

Commission Meeting

11:00 a.m.

October 15, 2025

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, October 15, 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.

**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. Raymond Rogers, 1704 Berkeley Road, stated he attended the RDA meeting held today and was relaying news and spoke in favor about the possibility of a nuclear facility located in Lyon County.

**CITY COMMISSION
(Special Presentation for the Wall that Heals)**

City Manager Cocking stated the City would like to thank the team for their dedication in bringing the Wall that Heals to the Emporia community. Keys to the City were presented to the members and to the American Legion Post 5.

**ENGINEERING
(Overlander Road Paving Improvements Project No. PV2304)
(KDOT Economic Development Project No. 56 KA-7312-01)
(Kaw Valley Engineering Testing Agreement)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated Overlander Road Paving Improvements from W. 6th Avenue to US-50 Highway will bring the rural road with open ditches to City standard with the conversion of the roadway into 3 lanes, with center turn lane, of pavement with storm sewer and curb and gutter. Kaw Valley Engineering has submitted a proposal for construction material testing of

concrete and soil for an estimated amount of \$35,090.00. This proposal, along with other project costs, will be funded from a mixture of \$2,500,000.00 from KDOT's Economic Development Program, \$1,000,000.00 from the City's Federal Fund Exchange program through KDOT, and from a bond issue. Staff recommend approval of the materials testing proposal with Kaw Valley Engineering and authorize the Mayor to sign the agreement.

Commissioner Curtis made a motion to approve the materials testing proposal with Kaw Valley Engineering and authorized the Mayor to sign the agreement. Commissioner Sauder seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Harter, aye.

ENGINEERING
(Overlander Road Paving Improvements Project No. PV2304)
(KDOT Economic Development Project No. 56 KA-7312-01)
(Magellan Pipeline Agreement)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the Overlander Road Paving Improvements Project will construct rock subgrade, concrete pavement, waterline and storm sewer improvements over and along the Magellan Pipeline, parent company of ONEOK, within the existing Magellan Pipeline easement. The Magellan Pipeline is a cross-country gas pipeline. The proposed agreement includes for a Letter of No Objection mandating specific construction requirements for driveway entrance pavement thickness and reinforcing steel, minimum clearances between Magellan's Pipeline and the City's proposed utilities, and increased insurance coverages for the construction contractor to be maintained a minimum of two (2) years after construction completion. Staff recommend approval of the agreement and authorize the Mayor to sign the Magellan Pipeline Company, L.P./ONEOK, Inc. Letter of No Objections Agreement.

Commissioner Smith made a motion to approve the agreement and authorize the Mayor to sign the Magellan Pipeline Company, L.P./ONEOK, Inc. Letter of No Objection Agreement. Commissioner Curtis seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Curtis, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

**KANSAS HOUSING RESOURCES CORPORATION
(Application to Kansas Housing Investor Tax Credit)
(Frontier Development Group)
(Resolution Number 3774)**

Tayler Wash, Assistant City Manager, was recognized and addressed the Governing Body. She stated the Kansas Housing Investor Tax Credit program was created in 2022 which allocated \$62 million dollars to state housing programs to address the housing supply issue in Kansas. The Developer, Frontier Development Group, for the Kansas Avenue School Redevelopment Project, has received a total of 74 units of KHITC between 2023-2024 in communities across the state. This proposed resolution authorizes the submittal of an application for 12 KHITC units for project located at 315 S. Market Street. The KHITC application requires a more substantial show of support in the form of a resolution. The resolution does not designate the City as an applicant, merely an endorsement of the developer's independent application. She stated no city funds are required for the KHITC program. Staff recommend approval of Resolution Number 3774 authorizing support for Frontier Development Group Application for KHITC.

Commissioner Brinkman made a motion to approve Resolution Number 3774 authorizing support for Frontier Development Group application for KHITC. Commissioner Curtis seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Sauder, aye; Commissioner Smith, aye; and Mayor Harter, aye.

