Commission Meeting **11:00 a.m.** **December 17, 2025**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, December 17, 2025, with Mayor Harter presiding and Commissioners Brinkman, Curtis, and Smith present. Also, present were City Manager Cocking, Deputy City Manager Detter, Assistant City Manager Wash, City Clerk Sull and City Attorney Montgomery. Commissioner Sauder arrived at 11:03 a.m.

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.

CITY COMMISSION
(Board Appointment)

Multi-Use-Path Planning Board:

It was moved by Commissioner Brinkman seconded by Commissioner Curtis that Cathryn Crosby and Brad Raper be appointed to the Multi-Use-Path Planning Board for terms ending December 31, 2028. The vote follows: Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

Emporia Public Library Board:

It was moved by Mayor Harter seconded by Commissioner Brinkman that Jessica Wagoner be appointed to the Emporia Public Library Board to fill an unexpired term ending April 30, 2026. The vote follows: Mayor Harter, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; and Commissioner Smith, aye.

BUDGET
(2025 Budget Amendments)
(Public Hearing)
(Ordinance Number 25-30)

AN ORDINANCE AMENDING THE 2025 BUDGET, to which the City Clerk assigned Ordinance Number 25-30, was presented to the Governing Body for their consideration.

Janet Harrouff, Director of Finance, was recognized and addressed the Governing Body. She stated a public hearing will need to be conducted to amend the 2025 Budget to increase spending authority and an ordinance authorizing the increase in four funds. A notice was published in the Emporia Gazette 10 days prior to the public hearing as required by State Statute. The Library Fund, Bond & Interest Fund, Water Utility Fund, and Industrial Fund have exceeded the 2025 approved amount due to:

Library Fund expenditures have exceeded the 2025 approved amount due to additional Ad Valorum, Delinquencies and Motor Vehicle taxes collected.

Bond & Interest Fund expenditures have exceeded the 2025 approved amount due to sale of PBC Bonds.

Water Fund expenditures have exceeded the 2025 approved amount due to transfer increase of $9,823,360 for pass-through draws for the projects paid with the State Loan.

Industrial Fund expenditures have exceeded the 2025 approve amount due to additional interest received and transfer of fund balance to the Economic Development Fund.

No additional taxes were levied to cover the additional expenses. Increase in revenue occurred to cover the additional expenses.

Mayor Harter then declared the public hearing open.

As no one in attendance wished to address the Governing Body, Mayor Harter then declared the public hearing closed.

Commissioner Curtis made a motion to approve Ordinance No. 25-30 for budget amendments. Commissioner Smith seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; and Mayor Harter, aye.

FIRE DEPARTMENT
(Purchase Agreement with Conrad Fire Equipment, Inc.)
(Aerial Fire Truck)

Brandon Beck, Fire Chief, was recognized and addressed the Governing Body. He stated the Fire Department has recognized the need for a second aerial ladder truck to serve the City of Emporia. A second ladder truck increases life safety operations as well as providing additional elevated water source for fire attacks. The redundancy of a second ladder truck also ensures having availability during times of maintenance on either truck. Due to limitations on apparatus bay size and quantity, and until the construction of the new fire station, the purchase of an additional truck has been deferred for some time. He stated historically the fire department has worked with an apparatus vendor to design our fire engines. With today's manufacturing environment for emergency apparatus, the lead time on a custom truck is approximately 48 months. The department has been presented with an option of purchasing a stock model with a projected delivery time of 14 to 16 months. After reviewing the specifications of the stock truck, it was determined that it meets our needs. This item would be purchased utilizing bond authority. Staff recommend approving the purchase agreement with Conrad Fire Equipment, Inc. for one Pierce Enforcer Aerial Ladder Truck for $2,220,577.10.

Commissioner Brinkman made a motion to approve the purchase agreement with Conrad Fire Equipment, Inc. for one Pierce Enforcer Aerial Truck for $2,220,577.10. Commissioner Sauder seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Sauder, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

CITY COMMISSION
(Soccer Complex Improvements)
(Contract for Architectural/Engineering Services)
(Agreement with BG Consultants, Inc.)

Deputy City Manager Detter was recognized and addressed the Governing Body. He stated BG Consultants will provide design services for a new concession stand/restroom and storage building, two new turf soccer fields and other site improvements, including drainage. BG Consultants will create bid documents for the

project. The project will bid late spring to early summer, with improvements to be completed by the spring of 2027. BG Consultants will create improvements for two scenarios. The 1st scenario is estimated to be $3,761,831 with funds from the Department of Commerce (CDBG) Grant of $750,000.00; Stormont Vail Health donation of $1,500,000.00; and Emporia Recreation Commission funds of approximately $1,500,000.00. The 2nd scenario will potentially be funded by other grants and donations estimated at $7,349,412. He stated Garrett Nordstrom of GSA will complete the grant application to the Jones Foundation prior to the end of 2025. Staff recommend approval of the contract with BG Consultants for Engineering/Architectural Services for Soccer Complex Improvement Project in the amount of $541,923.

