,118	-57.05%
Special Projects	0	24,394	0	0	
Audit Adjustments	(28,021)			6,134	
TOTAL EXPENDITURES	863,327	973,593	295,717	326,868	10.53%
Net Change in Cash	9,427	(113,210)	144,907	113,628	
Ending Cash Balance	**188,562**	**1**	**324,042**	**302,190**	

Receipts	2021	2022	2023	2024	2025
1st Quarter - Jan Payment	$161,594.64	$167,557.74	$167,412.68	$159,680.00	$180,485.00
2nd Quarter - April Payment	$149,245.64	$157,106.42	$149,529.56	$151,744.49	$129,635.50
Extra Payment- June	$54,671.53				0
3rd Quarter - July Payment	$172,643.49	$166,060.14	$166,505.96	$174,865.61	$0.00
4th Quarter - Oct Payment	$174,419.30	$165,112.70	$164,909.80	$166,786.70	$0.00
Total	$712,574.60	$655,837.00	$648,358.00	$653,076.80	$310,120.50

Capital Item	Budget Amount	Purchase Price

City of Emporia, Kansas

Drug Forfeiture Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$35,885	$40,045	$40,045	$65,741	
REVENUE					
Receipts from Drug Forfeitures	$40,393	$5,000	$1,112	$4,850	336.20%
Interest on Investment	$2,710	$2,000	$423	$522	23.38%
Miscellaneous					
TOTAL RECEIPTS	$43,103	$7,000	$1,535	$5,371	250.02%
EXPENDITURES					
Commodities	$11,268	$5,000	$888	$0	-100.00%
Capital Outlay		$0		$0	#DIV/0!
Communications	$330	$0	$330	$0	-100.00%
Other Charges	$1,649		$0	$0	#DIV/0!
Transfer of funds					#DIV/0!
Other Contractual	$0	$0		$0	#DIV/0!
Travel & Training					#DIV/0!
Maintenance & Repair	$0	$0	$0	$0	#DIV/0!
Special Projects		$42,045	$0		#DIV/0!
TOTAL EXPENDITURES	$13,247	$47,045	$1,218	$0	-100.00%
Ending Cash Balance	**$65,741**	**$0**	**$40,361**	**$71,112**	

City of Emporia, Kansas

Storm Water

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$243,446	$0	$0	$139,005	
REVENUE					
Transfer from Multi Year	$100,000	$0	$3,907	$1,547	-60.40%
Interest on Investment	$13,609	$0	$100,000	$100,000	0.00%
Miscellaneous					
TOTAL RECEIPTS	$113,609	$0	$103,907	$101,547	-2.27%
EXPENDITURES					
Commodities	$0	$0	$0	$0	#DIV/0!
Capital Outlay	$7,184	$0	$150	$0	-100.00%
Communications	$702	$0	$616	$0	-100.00%
Other Charges	$0			$0	#DIV/0!
Transfer of funds	$0			$0	#DIV/0!
Other Contractual	$72,258	$0		$0	#DIV/0!
Travel & Training					#DIV/0!
Maintenance & Repair	$137,906	$0	$27,733	$0	-100.00%
Special Projects		$0	$0		
TOTAL EXPENDITURES	$218,050	$0	$28,499	$0	-100.00%
Ending Cash Balance	**$139,005**	**$0**	**$75,408**	**$240,552**	

City of Emporia, Kansas

Land Bank

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$127,414	$0	$0	$133,963	
REVENUE					
Transfer from Multi Year	$0	$0	$0	$0	
Interest on Investment	$6,967	$0	$1,479	$1,007	-31.93%
Sale of Property	$0			$0	
TOTAL RECEIPTS	$6,967	$0	$1,479	$1,007	-31.93%
EXPENDITURES					
Commodities	$0	$0	$0	$0	#DIV/0!
Capital Outlay		$0	$0	$0	#DIV/0!
Communications	$0	$0	$0	$0	#DIV/0!
Other Charges	$418	$0	$146	$11	-92.19%
Purchase of Property	$0	$0	$0		#DIV/0!
Communications	$0	$0	$0	$0	#DIV/0!
Other Contractual Services		$0	$0	$0	#DIV/0!
Maintenance & Repair	$0	$0	$0	$0	#DIV/0!
Outstanding PO's	$0			$0	#DIV/0!
Special Projects		$0	$0		#DIV/0!
TOTAL EXPENDITURES	$418	$0	$146	$11	
Ending Cash Balance	**$133,963**	**$0**	**$1,333**	**$134,958**	

City of Emporia, Kansas

Bond & Interest Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$2,358,480	$3,765,846	$2,358,480	$3,958,724	$0
REVENUE					
Ad Valorem Property Tax	$2,064,333	$2,061,111	$1,184,325	$1,215,458	102.63%
Other Taxes	$298,751	$245,922	$102,712	$56,426	54.94%
Interest on Investment	$202,643	$100,000	$41,784	$39,110	93.60%
Recreation Center - Fitness Room	$51,360	$49,440	$1,680	$720	42.86%
Industrial Land Payment - Ind Sales Tax	$85,963	$0	$85,963	$88,292	102.71%
Sale of Bonds	$0	$0	$0	$12,210,000	
RHID Krestinger Tax Payment	$44	$0		$2	
RHID Mehtroplois Tax Payment	$0	$0	$0		
Miscellaneous	$0	$0		$0	
Transfer of Funds from Project Accounts	$0	$0	$0	$0	
TOTAL RECEIPTS	$2,703,094	$2,456,473	$1,416,465	$13,610,009	960.84%
EXPENDITURES					
Bond Payment	$1,102,850	$1,124,100	$113,925	$97,550	85.63%
Transfer of funds	$0			$12,210,000	#DIV/0!
Misc projects		$5,098,219	$0		#DIV/0!
TOTAL EXPENDITURES	$1,102,850	$6,222,319	$113,925	$12,307,550	
Ending Cash Balance	**$3,958,724**	**$0**	**$3,661,020**	**$5,261,183**	

City of Emporia, Kansas

Equipment Reserve Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
Beginning Cash Balance	$579,091	$0	$579,091	$249,176	
REVENUE					
Transfer from other funds	$0			$739,667	(739,667)
Interest on Investment	$31,505		-$9,840	$905	-109.20%
Sale of Vehicles	$203,380		$63,165	$0	-100.00%
TOTAL RECEIPTS	$234,885	$0	$53,325	$740,572	1288.78%
EXPENDITURES					
Leasing Payment	$133,261		$122,158	$255,092	108.82%
Capital Outlay	$431,539		$431,539	$0	-100.00%
Special Projects					
TOTAL EXPENDITURES	$564,800	$0	$553,697	$255,092	
Ending Cash Balance	**$249,176**	**$0**	**$78,720**	**$734,656**	

