

Commission Meeting

11:00 a.m.

October 1, 2025

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, October 1, 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.

Stephen Beemer, Fire Marshall, was in attendance to accept a proclamation declaring the week of October 5 through 11, 2025, as "Fire Prevention Week" in Emporia. He stated the City of Emporia is committed to ensuring the safety and security of all those living in Emporia. Most of the electronics used in homes daily are powered by lithium-ion batteries, which, if misused, damaged, or improperly charged, can overheat, start a fire, or explode. Lithium-ion batteries store a large amount of energy in a small space and the proper disposal and recycling of lithium-ion batteries help prevent environmental hazards and reduce fire risks in the home and community. He stated for 2025 Fire Prevention Week theme is "Charge into Fire Safety: Lithium-Ion Batteries in Your Home," serves to remind us of the importance of using, charging, and recycling lithium-ion batteries safely to reduce the risk of fires in homes and community. He urged all residents to take steps to use lithium-ion batteries safely in their homes.

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.

Don Loux, 819 Constitution Street, spoke in favor of preserving the Carnegie Library as part of the history of Emporia.

**CITY COMMISSION
(Board Appointment)**

Natural Resources Advisory Board:

It was moved by Commissioner Smith seconded by Commissioner Sauder that Joyce French be appointed to the Natural Resources Advisory Board to fill an unexpired term ending December 31, 2026. The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye, and Mayor Harter, aye.

**BUILDING AND NEIGHBORHOOD DEVELOPMENT
(Adopting International Building Code, 2021 Edition)
(Adopting the International Residential Code, 2021 Edition)
(Adopting the National Electrical Code, 2020 Edition)
(Adopting the International Existing Code, 2021 Edition)
(Adopting the Uniform Swimming Pool, Spa and Hot Tub Code, 2021 Edition)
(Ordinance Number 25-27)**

AN ORDINANCE ADOPTING AND INCORPORATING BY REFERENCE THE BUILDING AND CONSTRUCTION REGULATIONS, 2025 EDITION; THE INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION; THE INTERNATIONAL BUILDING CODE, 2021 EDITION; THE NATIONAL ELECTRICAL CODE, 2020 EDITION; THE UNIFORM MECHANICAL CODE, 2021 EDITION; THE UNIFORM SWIMMING POOL, SPA AND HOT TUB CODE, 2021 EDITION; THE INTERNATIONAL EXISTING BUILDING CODE, 2021 EDITION; AND AMENDING SECTION 8-3 OF THE CODE OF THE CITY OF EMPORIA, KANSAS, to which the City Clerk assigned Ordinance Number 25-27 was presented to the Governing Body for their consideration.

Kory Krause, Director of Building and Neighborhood Development, was recognized and addressed the Governing Body. He stated that in a six-month period, the building department and several building contractors met and discussed significant changes that had occurred during code updates from 2015 through 2021. The discussion included 2021 International Building Code, International Residential Code, International Existing Building Code and Uniform Swimming Pool, Spa and Hot Tub Codes. Changes in building and trades codes deal with changes in definitions, new products, technologies, and installation that will improve the safety and health of everybody. The changes in the code are for life and safety concerns which the contractors are already aware of and are implementing currently. The Building Trades Board voted unanimously to move forward

and adopt the 2021 Uniform Swimming Pool, Spa and Hot Tub Code, as there is not a code to reference, and to move forward and adopt the 2021 International Existing Building Code, as the existing code does not effectively work as a stand-alone code. Staff recommend adoption of 2021 International Building Code, International Residential Code, International Existing Building Code, and the Uniform Swimming Pool, Spa and Hot Tub Code, and the 2020 National Electrical Code through the Building and Construction Regulations to take effect February 1, 2026, and not affect current projects.