Commissioner Smith made a motion to approve the contract with BG Consultants for Engineering/Architectural Services for the Soccer Complex Improvement Project for a lump sum fee of $541,923.00. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

BONDS
(Authorize Issuance of Taxable Industrial Revenue Bonds)
(Fairview Inn, LLC)
(Ordinance Number 25-31)

AN ORDINANCE AUTHORIZING THE CITY OF EMPORIA, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES 2025 (FAIRVIEW HOTELS, LLC PROJECT) FOR THE PURPOSE OF THE ACQUIRING, CONSTRUCTING AND EQUIPPING OF A COMMERCIAL FACILITY; AND AUTHORIZING OTHER RELATED DOCUMENTS AND ACTIONS, to which the City Clerk assigned Ordinance Number 25-31 was presented to the Governing Body for their consideration.

Assistant City Manager Wash was recognized and addressed the Governing Body. She stated the City has been working with Fairview Hotels LLC on the development of a new hotel and conference center located at 3010 Eaglecrest Drive. The project includes the construction of an approximately 80 to 88 room hotel, integrated meeting and event space and related site improvements. The proposed ordinance authorizes the issuance of $13,000,000.00 in Taxable Industrial Revenue Bonds, Series 2025, to finance the acquisition, construction, furnishing and equipping of the Fairview Hotel and Conference

Center at 3010 Eaglecrest Drive and approves all related bond documents, including the Trust Indenture, Site Lease, Project Lease, and Bond Purchase Agreement. The IRB's are special limited obligations payable from the project lease revenues and are not backed by the City's credit or taxing authority. The City incurs no financial liability.

Commissioner Brinkman made a motion to approve Ordinance Number 25-31 authorizing the issuance of Taxable Industrial Revenue Bonds for the Fairview Hotel & Conference Center project and authorizing the Mayor to sign and execute all related documents. Commissioner Sauder seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Sauder, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

CITY COMMISSION
(Reinvestment Housing Incentive District)
(Cedarbrook Meadows)
(Resolution Number 3783)

Assistant City Manager Wash was recognized and addressed the Governing Body. She stated the Reinvestment Housing Incentive District (RHID) has been an important tool in supporting new housing development in Emporia. Cedarbrook Meadows is a proposed RHID project located near W. 18th Avenue and Road G including 100+ units and an opportunity to continue the RHID momentum. The proposed resolution is the first step in a multi-step RHID process which requests the designation of the district from the Kansas Department of Commerce. After publication of the Resolution a certified copy goes to the Kansas Secretary of Commerce for review. Upon approval of the findings, the City will proceed with drafting a Development Plan, hold a public hearing and establish the RHID. The resolution does not authorize incentives or establish the district; it only starts the process. She stated the proposed resolution does not require City funding. Detailed financials will accompany the final Development Plan. Staff recommend approval of Resolution Number 3783 to initiate the RHID process for Cedarbrook Meadows and authorize submission to the Kansas Department of Commerce.

Commissioner Smith made a motion to adopt Resolution Number 3783 to initiate the RHID process for Cedarbrook Meadows and authorize submission to the Kansas

Department of Commerce. Commissioner Curtis seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Curtis, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

ENGINEERING
(Industrial Park II - Drainage Improvements Project No. SW2503)
(Professional Engineering Consultants – PEC Agreement)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated Industrial Park II Drainage Channel is a tributary of the Cottonwood River. It begins along the property at 3601 W. 6th Avenue, Kansas Department of Wildlife and Parks and extends north along Emporia Wholesale Coffee Co. property, along Cargill, Inc. property and along an edge of Brownstone Development to Graphic Arts Road. A Request for Qualifications RFQ was sent to eight (8) engineering firms and three (3) firms submitted RFQs. He stated the City staff selection committee used KDOT's Attachment No. 2, Local Public Authority's (LPA) Selection Criteria Form, in its decision process and Professional Engineering Consultants (PEC) was selected. This agreement shall consist of survey and engineering design for the Industrial Park II drainage channel to address existing conditions, demolition plan, improvements including retaining walls, grading plan, storm water sewer plan for proposed site piping including end sections and erosion control plan. The proposed engineering services fees will be paid from the Stormwater Fund. Staff recommend approval of the Professional Engineering Consultants (PEC) agreement for Engineering Services for Industrial Park II Drainage Improvements, Project No. SW2503 in the amount of $143,300.00, and authorize the Mayor to sign the agreement.