City of Emporia, Kansas

Water Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
BEGINNING CASH	830,592	357,845	830,592	10,000	
REVENUE					
Sale of Water	9,286,308	9,873,500	2,777,930	3,024,477	8.88%
Service Charge	83,539	100,000	25,779	25,210	-2.21%
Penalties	102,425	92,000	32,336	35,503	9.80%
Sale of Salvage	0	0	0		
Reimbursed Expense	57,451	20,000	57,457	0	-100.00%
Interest on Investment	42,986	40,000	15,093	6,193	-58.97%
Sale of Bonds	0	0	0	0	
Trf from Industrial Fund	350,000	350,000	350,000	350,000	0.00%
Trf from Project fund	0	0	0	0	
Non Operating Revenue	5,240,370	0	0	0	
Miscellaneous	0	2,100	2,936	3,671	25.06%
TOTAL RECEIPTS	15,163,079	10,477,600	3,261,530	3,445,055	5.63%
EXPENDITURES					
Personnel Services	1,387,665	1,502,807	432,848	427,316	-1.28%
Vacancy		(28,910)	0		
Maintenance & Repair	1,381,379	1,110,400	293,690	202,113	-31.18%
Commodities	2,047,987	1,769,350	716,348	680,715	-4.97%
Other Charges	644,539	340,260	80,105	42,993	-46.33%
Industrial Discount		320,000	107,259	108,878	1.51%
Capital Outlay	373,685	415,000	0	121,715	
Debt Payment	1,825,075	1,635,939	1,644,649	1,653,768	0.55%
Stock	120,609	5,000	3,249	0	-100.00%
Transfer to Project Account	5,240,370	0	954,263	0	-100.00%
Utilities	630,971	712,100	203,654	164,720	-19.12%
Communications	24,833	44,700	7,508	7,452	-0.74%
Travel & Training	19,330	22,500	7,349	11,071	50.64%
Contractual Services	1,222,028	1,329,450	846,065	861,787	1.86%
Administrative Fee 16%	1,105,842	1,405,680	452,574	493,630	9.07%
Excess Carryover		0	0		
Change in Liabilities	(40,644)	0		(119,306)	
Outstanding PO's				590,900	
TOTAL EXPENDITURES	15,983,671	10,584,276	5,749,561	5,247,754	-8.73%
NET CHANGE IN CASH	(820,592)	(106,676)	(2,488,031)	(1,802,699)	-27.55%
ENDING CASH BALANCE	**10,000**	**251,169**	**(1,657,439)**	**(1,792,699)**	
Principal Bond Payments	(1,415,000)	(1,370,000)	(1,415,000)	(1,370,000)	
Depreciation	1,456,758	1,550,000	129,166	0	
Capitalized Assets	(3,879,788)	(995,000)	0	0	
Liabilities					
ADJUSTMENTS	(3,838,030)	(815,000)	(1,285,834)	(1,370,000)	
Base for reserve calculation	10,369,616	10,169,276	4,795,298	5,126,039	
20% reserve amount	2,073,923	2,033,855	959,060	1,025,208	
Amount over 20% reserve	(2,063,923)	(1,782,686)	(2,616,499)	(2,817,907)	

City of Emporia, Kansas

Wastewater Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
BEGINNING CASH	1,029,532	726,707	1,029,532	640,981	
REVENUE					
Sales/Charges	6,600,709	7,040,000	2,030,261	2,367,907	16.63%
Extra Strength Surcharge	163,428	155,000	58,087	69,845	20.24%
Interest on Investment	45,923	30,000	14,619	10,335	-29.31%
New System taps	2,000	5,000	800	600	-25.00%
Loss on sales of assets	0			0	
Grant money	0	0	0	0	
Sale of Bonds	0	0	0	0	
Non Operating Revenue	135,920		0	0	
Miscellaneous	6,808	1,000	12,811	2,225	-82.63%
TOTAL RECEIPTS	6,954,788	7,231,000	2,116,578	2,450,912	15.80%
EXPENDITURES					
Personnel Services	1,425,385	1,310,671	431,673	426,336	-1.24%
Vacancy	0	(23,100)	0	0	
Maintenance & Repair	420,819	489,100	114,712	47,473	-58.62%
Commodities	534,367	374,750	296,493	149,743	-49.50%
Other Charges	165,841	187,785	23,294	17,657	-24.20%
Capital Outlay	117,523	405,000	86,432	558	-99.35%
Debt Payment	2,983,764	2,800,484	2,647,826	2,619,463	-1.07%
Transfer to Project fund	135,920	79,100	135,920	0	-100.00%
Utilities	749,512	599,500	225,561	250,242	10.94%
Communications	22,855	29,600	6,376	6,892	8.09%
Travel & Training	9,652	11,500	3,201	6,272	95.95%
Contractual Services	344,176	239,550	98,665	82,834	-16.05%
Administrative Fee flat	610,000	610,000	203,333	203,333	0.00%
Excess Carryover		0	0		
Change in Liabilities	(176,476)	0	0	(254,672)	
Outstanding PO's				151,645	
TOTAL EXPENDITURES	7,343,338	7,113,940	4,273,487	3,707,775	-13.24%
NET CHANGE IN CASH	(388,551)	117,060	(2,156,909)	(1,256,863)	
ENDING CASH BALANCE	**640,981**	**843,767**	**(1,127,377)**	**(615,882)**	
Depreciation	2,096,619	2,125,205	177,099	0	
Principal Bond Payments	(2,285,730)	(2,211,279)	(2,285,730)	(2,211,279)	
Capitalized Assets	(3,169,496)	(405,000)	0	0	
Change in Liabilities		0			
ADJUSTMENTS	(3,358,607)	(491,074)	(2,108,631)	(2,211,279)	
Base for reserve calculation	7,089,895	6,708,940	4,051,134	3,707,217	
20% Cash Reserve amount	1,417,979	1,341,788	810,227	741,443	
Amount over 20% Cash Reserve	(776,998)	(498,021)	(1,937,604)	(1,357,325)	

City of Emporia, Kansas

Solid Waste Fund

as of April 30, 2025

	Preceding Year 2024 (Actual)	2025 Budget	2024 Jan - April Actual	2025 Jan - April Actual	Change between 24 & 25
BEGINNING CASH	3,388,241	2,347,675	3,388,241	2,528,037	
REVENUE					
Refuse Collection Fees	3,047,423	3,300,000	1,002,364	1,096,188	9.36%
Loss on Sale of Assets	0	0	0	0	
Interest on Investments	156,375	120,000	41,487	21,640	-47.84%
Trf from Health Ins - Premiums		0	0		
Resale of Recyclables	144,698	90,000	45,319	32,592	-28.08%
Box Container Fees	1,869,277	2,013,000	609,045	636,506	4.51%
Landfill Fees	578,017	597,500	168,562	232,534	37.95%
Transfers	0	0	0	0	
Miscellaneous	15,845	5,500	25,180	1	-100.00%
TOTAL RECEIPTS	5,811,636	6,126,000	1,891,958	2,019,460	6.74%
EXPENDITURES					
Personnel Services	2,496,197	2,636,900	740,918	839,650	13.33%
Vacancy		(51,039)			
Maintenance & Repair	257,114	390,500	53,156	43,174	-18.78%
Commodities	399,765	447,100	118,280	144,925	22.53%
Other Charges	395,271	248,730	65,445	114,130	74.39%
Industrial Discount		130,000	43,931	45,171	2.82%
Capital Outlay	320,359	1,150,000	0	320,359	
Transfer to Equipment Reserve	0	0	0	0	
Utilities	52,096	74,000	21,839	23,480	7.51%
Communications	38,036	54,300	10,158	9,492	-6.55%
Transfer to project		0			
Travel & Training	6,051	11,600	3,011	1,263	-58.05%
Contractual Services	1,759,615	1,879,000	547,794	578,702	5.64%
Administrative Fee 16%	975,905	924,880	284,574	313,894	10.30%
Excess Carryover	0	577,705	0	0	
Change in Liabilities	(28,569)	0		(1,952)	
Outstanding PO's				569,229	
TOTAL EXPENDITURES	6,671,840	8,473,676	1,889,106	3,001,517	58.89%
NET CHANGE IN CASH	(860,204)	(2,347,676)	2,852	(982,056)	
ENDING CASH BALANCE	**2,528,037**	**(1)**	**3,391,093**	**1,545,980**	
Principal Payments	0	0	0	0	
Depreciation	394,298	455,000	37,082	0	
Capitalized Assets	(459,572)	(655,000)	0	0	
Change in Liabilities		0			
ADJUSTMENTS	(65,274)	(200,000)	37,082	0	
Base for reserve calculation	6,351,481	7,323,676	1,889,106	2,681,158	
20% cash reserve amount	1,270,296	1,464,735	377,821	536,232	
Amount over 20% Cash Reserv	1,257,740	(1,464,736)	3,013,272	1,009,749	

CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of April 30, 2025
EXPENSES FOR GENERAL FUND DEPARTMENTS