**PLANNING AND DEVELOPMENT
(Intent w/Lyon County to Annex Land Located at 800 Road 160)
(Resolution Number 3775)**

Justin Givens, Zoning Enforcement Officer, was recognized and addressed the Governing Body. He stated the City received a request for annexation from the owners of the property located at 800 Road 160. The property is approximately 58 acres located south of the city limits. This is the first step in the process of bringing that property into the City. The subject property adjoins property previously annexed into the City, but by island annexation statutes, and is not considered to be adjacent to the City. K.S.A. 12-520c, requires that when the City receives a petition or consent for annexation from a property owner, and that property is not contiguous with the City, a resolution from the

Governing Body must be adopted asking the Board of County Commissioners to make certain findings allowing the process to move forward. The resolution should find that the annexation request would not hinder or prevent the proper growth and development of the area or that of any other incorporated city located within Lyon County. He stated if the Board of County Commissioners approves the resolution, an ordinance for annexation will be presented at a future meeting. Staff recommend approval of Resolution Number 3775 requesting the Lyon County Board of County Commissioners make certain findings regarding the annexation of property.

Commissioner Sauder made a motion to approve Resolution Number 3775 requesting the Lyon County Board of County Commissioners make certain findings regarding the annexation of property. Commissioner Curtis seconded the motion.

Commissioner Sauder stated this was the first domino to fall in an economic development project that will be impactful for our community. For too long our economic development efforts have been focused on day one impact rather than considering long term potential. Our broken and out dated economic development systems only gave time, attention and resources to those opportunities that were deemed fit which allowed too many opportunities to fall through the cracks; neglected existing businesses and their opportunities to expand; has left us subject to the whim of footloose employers who have no tie here except for our availability of labor, meaning when a local plant, such as Tyson, stops being profitable, the mother ship can just pull the plug and wipe out their presence in our community off the map without any regard to the damage it would cause to our local economy and more importantly, to our people. Years ago, when A-1, Mr. McCoy and his company were looking to expand, they were told that they weren't big enough to warrant the time or attention from our economic development machine. I am thankful that Ron and his family preserved. I am thankful that A-1 grew from its humble beginning to what it is today, now employing over 30 people with a payroll of well over 2 million dollars. That is wealth that is generated locally by our people and that stays in our community because it is owned locally. Make no mistakes, we need our corporate partners. Our major employers help form the backbone of our region and their viability and success will be a major factor in our community's success. But the glue that makes our community strong and generates wealth that stays in the community is the incremental growth of our

own. Helping foster the growth of locally owned businesses and people will have a far greater impact on our local economy and community than only waiting for large scale employers to set up shop here. Our economic development future is far too important to leave up to one person who controls one board that has been historically picked from the same small pool of people who only think one way, which has been primarily the preservation of the status quo. We need an economic development machine that contains diversity of thought so that each opportunity or challenge that arises is met with energy and enthusiasm and not pessimism and doubt. We have the resources to fund such an endeavor, and we have spent them poorly in the past at times. While A-1's expansion is a testament to Ron and his team and their past endeavors and forward mentality, the City has demonstrated how economic development could look in our community. The City has played the role of that of a resourceful problem solver. We have listened to and helped find options to help facilitate A-1's growth through a mixture of state and local incentives. Furthermore, we connected A-1's management team with the State Department of Commerce, which many here locally think only a certain few people in our community are able to do. None of us are experts in economic development, Trey is not, I'm not, Mark is not, and Tayler is not, but we have all been able to help, because we have heard Ron tell A-1's story, we see firsthand their success, and we believe their vision for growth. What I have found during this process is that you don't need to be an insider to help local businesses grow, you don't have to be a guy with a rolodex who knows all the players. We need people who believe in each other and that possess problem solving mentality and don't care about who gets the credit. Perhaps most importantly, we need to avoid predetermining if someone else's venture will be successful or not. Congratulations to Ron and his family at A-1 Pump and Jet and best of luck in your newest venture.

Following further discussion, that was a call vote as follows: Commissioner Sauder, aye; Commissioner Curtis, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Harter, aye.

**CITY COMMISSION
CITY MANAGER'S REPORT
(Financials & Building Permits)**

This is the time for the City Manager to make comments and reports to the public.
The following is general information for the month of September 2025 for the community:

1. Monthly Local Retail Sales Tax Receipts Update

	2024	2025	
	\$ 552,225.37	\$ 588,528.44	Increase of \$36,303.07 for the month, and
YTD	\$ 4,820,763.26	\$4,960,064.80	Overall increase of 2.81% from year 2024.

2. City Share from County Tax

	2024	2025	
	\$ 282,946.41	\$ 302,863.99	Increase of \$19,917.58 for the month, and
YTD	\$2,472,115.79	\$2,581,342.25	Overall increase of 4.23% from year 2024.

Building Permits issued from 9/1/2025 to 9/30/2025 for new construction, remodeling/repairs and demolition.