Commissioner Curtis made a motion to approve Professional Engineering Consultants (PEC) agreement in the amount of $143,300.00 and authorize the Mayor to sign. Commissioner Smith seconded the motion. The vote follows: Commissioner Curtis, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

PAVING
(2025 Street Rehabilitation Project No. PV2501)
(Change Order No. 3)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the 2025 Street Rehabilitation Project consists of milling and asphalt overlay operations, replacement of select curb and gutter sections, and some sidewalk/ADA ramp improvements along various streets. Due to the addition of crack seal and overlay on Weaver Street, crack sealing Graphic Arts Road, along with field changes and reconciling quantities constructed, this project added $118,521.75 to the overall project. Change Order No. 3 of $118,521.75 is 10.7% of the original contract amount of $1,106,146.46. The final contract amount awarded is $1,106,146.46 + Change Order No.1 of $43,329.68 + Change Order No. 2 of $11,613.75 + Change Order No. 3 of $118,521.75 totals $1,279,611.64. He stated this project is funded from the Multi Year Fund and Federal Fund Exchange money received from KDOT. Staff recommend approval of Change Order No. 3 in the amount of $118,521.75.

Commissioner Brinkman made a motion to approve Change Order No. 3 in the amount of $118,521.75. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye Commissioner Smith, aye; Commissioner Curtis, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

SOLID WASTE
(City of Emporia/Lyon County Transfer Station)
(Remodel Tipping Floor)
(Bids)

Dean Grant, Director of Public Works, was recognized and addressed the Governing Body. He stated the transfer station's concrete floor has been in service since 1998. At the time, it was constructed with a sacrificial layer intended to protect the main slab from corrosive solid waste and wear caused by loading equipment. Historically the protective layer was applied as a cementitious coating that resembled the underlying concrete making early deterioration difficult to detect. This has resulted in significant damage to the west end of the floor. The floor drain located on the east end also requires repair. The bids follow:

BID TABULATION FOR TIPPING FLOOR REPAIR

Bidder	Base Bid	Alternate 1
Multicon, Inc.	$198,594.25	$274,773.64
NF Construction	$462,301.83	$629,143.08
Engineer's Option Of Probable Cost	$443,500.00	$647,776.00

After reviewing the bids, by BG Consultants, Inc., the lowest responsible bidder is Multicon, Inc. BG Consultants and the City of Emporia have had past project experience with Multicon, Inc. and they are qualified to perform the work. BG Consultants, Inc. recommends the City award the contract to Multicon, Inc. for the Alternate 1 bid in the amount of $274,773.64. The bid will resurface the tipping floor with an Emery-Aggregate Concrete Floor Topping. The epoxy-based system offers greater durability and the new surface will include sacrificial metal triangles that provide a clear visual indicator of wear, allowing the surface to be monitored for the remaining thickness of the protective layer. Staff recommend awarding the alternate bid to resurface the entire floor to Multicon, Inc. in the amount of $274,773.64.

Commissioner Smith made a motion to award the alternate bid for the Tipping Floor Repair in the amount of $274,773.64 to Multicon, Inc. Commissioner Curtis seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Curtis, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Harter, aye.

PARKS
(Peter Pan Park Pond Dredging)
(Bids)

Kevin Hanlin, Director of Public Lands and Facilities, was recognized and addressed the Governing Body. He stated Peter Pan Park has a pond as a natural feature of the area when it was donated to the City of Emporia. The 3-acre pond is located on the southwest corner or the property at S. West Street and W. Randolph Avenue. Over the past 47 years, the pond has silted to a point where it was measured by the Kansas Department of Wildlife and Parks; the depth of the pond averages 3.3 feet. This is the same average the prompted the pond dredging in 1978. In 2022 and 2023 the pond

experienced fish killed during high temperature days. The area around the fountain offers some protections during those fish kill events, but not enough to maintain the preferred species of white crappie, bluegill and catfish. A Request for Proposal was placed on the City's website and sent to two vendors. A pre-bid conference was held at Peter Pan Park Pond and those present were informed of the budgeted amount for this project.

The following bid responses were received:

1. Hodges Farms & Dredging of Lebo, KS: $200,000 to remove 1.4 million gallons (6,930 cubic yards of sediment/sludge). Bidder owns/rents several acres of farm ground in Coffey and Lyon counties and will relocate and remove material to the property he farms.

2. Stage 3 Separation of Houston, TX: $200,000 to remove 3,500 cubic yards of sediment/sludge. Bidder will get disposal site approved by the City if awarded the project.