	2025 AMENDED BUDGET	2025 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED	General Fund Shared Revenue	Shared Budget	Actual Shared Budget	Department Net
						9,355,495	9,102,289	
GENERAL FUND ADMINISTRATION	4,000,000.00	123,130.26	3,876,870	3%	13.65%	1,276,734	1,242,179	1,119,049
COMMISSION/MANAGER/CLERK	1,310,571.00	429,480.54	881,090	33%	4.47%	418,313	406,991	(22,489)
FINANCE/HUMAN RESOURCES	546,811.00	147,140.96	399,670	27%	1.87%	174,533	169,809	22,668
INFORMATION SYSTEMS	549,437.00	173,775.88	375,661	32%	1.87%	175,371	170,625	(3,151)
COMMUNICATION	20,100.00	9,796.25	10,304	49%	0.07%	6,416	6,242	(3,554)
POLICE PROTECTION	5,982,680.00	2,145,816.26	3,836,864	36%	20.41%	1,909,573	1,857,891	(287,926)
ANIMAL CONTROL	286,834.00	79,822.80	207,011	28%	0.98%	91,553	89,075	9,252
FIRE PROTECTION	3,589,287.00	1,133,154.77	2,456,132	32%	12.25%	1,145,641	1,114,635	(18,520)
AMBULANCE SERVICE	4,176,286.00	1,151,884.16	3,024,402	28%	14.25%	1,333,002	1,296,924	145,040
COURT SERVICES	659,309.00	211,321.83	447,987	32%	2.25%	210,441	204,745	(6,577)
ENGINEERING	755,403.00	257,831.43	497,572	34%	2.58%	241,112	234,587	(23,245)
STREET	0.00	0.00	0	0%	0.00%	0	0	0
SNOW REMOVAL	75,000.00	70,381.57	4,618	94%	0.26%	23,939	23,291	23,291
GOLF COURSE MAINTENANCE	584,155.00	176,646.07	407,509	30%	1.99%	186,453	181,406	111,025
GOLF SHOP	528,024.00	212,978.55	315,045	40%	1.80%	168,537	163,975	(12,671)
PARK	1,356,066.00	397,972.89	958,093	29%	4.63%	432,834	421,119	208,141
DISC GOLF	226,735.00	694.91	226,040	0%	0.77%	72,370	70,411	(327,561)
AQUATIC CENTER	243,300.00	16,511.40	226,789	7%	0.83%	77,657	75,556	(322,417)
ZOO	938,587.00	227,831.01	710,756	24%	3.20%	299,582	291,473	290,778
CIVIC BUILDING OPERATIONS	908,451.00	303,653.55	604,797	33%	3.10%	289,963	282,115	265,603
LIBRARY MAINTENANCE	86,417.00	61,713.60	24,703	71%	0.29%	27,583	26,836	(200,995)
GROUNDS MAINTENANCE	139,727.00	21,762.85	117,964	16%	0.48%	0	43,392	(260,262)
CONCESSION STAND	90,952.00	59,605.06	31,347	66%	0.31%	29,030	28,245	(33,469)
CODE SERVICES	998,619.00	362,035.80	636,583	36%	3.41%	318,743	310,116	(51,920)
SHOP MAINTENANCE	92,616.00	-14,478.19	107,094	-16%	0.32%	29,562	28,761	6,999
STREET LIGHTING	349,020.00	104,315.27	244,705	30%	1.19%	111,401	108,386	48,781
MISC APPROPRATIONS	91,500.00	54,773.57	36,726	60%	0.31%	29,205	28,415	42,893
AIRPORT	897,333.00	212,225.35	685,108	24%	3.06%	286,414	278,662	223,889
PARKING FACILITY	11,600.00	2,704.05	8,896	23%	0.04%	3,703	3,602	(208,623)
TRANSERS	4,341,507.00	1,415,411.73	2,926,095	33%	14.81%	1,385,738	1,348,233	1,345,529
CONTINGENCY	-356,397.00	0	(356,397)	0%	-1.22%	(113,756)	(110,677)	(1,526,089)
EXCESS CARRYOVER	0		0	0%				
GENERAL FUND	33,479,930	9,549,894	23,930,036	9	1	10,641,645	10,397,020	

29,310,704

CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of April 30, 2025
EXPENSES FOR WATER FUND DEPARTMENTS

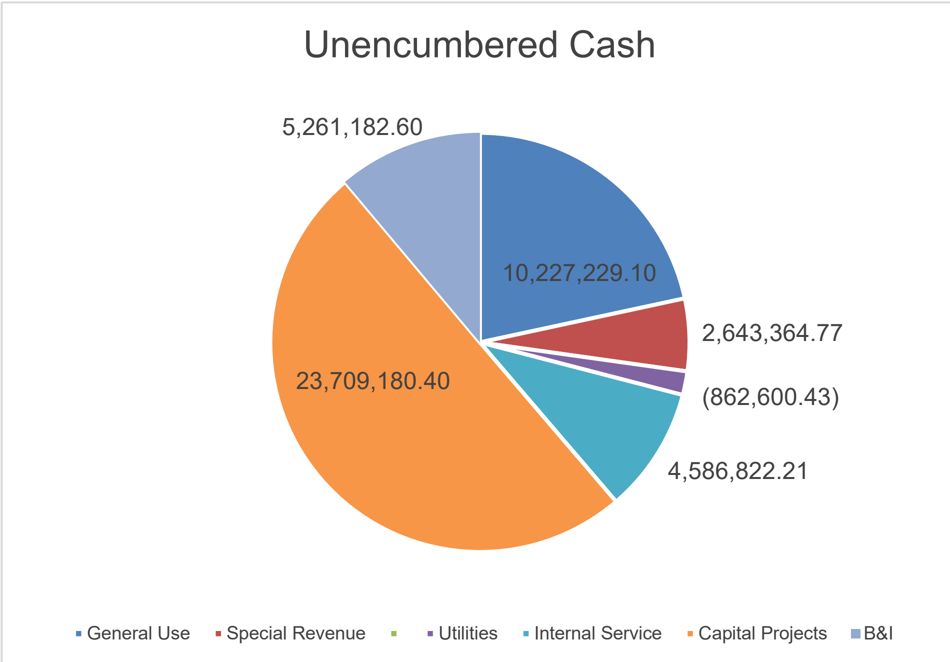
	2025 AMENDED BUDGET	2025 ACTUAL WITH ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
DEBT	3,247,190	582,957	2,664,233	18%
ADMINISTRATION	195,939	283,768.40	(87,829)	145%
WATER SERVICE	641,196	215,214.17	425,982	34%
WATER MAINTENANCE	2,179,180	400,697.80	1,778,482	18%
WATER PLANT	6,116,943	2,175,814.07	3,941,129	36%
WATER STOCK	5,000	0.00	5,000	0%
	12,385,448	3,658,452	8,726,996	3

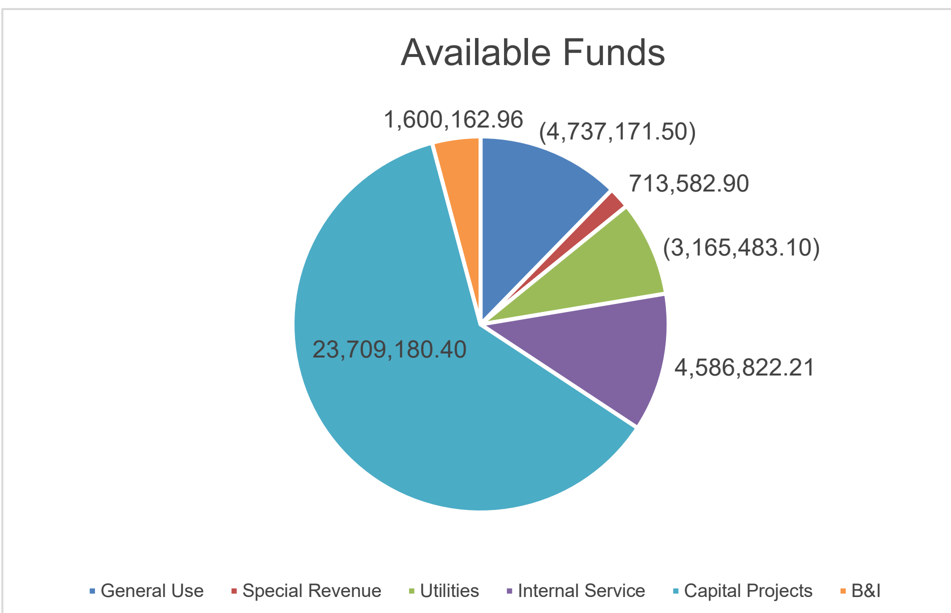
CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of April 30, 2025
EXPENSES FOR WASTEWATER FUND DEPARTMENTS