Commissioner Smith made a motion to approve Ordinance Number 25-27 adopting the 2021 International Building Code, International Residential Code, International Existing Building Code, and the Uniform Swimming Pool, Spa and Hot Tub Code through the Building and Construction Regulations. Commissioner Curtis seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Curtis, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

**CITY COMMISSION
(Amending Enactment of the Joint Traffic Safety Committee)
(City of Emporia/Board of County Commissioners of Lyon County)
(Ordinance Number 25-26)**

A JOINT ENACTMENT OF THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS, AND THE BOARD OF COUNTY COMMISSIONERS OF LYON COUNTY, KANSAS, AMENDING THE EMPORIA/LYON COUNTY JOINT TRAFFIC SAFETY COMMITTEE, to which the City Clerk assigned Ordinance Number 25-26 was presented to the Governing Body for their consideration.

City Attorney Montgomery was recognized and addressed the Governing Body. She stated in 2017, the City of Emporia and Lyon County jointly adopted City Ordinance Number 17-04 and County Resolution 9-17, that expanded the City Traffic Safety Committee into a Joint Traffic Safety Committee with representation from the City of Emporia and Lyon County. The Committee reviews traffic and parking matters and makes recommendations to the governing bodies of the City of Emporia and Lyon County. The Committee membership currently includes professional staff and civilian representatives with technical expertise. This proposed ordinance is a joint enactment of the City of Emporia and Lyon County, adding new members and updating the operations of the Committee to reflect current practices as follows:

Expands the membership of the Committee to include two resident representatives, one appointed by each governing body to serve 3-year terms.

Updates provisions related to meeting frequency, quorum requirements, and referral of items.

Updates the procedure for review by the Committee and recommendations to the appropriate governing body for final decision.

Revises outdated language to improve clarity and align with current organizational structure.

This joint enactment is scheduled to go before the Board of County Commissioners for approval on October 2, 2025. Staff recommend approval of Ordinance Number 25-26 amending the Joint Traffic Safety Committee.

Commissioner Curtis made a motion to approve Ordinance Number 25-26 amending the Joint Traffic Safety Committee. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; Commissioner Smith, aye; and Mayor Harter, aye.

Consent Agenda

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

- a. Minutes of the Regular Meeting held on September 17, 2025.
- b. 2025 Street Rehabilitation Project No. PV2501 - Change Order No. 1.

The vote follows: Commissioner Smith, aye; Commissioner Curtis, aye; Commissioner Brinkman, aye; Commissioner Sauder, 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 OCTOBER 15, 2025, MEETING.

- Special Presentation for the Wall that Heals.
- Proclamation Recognizing October 19-25 as Friends of the Library.
- Voluntary Annexation of Property South of Transfer Station.

**CITY COMMISSION
(Governing Body Comment)**

This is the time for the Mayor and City Commissioners to make comments and reports to the public. No comments were made at this time.

EXECUTIVE SESSION

Mayor Harter motion to recess into Executive Session for 20 minutes inviting pertinent city staff to discuss confidential data of a third party relating to economic development. The justification for the executive session is provided by K.S.A. 75-4319(b)(4) to protect financial affairs and trade secrets of third parties. The open meeting will resume in this room at approximately 11:36 a.m. Commissioner Brinkman seconded the motion. The vote follows: Mayor Harter, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Sauder, aye; and Commissioner Smith, aye.

Upon reconvening the meeting in Regular Session, at 11:36 a.m., this same date, in Conference Room 1AB, Commissioner Sauder made a motion to continue the executive session discussion for the reason stated previously with all the same pertinent city staff and resume in this room at approximately 11:43 a.m. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; and Mayor Harter, aye. Commissioner Curtis and Commissioner Smith were not present at the time of the vote.

Upon reconvening the meeting in Regular Session, at 11:43 a.m., this same date, in the City Commission Meeting Room, Mayor Harter stated they had discussed confidential data of a third party relating to economic development and no action was taken.

Mayor Harter a motion to recess the meeting at 12:00 p.m. at Conference Room 1AB. Commissioner Brinkman seconded the motion. The vote follows: Mayor Harter, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Sauder, aye; and Commissioner Smith, aye.

The following items were discussed at the Study Session:

1. Carnegie Library discussion.
2. Mowing Orders and Procedure.

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




Erren Harter, Mayor

ATTEST:


Kerry Sull, City Clerk