It is estimated that the pond contains 19,360 cubic yards of sediment/sludge in the pond. This assumption is high as the sediment depth is estimated at four feet and does not consider the slope of the bank to the bottom of the pond. He stated notification of bid results was sent to both bidders. Hodges Farms & Dredging followed up with an offer to expand the amount of material removal to an additional 1 million gallons (4,950 cubic yards) for an additional $100,000.00. This project will be paid for from the Multi-Year Fund. Staff recommend awarding the contract for removal of 6.930 cubic yards of material from the pond at Peter Pan Park for $200,000.00 to Hodges Farms & Dredging. And recommend an amendment to the contract with Hodges Farms & Dredging and authorize an additional $100,000.00 for the removal of an additional 4,950 cubic yards of material.

Commissioner Brinkman made a motion to award the contract for removal of 6.930 cubic yards of material from the pond at Peter Pan Park for $200,000.00 to Hodges Farms & Dredging. Further motion to amend contract with Hodges Farms & Dredging and authorize an additional $100,000.00 for the removal of an additional 4,950 cubic yards of material. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Curtis, aye; Commissioner Sauder, 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 November 2025 for the community:

1. Monthly Local Retail Sales Tax Receipts Update

	2024	2025	
	$ 554,782.63	$ 526,515.77	**Decrease of $28,266.86** for the month, and
YTD	**$ 5,949,396.02**	**$6,081,130.99**	Overall increase of 2.17% from year 2024.

2. City Share from County Tax

	2024	2025	
	$ 278,655.73	$ 274,507.05	**Decrease of $4,148.68** for the month, and
YTD	**$3,046,899.05**	**$3,168,061.50**	Overall increase of 3.82% from year 2024.

Building Permits issued from 11/1/2025 to 11/30/2025 for new construction, remodeling/repairs and demolition.

Total number of building permits issued through Code Services:	46
Total valuations associated with those building permits:	$ 5,743,239.55
Total number of dollars collected for Building Permit Fees:	$ 18,743.50
Construct – Single-family dwellings	0
Demo – Single-family dwellings	1
Flint Hills Mall CID for November 2025	$ 12,542.83
YTD	**$ 189,207.28**
Pavilions CID for November 2025	$ 11,990.11
CID #2	$ 11,990.11
YTD	**$ 348,506.86**
Fairview Hotel CID for November 2025	$ 7,352.23
YTD	**$ 80,064.86**
West Plaza CID for November 2025	$ 11,148.42
YTD	**$ 100,270.37**

Consent Agenda

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

a. Commission Minutes of the Regular Meeting held on November 25, 2025.

b. Year End Charge Offs.

c. Ordinance Number 25-32 Vacating Certain Utility Easement - 2301 Industrial Road.

AN ORDINANCE VACATING CERTAIN EASEMENT IN THE CITY OF EMPORIA, KANSAS, to which the City Clerk assigned Ordinance Number 25-32, was presented to the Governing Body for their consideration.

d. Resolution Number 3779 Official Boundary of City Limits.

e. Resolution Number 3782 Approve Annual Solid Waste Management Plan for 2024.

f. Emporia Public Library Maintenance Contract 2026.

g. Purchase of Tractor for Golf Course.

h. Purchase of Mower for Golf Course.

i. Resolution Number 3781 for Increase in Municipal Golf Course Rates.

j. Water Treatment Plant Evaluation and Master Plan Amendment.

k. Resolution Number 3784 Adopt 2026 Revised Compensation Pay Plan.

The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Curtis, 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 JANUARY 7, 2026, MEETING.

- Regulations for Mobile Food Truck.
- Accept Construction Contract for Fire Station No. 2.
- State of The City Speech.
- Adjourn Sine Die.
    - Elect Mayor and Vice Mayor.

- Approve Surety Bonds for the City Manager, City Clerk and City Treasurer.
- Designate Official City Newspaper.
- Designate Financial Institutions.

- **Study Session:**

- Discuss Legislative Policy Statement.
- Appoint commission Members to RDA, JEDAC, Recreation Commission, Emporia Enterprises, Transient Guest Tax Advisory Board, Emporia Public Library, Emporia Main Street and Recreation Commission Steering Committee.

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

Commissioner Sauder made a motion to recess into Executive Session for 15 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 a third party. The open meeting will resume in this room at approximately 11:48 a.m. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter aye.

Upon reconvening the meeting in Regular Session at 11:48 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.

Commissioner Brinkman then made a motion to adjourn. Commissioner Sauder seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner

Sauder, aye; Commissioner Curtis, aye; Commissioner Smith, aye; and Mayor Harter, aye.

Erren Harter, Mayor

ATTEST:

Kerry Sull, City Clerk

CITY OF EMPORIA, LYON COUNTY, KANSAS
SEAL
★ 1870