	2025 AMENDED BUDGET	2025 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
DEBT	3,096,175	408,184	2,687,991	13%
ADMINISTRATION	822,715	300,686	522,029	37%
WASTEWATER SERVICE	212,398	84,418	127,980	40%
SEWER MAINTENANCE	2,122,741	386,350	1,736,391	18%
SEWER PLANT	3,828,885	753,682	3,075,203	20%
	10,082,914	1,933,320	8,149,594	19%

CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of April 30, 2025
EXPENSES FOR SOLID WASTE FUND DEPARTMENTS

	2025 AMENDED BUDGET	2025 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
ADMINISTRATION	1,738,158	452,609	399,598	26%
COLLECTIONS	3,782,145	1,242,632	797,978	33%
TRANSFER STATION	2,643,661	536,947	535,461	20%
RECYCLING CENTER	754,712	267,177	221,275	35%
	8,918,676	2,499,366	1,954,312	1


Unencumbered Cash
5,261,182.60
10,227,229.10
2,643,364.77
(862,600.43)
4,586,822.21
23,709,180.40
General Use
Special Revenue
Utilities
Internal Service
Capital Projects
B&I


Available Funds
1,600,162.96
(4,737,171.50)
713,582.90
(3,165,483.10)
4,586,822.21
23,709,180.40
General Use
Special Revenue
Utilities
Internal Service
Capital Projects
B&I

City of Emporia

Unencumbered Cash Report

as of April 30, 2025

	Amount	YTD Budget	Difference	**Unencumbered Cash**		
101 General Fund	8,223,724.19	8,991,470.60	(767,746.41)	General Use	10,227,229.10	22.45%
102 Multi Year Fund	2,003,504.91	5,972,930.00	(3,969,425.09)	Special Revenue	2,643,364.77	5.80%
103 Insurance Reserve	704,971.33	671,057.48	33,913.85			
104 Vacant Property Program	1,528.30	-	1,528.30	Utilities	(862,600.43)	-1.89%
201 Library Fund	78.00	-	78.00	Internal Service	4,586,822.21	10.07%
203 Transient Guest Tax Fund	726,106.56	807,929.85	(81,823.29)	Capital Projects	23,709,180.40	52.03%
204 Industrial Fund	26,855.98	24,369.81	2,486.17	B&I	5,261,182.60	11.55%
205 Economic Sales Tax Fund	848,260.05	466,106.28	382,153.77		45,565,178.65	
206 Special Alcohol Fund	109,251.49	115,105.26	(5,853.77)			
207 Special Park & Recreation Fund	151,520.21	76,459.01	75,061.20	**Budget**		
208 Special Street Fund	302,189.76	324,042.39	(21,852.63)	General Use	(4,737,171.50)	
209 Drug Money Forfeitures Fund	71,112.26	40,361.22	30,751.04	Special Revenue	713,582.90	
210 Storm Water Fund	240,552.18	75,408.05	165,144.13	Utilities	(3,165,483.10)	
218 Emergency Shelter Grant Fund	-		-	Internal Service	4,586,822.21	
224 Fire Public Education	7,819.21		7,819.21	Capital Projects	23,709,180.40	
225 Police Grants Fund	(3,054.15)		(3,054.15)	B&I	1,600,162.96	
251 Emporia Homeowner Repair	(3,523.84)		(3,523.84)			
252 2014 Housing Rehab	20,020.58		20,020.58			
254 2020 CDBG Rehab Grant	3,994.00		3,994.00			
260 Land Bank	134,957.94		134,957.94			
301 Bond and Interest Fund	5,261,182.60	3,661,019.64	1,600,162.96			
305 Equipment Reserve Fund	734,656.10	78,719.65	655,936.45			
401 Coronavirus Recovery Grant	-		-			
406 Internal Improvement Fund	2,225,335.81		2,225,335.81			
407 Rec Center Projects	(164,359.30)		(164,359.30)			
409 Water Treatment Plant Improvement	344,996.88		344,996.88			
413 Water Main Improvements	15,499,299.96		15,499,299.96			
415 Civic Auditorium Project Fund	212,316.77		212,316.77			
423 Airport Improvements Fund	187,308.41		187,308.41			
428 Park Improvements Fund	(173,553.30)		(173,553.30)			
441 Paving Projects Fund	1,043,017.39		1,043,017.39			
442 Construction Projects Fund	991,194.17		991,194.17			
444 Waste water Improvement	3,543,623.61		3,543,623.61			
501 Water Utility Fund	(1,792,698.97)	(1,657,439.25)	(2,817,906.71)			
502 Sewer Fund	(615,881.63)	(1,127,376.69)	(1,357,325.05)			
503 Solid Waste Fund	1,545,980.17	3,391,093.03	1,009,748.66			
601 Worker's Comp Fund	2,264,312.87		2,264,312.87			
602 Health Care Fund	2,322,509.34		2,322,509.34			
708 Fire Insurance Proceeds	7,224.54		7,224.54			
	47,006,334.38					

State Historic Preservation Office
Cultural Resources Division
6425 SW 6th Avenue
Topeka KS 66615-1099

Kansas
Historical Society

785-272-8681
fax 785-272-8682
kshs.shpo@ks.gov
kshs.org

Patrick Zollner, Executive Director

Laura Kelly, Governor

April 28, 2025

Benjamin T. & Sara E. Coltrane
1004 Rural St.
Emporia, KS 66801-2752

Re: Judge W. T. McCarty Home (1004 Rural St., Emporia, Lyon County)

Dear Benjamin T. & Sara E.:

We are pleased to inform you that the *Judge McCarty Home* was listed in the National Register of Historic Places on **April 18, 2025**. The National Register is the country's official list of historically significant properties, and Kansans can feel proud to have a large and growing representation of these tangible links to our past. A copy of the nomination is enclosed for your records and is available on our website (www.kshs.gov/14638).

Listing of this property provides recognition of its historic importance and assures that the significance of the property will be considered in federal planning, when applicable. Construction projects involving this property will benefit from review at the state level in accordance with the Kansas Historic Preservation Act (K.S.A. 75-2724 – 75-2725). For more information about state and federal preservation law, please visit our website at www.kshs.gov/14658. Contact your local permitting authority to learn of any applicable local preservation ordinances.

In addition to the prestige of inclusion in the National Register, owners of listed properties enjoy a number of other benefits:

- Owners of buildings listed in the National Register may be eligible for a federal rehabilitation tax credit if they are rehabilitated for income-producing purposes. A state tax rehabilitation credit is also available for the rehabilitation of both income and non-income producing properties listed in the State or National Registers of Historic Places. Please contact Michaela Butterworth, ext. 240 or Kristen Johnston at ext. 213 for applications and more information.

- National Register listing qualifies a property for the Heritage Trust Fund grant program. Please contact KSHS grants administrator, Bethany Falvey at ext. 226 or bethany.falvey@ks.gov for applications and more information.