Total number of building permits issued through Code Services:	58
Total valuations associated with those building permits:	\$ 1,789,221.15
Total number of dollars collected for Building Permit Fees:	\$ 11,215.50
Construct – Single-family dwellings	0
Demo – Single-family dwellings	0
Flint Hills Mall CID for September 2025	\$ 17,081.26
YTD	\$ 157,900.38
Pavilions CID for September 2025	\$ 17,420.49
CID #2	\$ 17,420.49
YTD	\$ 289,167.20
Fairview Hotel CID for September 2025	\$ 7,432.48
YTD	\$ 65,189.13
West Plaza CID for September 2025	\$ 13,752.21
YTD	\$ 82,478.40

**CITY COMMISSION
(Brownfields Grant Application Announcement)**

The City of Emporia, in partnership with Emporia Main Street, are working with Terracon to prepare an Environmental Protection Agency (EPA) Brownfields Grant application. This program provides federal funding to help communities assess, clean up, and redevelop properties that may be affected by environmental contaminants. There are two locations that have a strong remediation potential for reinvestment and revitalization, 915 Commercial Street, former laundromat, and 115 E. 5th Avenue, a mechanical garage. Terracon's expertise will help ensure Emporia's application is competitive to help secure federal funding that will advance local redevelopment goals in underutilized properties. The grant application requires notice to be given to the Governing Body that the grant is being pursued.

Consent Agenda

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

- a. Approve minutes of the Regular Meeting held on October 1, 2025.
- b. 502 Commercial Fireline Reimbursement.
- c. Jones Park Mower Shed Replacement.

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

**CITY COMMISSION
(City Manager's Report)**

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

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

TENTATIVE AGENDA FOR NOVEMBER 5, 2025, MEETING.

- Proclamation Recognizing Small Business Saturday.
- Proclamation Recognizing Animal Shelter Week.
- Resolution for Hazardous Mitigation Plan.

- **Study Session:**
- Zoo Events Update.

**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.

Commissioner Sauder made a motion to recess the meeting until 11:37 a.m. to Conference Room 1AB. The motion failed for lack of a second.

Commissioner Smith made a motion to recess the meeting until 11:34 a.m. to Conference Room 1AB. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; and Commissioner Curtis, aye. Commissioner Sauder and Mayor Harter, aye.

The following items were discussed at the Study Session:

1. State Representative Mark Schrieber's Presentation on Nuclear Energy.
2. Appoint Interviewing Commissioners for the Joint Traffic Safety Committee.
3. Policy Proposal for Legal Review of Complex or Ambiguous Matters.
4. Project Updates from the Engineering Department.
5. Update on Watermain Breaks.

Appoint Interviewing Commissioners for the Joint Traffic Safety Committee.

This is a new position created for the board to the Joint Traffic Safety Committee and two Commissioners will need to be appointed to conduct interviews to fill the position.

It was moved by Mayor Harter and seconded by Commissioner Smith, that Commissioner Brinkman and Commissioner Curtis be appointed to the Joint Traffic Safety Committee as the interviewing commissioners. The vote follows: Mayor Harter, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; and Commissioner Sauder, aye.

State Representative Mark Schrieber's Presentation on Nuclear Energy.

Mark Schrieber discussed information to the City of Emporia to endorse a letter of support on the proposed TerraPower Natrium Reactor potential plant site in Lyon County.

Commissioner Sauder made a motion authorizing the Mayor to sign a Letter of Support to TerraPower for a potential plant site in Lyon County. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

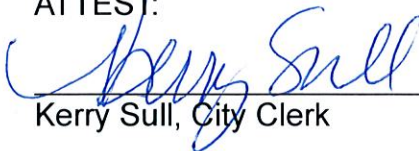
Mayor Harter read the proclamation declaring October 19 through 25, 2025 as "Friends of the Library Week" in Emporia. Friends of the Emporia Public Library raise money that provides the resources for additional programming, needed equipment, support for children's summer reading and special events throughout the year. The work of the Friends is on an ongoing basis and is critically important of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a variety of services to all ages. The Friends' gift their time and commitment to the library setting an example in how volunteerism leads to positive civic engagement and betterment of our community. The proclamation urged all residents of Emporia to make use of our free Emporia Public Library and shop the Friends' book sale to support our community.

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



Erren Harter, Mayor

ATTEST:


Kerry Sull, City Clerk