- The Kansas State Historical Society offers free technical advice to owners of historic properties to help them maintain their properties in a historically accurate manner.

Thank you for your interest in our state's historic resources. If you have any questions concerning this nomination, please contact Jamee Fiore Krivenko, National Register Coordinator, at (785) 272-8681 ext. 216 or jamee.fiore.krivenko@ks.gov. We invite you to join us on Facebook at www.facebook.com/KSHPO.

Sincerely,

Katrina Ringler
Director, Cultural Resources Division
Deputy, State Historic Preservation Officer

Jamee Fiore Krivenko
National & State Register Coordinator

encl: copy of nomination (owner only)

ccc: Lyon County Commission
Lyon County History Center
Emporia City Council
Emporia Main Street

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, May 7, 2025, with Mayor Harter presiding and Commissioners Brinkman, Curtis, Sauder and Smith present. Also present were City Manager Cocking, Deputy City Manager Detter, Assistant City Manager Wash, City Clerk Sull and City Attorney Montgomery.

Colleen Smith, Lyon/Morris County Human Resources Coordinator for ECKAN, was in attendance to accept a proclamation declaring the month of May as “Community Action Month” in Emporia. She stated Community Action has made essential contributions across this nation for 61 years, inspiring a spirit of hope, creating opportunities for millions of people to be part of the American Dream, improving communities. Community Action remains committed to a nation that creates opportunities for all people to thrive, builds strong, resilient communities, and ensures a more equitable society. She stated Community Action builds and promotes economic stability as an essential aspect of enabling and enhancing stronger communities in cities, suburbs and rural areas change. Community Action coordinates federal, state, local and private resources to achieve results for people and communities. Community Action month recognizes the hard work and dedication of Emporia Community Action Agencies.

Mayor Harter then presented the proclamation.

Representatives with Radical Life were in attendance to accept a proclamation declaring the month of May as “Foster Care Awareness Month” in Emporia. They stated every child deserves a safe, loving and stable home, yet thousands of children in Kansas enter the foster care system each year due to abuse, neglect or family hardship. They stated Radical Life, Inc. has been a steadfast advocate for vulnerable children, providing essential services, support, and resources to bio and foster families, youth in care, and those aging out of the system. They stated raising awareness about the needs of children and families involved with foster care encourages more individuals and families to consider fostering, mentoring, or supporting child welfare initiatives such as family stability programs. They stated May is National Foster Care Awareness month, and Radical Life, Inc., along with community artists and members involved with foster care have created an art exhibit at the Emporia Arts Council, on display the month of May entitles, “Stories from Foster Care.” They encouraged all residents to support foster children, families, and organizations like Radical Life, Inc., in their mission to provide every child with hope, stability, and a loving future.

Mayor Harter then presented the proclamation.

Representatives of the MUPP Board were in attendance to accept a proclamation declaring May 29 through June 4, 2025, as “Walk, Run & Bike Days” in Emporia. They stated from May 29 through June 4, 2025, Emporia will be the focus of two major bicycling and running events. From May 29 to June 1, Emporia will once again be the host to the Garmin UNBOUND Gravel bike race which is one of North America’s premier, annual, ultra-endurance cycling challenges with this year’s event to include the rides of 25, 50, 100, 200 and 350 miles and the High School Junior ride as well as the open air, market style “All things Gravel” expo. The UNBOUND Gravel rides will bring in over 5,000 participants from all 50 states and 46 foreign countries and more than 10,000 friends, family, fans and supporters will visit our community. On June 3 and June 4, the 44th Annual Law Enforcement Torch Run will enter Lyon County at the Coffey County line and local law enforcement officers will carry the Torch to El Dorado with an eventual destination at the summer games of the Special Olympics in Wichita. They stated the Multi-Use Path Planning Board encourages everyone to walk, run, or ride a bicycle to work during the week of these events. They encouraged the residents of Emporia to follow the example of our running and bicycling visitors and get up, get out, and walk, run or bicycle. Exercise leads to a healthy lifestyle and reduces illnesses related to a sedentary life.

Mayor Harter then presented the proclamation.

Jeff Meek, Assistant Director of Public Works, and representatives of the Public Works Department, were in attendance to accept a proclamation declaring the week of May 18 through May 24, 2025, as “National Public Works Week” in Emporia. He stated public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and public health, high quality of life and well-being of the people of Emporia, Kansas. Infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportations, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens. He stated it is in the public interest for the citizens, civic leaders, and children in Emporia, Kansas, to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in the community. The year 2025 marks the 65th annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association. He urged all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety and advancing quality of life for all.

Mayor Harter then presented the proclamation.

Ed Owens, Chief of Police, was in attendance to accept a proclamation declaring May 11 through May 17, 2025, as "National Police Week" in Emporia. He stated every day, our Nation's dedicated law enforcement officers put themselves at risk to keep their fellow Americans safe. Law enforcement officers deserve our appreciation for the work they do, and citizens fulfill an important civic responsibility by supporting their work to protect our communities. On Peace Officers Memorial Day and during Police Week, we honor the heroism of all our law enforcement officers, especially those who have given their livers so that others might live. By joint resolution of the US Congress in 1962, it asked the President of the United States to designate May 15th of each year as "Peace Officers Memorial Day" and the week in which it falls as "Police Week" and directed the flag be flown at half-staff on Peace Officers Memorial Day on May 15th of each year. He urged everyone to remember those throughout our Nation who lost their lives while protecting others.

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.

ENGINEERING
(2025 Concrete Street Repair – Project No. PV2503)
(Bids)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the 2025 concrete street repair project consists of various locations around the City. The locations in the Base Bid include: West Ridge Ct. and South Parkway Ct.; Coronado Ave./Monterey Drive; Coronado Ave./Montezuma Ct. Drive, Coronado Ave. and Rio Vista Dr.; 18th Ave. and East Wilman St. intersection; 18th Ave. and Center St. intersection; and 15th Ave. from Lincoln St. to Lawrence St. Add Alternate No. 1 location is 1701 Del Oso Drive to 1801 Del Oso Drive, and Add Alternate No. 2 location is Weaver Street, Railroad to 6th Avenue. He stated there were four responsive bids received as follows:

BID TABULATION 2025 CONCRETE STREET REPAIR PROJECT

Bidder	Base Bid	Add Alt No. 1	Add Alt No. 2
Quality Built Const., LLC	***$192,855.02***	***$39,374.35***	***$ 85,519.74***
S.R. Coffman Const., Inc.	$204,878.50	$46,556.00	$ 86,794.00
Burlington Const., Inc.	$263,866.00	$43,765.00	$103,103.00
Barkley Const., LLC	$298,590.00	$50,485.00	$138,360.00
Engineer's Estimate	$249,684.00	$50,125.00	$118,285.00

Staff recommend awarding the bid to Quality Built Construction, LLC for the Base Bid plus Add Alternates No. 1 and 2 in the amount of $192,855.02 + $39,374.35 + $85,519.74 = $317,749.11. He stated Quality Built Construction, LLC, has successfully completed City projects in the past as a general contractor and subcontractor.

Commissioner Smith made a motion to award the Base Bid plus Add Alternates No. 1 and No. 2 to Quality Built Construction, LLC in the amount of $192,855.02 + $39,374.35 + $85,519.74 = $317,749.11. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

FRANCHISE AGREEMENT
(IdeaTek Telcom, LLC)
(Ordinance Number 25-15)

A CONTRACT FRANCHISE ORDINANCE GRANTING TO IDEATEK TELCOM, LLC, TO CONSTRUCT, OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM IN THE CITY OF EMPORIA KANSAS, to which the City Clerk assigned Ordinance Number 25-15, was presented to the Governing Body for their consideration.

James Watson, Assistant City Attorney, was recognized and addressed the Governing Body. He stated a franchise is a non-exclusive right granted by the City to a corporation to use public right of way. The City has franchise ordinances with the telephone, gas, electric and cable utilities. He stated franchise rights are granted by ordinance setting forth the terms of the use and must include a franchise fee to be paid by the corporation for the use of public property. Franchise fees help off-set the expenses incurred by the City in administering the use of public's right-of-way. IdeaTek Telcom, LLC, will install service lines on public rights of ways held by the City of Emporia and provide services to the general public within the city as part of its expanding business service. Franchise compensation shall be paid on a quarterly basis paid no later than forty-five (45) days after the end of the remittal period, equal to five percent (5%) of gross receipts. The term of this franchise ordinance shall be for a period of ten (10) years beginning May 7, 2025, and ending May 6, 2035. Staff recommend the approval of Ordinance Number 25-15 granting franchise to IdeaTek Telcom, LLC.

Commissioner Curtis made a motion to approve Ordinance Number 25-15 granting franchise to IdeaTek Telcom, LLC. Commissioner Smtih seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

Consent Agenda

It was moved by Commissioner Sauder, seconded by Commissioner Brinkman that the Consent Agenda listed below be ratified as a whole:

a. Minutes of the Regular Meeting held on April 16, 2025.

b. 2025 Federal Fund Exchange Agreement.

c. License Agreement with GCA Services Group, Inc. at 716 Commercial St.

d. Application to the Kansas Housing Resources Corporation for Emergency Solutions Grant for SOS, Inc. and Bloom House Youth Services, Inc.

e. Grant Agreement with Kansas Department of Commerce Small Cities CDBG Program for Improvements to 417 Commercial St.

f. Resolution 3764 Adopting a Common Consumption Area Special Events Policy.

g. Ordinance 25-14 Pertaining to Costs and Fees in Municipal Court.

AN ORDINANCE PERTAINING COSTS AND FEES IN MUNICIPAL COURT; AMENDING SECTION 2-1 AND SECTION 2-3 OF THE CODE OF THE CITY OF EMPORIA, KANSAS AND REPEALING SAID SECTIONS AS THEY EXISTED PRIOR TO ADOPTION OF THIS ORDINANCE, to which the City Clerk assigned Ordinance Number 25-14, was presented to the Governing Body for their consideration.

h. Water Treatment Plant Electrical for added Turbidimeters and Communications Addition.

The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

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 MAY 21, 2025, MEETING.

- Proclamation recognizing World Neurofibromatosis Awareness Day.
- Contract with Champions Landing.

- **Study Session:**
- Legal Publications on City's Website.
- TGT Discussion.
- Chicken or Fowl Pen Discussion.
- Stormwater ERU/Becker Addition.
- Discuss Emporia/Lyon County Joint Traffic Safety Committee.
- Sanitary Sewer Overflows (SS0's).

CITY COMMISSION
(Governing Body Comment)

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

EXECUTIVE SESSION

Commissioner Brinkman made a motion to recess into Executive Session for 30 minutes inviting pertinent city staff for the purpose of consultation with the City Attorney regarding a legal matter. The justification for the executive session is provided by K.S.A. 75-4319(b)(2) to protect privileged communication in the attorney-client relationship. The open meeting will resume in Conference Room 1AB at approximately 10:55 a.m. Commissioner Sauder seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Sauder, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

Upon reconvening the meeting in Regular Session, at 10:59 a.m., this same date, in Conference Room 1AB, Mayor Harter stated they had consultation with the City Attorney regarding a legal matter and no action was taken.

The following items were discussed at the Study Session:

1. Open Meetings Law Changes.
2. Allocation of Transient Guest Tax (TGT) Revenue and Appointment of Liaison Commissioners.
3. Discuss RDA Restructure

City Commission
Visitor-Services Contract
Appointment of Liaison Commissioners

Staff recommended that two commissioners be appointed as liaisons to participate in further discussions with the Visitor-services contract that includes broader tourism planning and return to the Commission with a plan to market Emporia.

Mayor Harter volunteered himself and Commissioner Smith to serve as liaisons and continue to work with city staff, Chamber board, Chamber director, and Main Street board and Main Street director to participate in the Visitor-services contract.

City Commission
RDA Restructure
Appointing Governing Body Representatives

Commissioner Curtis made a motion to appoint Commissioner Brinkman and Commissioner Sauder to the RDA Members Board as representatives for 2025. Commissioner Smith seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

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

Erren Harter, Mayor

ATTEST:

Kerry Sull, City Clerk

Commission Action Report
Informational Items

Title: Informational Items

Agenda Date: May 21, 2025

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, June 4, 2025.

Commission Meeting :
- Proclamation Recognizing June as Pride Month
- Zoo Month Proclamation
- Ordinance for Emporia/Lyon County Traffic Safety Committee
- Sacred Heart Vacation of Utility Easement
- Agreement with Sacred Heart Church
- Design Contract for Fire Station #2.
- Feasibility Study for WLW Auditorium Fire Station #1 Space.

Study Session :
- Crosswinds Update
- Review Outside Appropriations Request
- White Park Art Installation

Commission Action Report
Executive Session

Title: Executive Session

Agenda Date: May 21, 2025

Recommended Action:
Recess into executive session for 15 minutes, inviting pertinent city staff for the purpose of consultation with the City Attorney regarding a legal matter. The justification for executive session is provided in K.S.A. 75-4319(b)(2) to protect privileged communication in the attorney-client relationship. The open meeting will resume in this room at approximately __:_____ a.m./p.m.

Title:	Discuss Chicken Permit Requirements
Agenda Date:	May 21, 2025
Presented By:	Christina Montgomery, City Attorney

Background:
The City lifted its 14-year moratorium on chicken ownership in 2022 and updated the farm animal permitting process, first implemented in 1997. Farm animal permits are required for chicken ownership in a residential zoning district. Keeping chickens without a permit is a code violation subject to prosecution and fine in municipal court.

Under the current structure, applications are submitted to the City Clerk. Animal control officers inspect applicant property to ensure compliance with city code requirements prior to permit issuance. If a permit is denied or revoked, the applicant may appeal the decision to the property maintenance appeal board.

Discussion:
Community members have requested an increase to the number of chickens allowed by City Code. Staff have discussed options for code updates to allow more chickens, keep the risk of nuisance low, and provide clear, enforceable animal regulations consistent with existing building, zoning, and right-of-way regulations.

Based on these objectives, staff recommend the following updates to the City Code:

- Increase the number of allowable chickens from 4 to 6
- Increase the maximum coop size to 150 square feet
- Add language clarifying that coops cannot be located within or obstruct any right-of-way or utility easement
- Add setback language stating coops must be 5’ from a principal structure

Title:	Stormwater Utility
Agenda Date:	May 21, 2025
Presented By:	James Ubert, City Engineer

Background
Emporia has a backlog of stormwater projects with no dedicated funding source. Engineering and GIS staff have surveyed all Kansas Cities of the First Class to see what they charge for stormwater service. That comparison informs an Equivalent Residential Unit (ERU) structure we can tailor to Emporia as a fair way to pay for future stormwater improvements.

Key Points

- The fee would be collected through the City's water bill.
- Fewer than 20 developed parcels lack a water meter; those properties would receive one annual stormwater bill.
- Apartments would be billed at ½ ERU.
- Single-family homes would fall into a two-tier ERU schedule.
- Commercial parcels would be assessed one ERU per 3,000 sq ft of impervious surface.
- Appeals would start with the City Engineering Office.
- Establishing a utility strengthens the City's compliance record toward KDHE MS4 permit requirements.

Discussion
Staff will be available to answer questions from the Commission about the proposed fee structure and implementation timeline.

Financial Considerations
A stormwater utility—built on the ERU model used by 23 of the 26 Kansas Cities of the First Class—would create a reliable revenue stream to finance needed stormwater projects.

Recommended Action
Provide direction on the proposed ERU methodology and authorize staff to draft the ordinance and associated fee schedule for future Commission consideration.

Attachments

- Impervious-area worksheet for sample properties and ERU calculation.
- Project list and map of priority stormwater improvements.
- Becker Addition Stormwater Improvements overview.

May 2025 Storm Water Utility Fee Proposal (**Monthly Fee**)

STORMWATER UTILITY COMPARISON BY PEER CITIES IN KANSAS									
Commercial/Industrial Property	**Emporia cost per ERU (1ERU=3,000 S.F.)**	**Emporia cost per ERU (1ERU=3,000 S.F.)**	**Emporia cost per ERU (1ERU=3,000 S.F.)**	**Hays cost per ERU (1ERU= 3,369 S.F.)**	**Pittsburg cost per ERU (1 ERU = 3,106 S.F.)**	**Hutchinson cost per ERU (1ERU= 3,120 S.F.)**	**McPherson cost per ERU (1ERU= 3,318 S.F.)**	**Manhattan cost per ERU (1ERU= 3,625 S.F.)**	**Lawrence cost per ERU (1ERU= 1,800 S.F.)**
Cost per ERU (In that City)	**$1**	**$2**	**$3**	**$3.62**	**$4.56**	**$4.75**	**$9.00**	**$10.75**	**$7.94**
Cost per 3,000 SqFt (Emporia ERU)	**$1**	**$2**	**$3**	**$3.22**	**$4.40**	**$4.57**	**$8.14**	**$8.90**	**$13.23**
Commercial Street Diner	$1.00	$2.00	$3.00	$3.22	$4.40	$4.57	$8.14	$8.90	$13.23
Cooltura	$1.86	$3.72	$5.58	$6.00	$8.19	$8.50	$15.14	$16.55	$24.61
St. Andrew's Episcopal Church	$5.20	$10.40	$15.60	$16.76	$22.90	$23.75	$42.31	$46.26	$68.81
Emporia Christian School	$5.63	$11.26	$16.89	$18.15	$24.80	$25.71	$45.81	$50.09	$74.50
Emporia Presbyterian Church	$6.77	$13.54	$20.31	$21.82	$29.82	$30.92	$55.09	$60.23	$89.59
Didde Catholic Campus Center	$9.13	$18.26	$27.39	$29.43	$40.21	$41.70	$74.29	$81.23	$120.82
Bethel Baptist Church	$10.36	$20.72	$31.08	$33.40	$45.63	$47.32	$84.30	$92.17	$137.10
First Christian Church	$17.04	$34.08	$34.08	$54.93	$75.05	$77.83	$138.66	$151.60	$225.50
William Allen White Elementary	$17.34	$34.68	$52.02	$55.90	$76.37	$79.20	$141.10	$154.27	$229.47
Mark II Lumber	$21.31	$42.62	$63.93	$68.69	$93.86	$97.33	$173.41	$189.59	$282.00
Lyon County Courthouse/Jail	$23.04	$46.08	$69.12	$74.27	$101.48	$105.23	$187.49	$204.98	$304.90
Walnut Elementary	$24.07	$48.14	$72.21	$77.59	$106.01	$109.94	$195.87	$214.14	$318.53
Logan Elementary	$26.09	$52.18	$78.27	$84.10	$114.91	$119.16	$212.31	$232.11	$345.26
Sacred Heart Church/School	$35.31	$70.62	$105.93	$113.82	$155.52	$161.27	$287.33	$314.14	$467.27
Village Elementary	$35.98	$71.96	$107.94	$115.98	$158.47	$164.33	$292.78	$320.10	$476.14
Water Plant - City	$45.00	$90.00	$135.00	$145.06	$198.20	$205.53	$366.18	$400.34	$595.50
Riverside Elementary	$49.23	$98.46	$147.69	$158.69	$216.83	$224.85	$400.61	$437.98	$651.48
Chapel Ridge Apts.	$58.62	$117.24	$175.86	$188.96	$258.18	$267.74	$477.02	$521.52	$775.74
Public Works - City	$63.00	$126.00	$189.00	$203.08	$277.48	$287.74	$512.66	$560.48	$833.70
Four Seasons Apts.	$77.97	$155.94	$233.91	$251.34	$343.41	$356.11	$634.48	$693.66	$1,031.80
Flint Hills Tech	$86.21	$172.42	$258.63	$277.90	$379.70	$393.75	$701.53	$766.97	$1,140.85
Emporia Middle School	$108.49	$216.98	$325.47	$349.72	$477.83	$495.51	$882.83	$965.19	$1,435.68
Lyon County Fairgrounds	$160.60	$321.20	$481.80	$517.70	$707.34	$733.51	$1,306.87	$1,428.79	$2,125.27
Newman Regional	$172.71	$345.42	$518.13	$556.73	$760.68	$788.82	$1,405.42	$1,536.52	$2,285.53
Pavilions	$175.73	$351.46	$527.19	$566.47	$773.98	$802.61	$1,429.99	$1,563.39	$2,325.49
Walmart	$184.92	$369.84	$554.76	$596.09	$814.46	$844.59	$1,504.77	$1,645.15	$2,447.11
Hostess	$224.41	$448.82	$673.23	$723.39	$988.39	$1,024.95	$1,826.12	$1,996.48	$2,969.69
Flint Hills Mall	$282.77	$565.54	$848.31	$911.51	$1,245.43	$1,291.50	$2,301.02	$2,515.68	$3,741.99
Emporia High School	$288.32	$576.64	$864.96	$929.40	$1,269.87	$1,316.85	$2,346.18	$2,565.05	$3,815.43
Hills	$355.06	$710.12	$1,065.18	$1,144.54	$1,563.82	$1,621.67	$2,889.28	$3,158.81	$4,698.63
Simmons (All Bldgs.)	$433.89	$867.78	$1,301.67	$1,398.65	$1,911.02	$1,981.71	$3,530.75	$3,860.12	$5,741.81
Tyson	$447.31	$894.62	$1,341.93	$1,441.91	$1,970.12	$2,043.00	$3,639.95	$3,979.52	$5,919.40
ESU	$715.11	$1,430.22	$2,145.33	$2,305.16	$3,149.62	$3,266.13	$5,819.16	$6,362.01	$9,463.29

Indicates City Properties: City properties will be billed for a Stormwater Utility Fee.

May 2025 Storm Water Utility Fee Proposal (**<u>Monthly Fee</u>**)

ERU-Based Fee Structure:

This method calculates the fee based on the average impermeable surface area for a single-family residence, which then sets the proportional fee for non-residential properties according to their impermeable surface area.

Example:

- Average residential impermeable surface area is 3,000 SF (1 ERU = 3,000 SF).
- A non-residential property with 12,000 SF of impermeable surface would incur a fee four times that of a residential property, equating to 4 ERUs.

Example Properties:

Tyson 447 ERUS

Public Works Building 63 ERUS

Walnut Elementary 24 ERUS

Single Family Dwelling 1 ERU

Walmart 184 ERUS

Fairgrounds 160 ERUS

Estimated Revenue Collection (Assuming ERU Fee = $1):

Assumptions: Each apartment unit and mobile home site is equivalent to 0.5 ERUs.

- **Single Family Residential Structures** up to 1,500 sq. ft. = 0.5 ERU x 8039 structures = $4019.50/mo. $48,234/yr.
- **Single Family Residential Structures** 1,501 sq. ft. and up = 1 ERU x 1522 structures = $1,522/mo. $18,264.00/yr.
- **Apartment Buildings:** estimated 3000 units at 0.5 ERU = $1,500/mo. $18,000/yr.
- **Residential Buildings Converted to Apartments:** 195 buildings = 613 ERUs at $6/year = $3,678
- **Mobile Home Parks:** 12 parks = 769 ERUs at $6/year = $4,614
- **Non-Residential Properties:** Impervious area/3000 = 57,967,308.28/3000 x 1 ERU’s = $19,322.44/mo x 12 = $231,869.28

Total Estimated Annual Revenue: $324,659.28

Stormwater ERU Basis for Different Property Types (ERU Fee = $1)

1.) Single family residential structures up to 1,500 sq. ft. = 0.5 ERU x 8039 structures = $4019.50/mo. $48,234.00/yr.

2.) Single family residential structures 1,501 sq. ft. and up = 1 ERU x 1522 structures = $1522/mo. $18,264.00/yr.

3.) Apartments = Estimated 3,000 units @ 0.5 ERU = $1,500/mo. $18,000/yr.

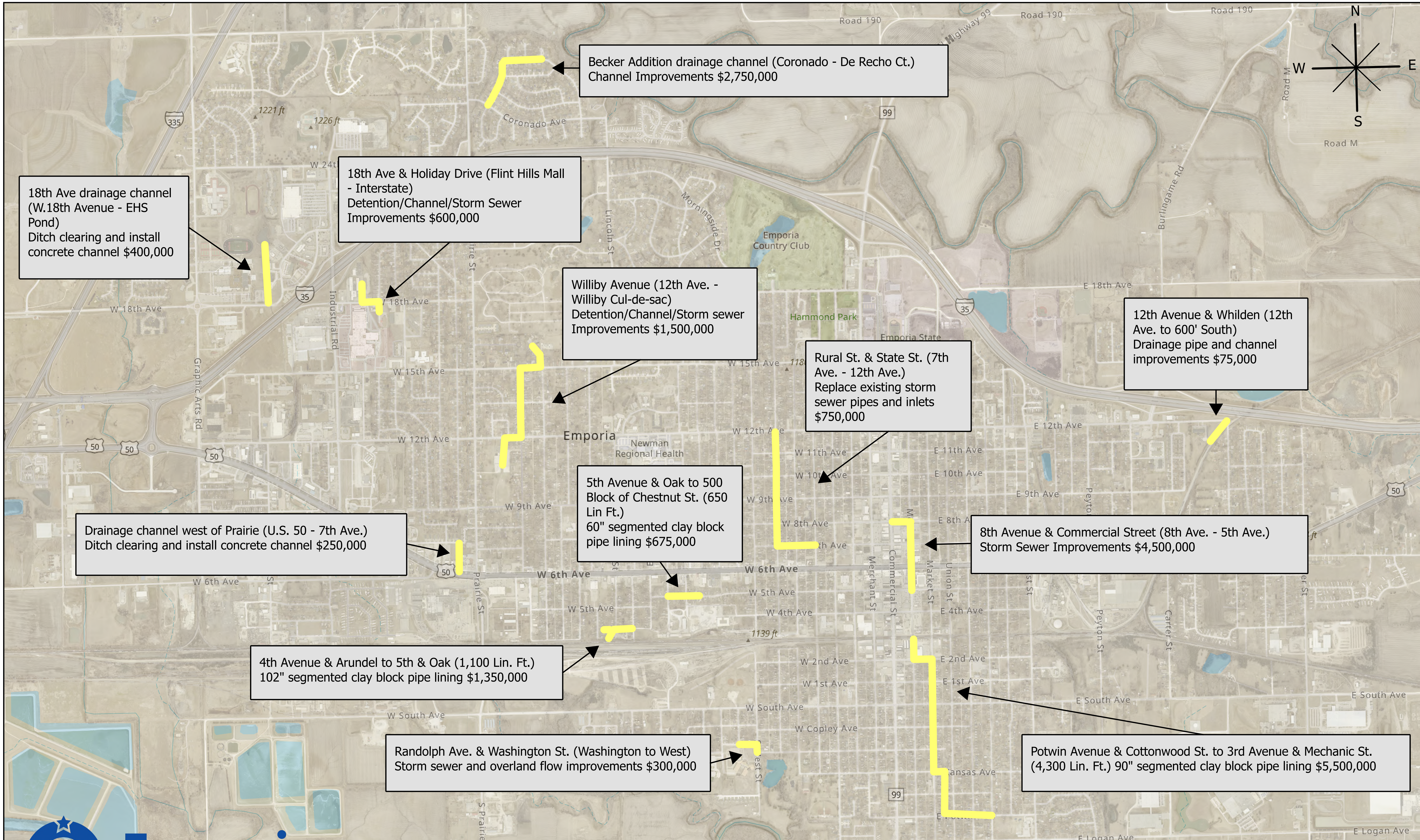
4.) Residential buildings converted to apartments = 195 bldgs = 613 units @ 0.5 ERU =$306.50/mo = $3,678.00/yr

5.) Mobile Home Parks = 12parks = 769 units @ 0.5 ERU = $384.50/mo = $4,614.00/yr

6.) Commercial/Industrial = Impervious area/3000 =57,967,308.28/3000 x 1 ERUs = $19,322.44/mo. $231,869.28/yr.

Estimated Total per month = $27,054.94

Estimated Total per year = $324,659.28



Emporia Kansas 1857

Total proposed storm water utility projects: $18,650,000

22-1215E BECKER ADDITION
LOCATION MAP
EMPORIA, KS

Study Session Report
Joint Traffic Safety Committee

Title:	Joint Traffic Safety Committee
Agenda Date:	May 21, 2025
Presented By:	Christina Montgomery, City Attorney

Background:
The City first established a Traffic Safety Committee in 1987. In 2017, the City and Lyon County approved a Joint Enactment establishing a Joint Traffic Safety Committee (JTSC) which replaced the city-only committee.

The JTSC regulates placement, removal, and adjustment in routine traffic and parking matters. The JTSC also provides review and recommendation to the governing bodies on traffic matters of a non-routine nature, and conducts public hearings on such matters.

Discussion:
At the recent joint meeting between the City Commission and the Board of County Commissioners, the governing bodies discussed expanding the JTSC by 2 members which each body appointing an additional resident member.

Staff recommends review and discussion of the responsibilities and procedures of the JTSC while amendments are being considered.

Study Session Report
Joint Task Force on Mill Levy Reduction

Title:	Joint Task Force on Mill Levy Reduction
Agenda Date:	May 21, 2025
Presented By:	Mark Detter, Deputy City Manager

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Background:

The Mayor and City staff have met with the Chairman of the County Commission and other County staff, a School Board Member, the School Superintendent, and the School Business Manager, and I had discussions on property taxes and mill levy rates in Emporia. A meeting will be held on June 3rd with the same group.

Discussion:

Staff is proposing a Joint Task Force made up of 3 members appointed by the City Commission, 3 Member appointed by the County Commission, with one member from a City of the Third Class in Lyon County i.e. (Allen, Admire, Americus, Bushong, Olpe, Hartford, Reading, or Neosho Rapids), and 3 members appointed by Emporia USD 253, with one member coming from outside the City of Emporia.

A Resolution will be created that proposes using existing Boards and Committees as subgroups or subcommittees. The following committees are proposed for the following topics.

Lyon County 911 Emergency Services (specifically EMS)
City of Emporia and Lyon County-City/County Roads
Recreation (specifically funding for recreation capital improvements)
Economic Development Incentives and Property Tax Exemptions

The joint task force, in collaboration with these boards and committees, will prepare a report and present such report to a joint meeting of all 3 governing bodies. The report is scheduled for completion by January 31, 2025.

Financial Considerations:

A sales tax will be discussed in the deliberations of the Joint Task Force.

Mill levies in Lyon County are as follows.

Emporia-169
Allen-132
Bushong-155
Neosho Rapids-157
Reading-143
Fremont Township USD 253-131
Jackson Township USD 253-134
Admire-138
Americus-138
Hartford-180
Ople-156
Emporia Township USD 253 FD 4-131
Pilke Township USD 253 FD 4-131
Jackson Township USD 251 FD-Read-104

Other Considerations:

Task forces should have a set mission and a scheduled completion date. They should not be permanent groups. The Joint Task Force shall present and submit their final report to a joint session of the City of Emporia, Lyon County, and USD 253

Attachments:

N/A