

Commission Meeting

11:00 a.m.

May 6, 2026

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, May 6, 2026, with Mayor Smith presiding and Commissioners Duncan, Harter, Ogle and Steinkuhler 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 to individuals and families across this Nation by creating economic opportunities and strengthening communities. Community Action promotes community-wide solutions to challenges throughout our cities, suburbs, and rural areas. Community Action builds and promotes economic stability as an essential aspect of enabling and enhancing stronger communities and stable homes. ECKAN is celebrating 60 years in Community Action with innovation, impact and providing proven results in our communities. She stated May 2026 is in recognition of the hard work and dedication of ECKAN and all Community Action Agencies.

Mayor Smith then presented the proclamation.

Representatives of the MUPP Board were in attendance to accept a proclamation declaring May 28, 2026, through June 4, 2026, as "Walk, Run & Bike Days" in Emporia. They stated from May 28 through June 4, 2026, Emporia will be focused on two major bicycling and running events. From May 28 to May 31, 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 4,000 participants from all 50 states, Puerto Rico, and 66 foreign countries. More than 10,000 friends, family, fans and supporters will visit our community. On June 3 and June

4, the 45th 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 the eventual destination at the summer games of the Special Olympics in Wichita. The Multi-Use Path Planning Board encourages everyone to walk, run or ride a bicycle to work during the week of these events. They encourage 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 to a sedentary life.

Mayor Smith then presented the proclamation.

Captain Scott Stormont, Emporia Police Department, was in attendance to accept a proclamation declaring the week of May 11 through 16, 2026, 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 efforts to protect our communities. On Peace Officers Memorial Day during Police Week, we honor the heroism of all law enforcement officers, especially those who have given their lives so that others might live. By joint resolution of the U.S. Congress in 1962, the President of the United States was authorized to designate May 15 of each year as “Peace Officers Memorial Day” and the week in which it falls as “Police Week”, and to direct the flag be flown at half-staff on May 15th of each year. He called upon all citizens to remember those throughout our nation who have lost their lives while protecting others.

Mayor Smith then presented the proclamation.

Brian Silcott, Interim Public Works Director, was in attendance to accept a proclamation declaring the week of May 17 through 23, 2026, as “National Public Works Week” in Emporia. He stated public work professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities, as well as to public health, high quality of life, and the well-being of the people of Emporia.

Infrastructure, facilities, and services could not be provided without the dedicated efforts of public work professionals, engineers, managers, and employees at all levels of government and private sector who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment, solid waste systems, public buildings, and other essential structures and facilities. It is in the public interest for the citizens, civic leaders, and children of Emporia to gain knowledge of and maintain an ongoing interest in and understanding of the importance of public works and public work programs in their communities. 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 recognized the substantial contributions the make to protecting our national health, safety, and advancing the quality of life for all.

**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. Jarom Smith, 3625 Caribou Lane, shared concerns he had about Commissioner ethics.

**CITY COMMISSION
(Board Appointments)**

RDA of East Central Kansas Board:

It was moved by Commissioner Steinkuhler, seconded by Commissioner Ogle that Jeff Longbine be appointed to the Regional Development Association of East Central Kansas Board to fill an unexpired term ending December 31, 2026. The vote follows: Commissioner Steinkuhler, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Harter, aye; and Mayor Smith, nay.

William Allen White Community Partnership:

It was moved by Commissioner Ogle, seconded by Commissioner Duncan that Ann Burnett be appointed to the William Allen White Community Partnership for a term ending December 31, 2028. The vote follows: Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Harter, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

Emporia Public Library Board:

It was moved by Commissioner Harter, seconded by Commissioner Ogle that Caron Daugherty and Jessica Wagoner be appointed to the Emporia Public Library Board for terms ending June 30, 2030. The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

Golf Advisory Board:

It was moved by Commissioner Harter, seconded by Commissioner Ogle that Brad Stewart, Brian Lawson, Rick Clark and Carmen Leeds be appointed to the Golf Advisory Board for terms ending December 31, 2028. The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

**ENGINEERING
(Kansas Department of Transportation)
(SS4A Safety Improvement Project)
(Consultant Engineering Services)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the Safe Streets for All (SS4A) Grant is a Kansas Department of Transportation (KDOT) and Federal Highway Administration funding opportunity to help identify safety improvements in communities for pedestrians and vehicles. The Engineering Department requested qualifications from KDOT approved consultants to help identify safety improvements within city limits. The City received RFQ's from both HDR, Inc. and Garver, LLC and using KDOT's consultant selection process, agreed upon contacting HDR, Inc.

The grant will fund up to \$240,000 from the U.S. Department of Transportation for planning for the SS4A. KDOT will pay \$45,000 and the City's portion will be \$15,000. Staff recommend authorizing the City Manager to award up to \$300,000 in grant funding to HDR, Inc.

Following further discussion, Commissioner Harter made a motion authorizing the City Manager to award up to \$300,000 in grant funding to HDR, Inc. Commissioner Steinkuhler seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Steinkuhler, aye; Commissioner Duncan, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

ENGINEERING
(Kansas Department of Transportation)
(Support for 2026 KDOT TA Safe Routes to School)
(Resolution Number 3792)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated that the Kansas Department of Transportation and the City of Emporia contracted with Toole Design in 2023 to analyze Emporia area school and recommend safety improvements at the USD 253 schools for pedestrians and bicyclists. The City submitted a preliminary grant application for 2026 KDOT TA program and Emporia was chosen to move to the next route of grant application that requires a Resolution of Support. He stated if chosen the grant will fund sidewalk, ADA ramp, crosswalk, signage and RRFB improvements at five area schools, increasing safety. The grant application will focus on Emporia High School, Emporia Middle School, Riverside Elementary School, Timmerman Elementary and Village Elementary School. The Engineer's estimate for this project is \$1,250,000 with KDOT paying \$1,000,000 and the City's share being \$250,000. Staff recommends approval of Resolution Number 3792 of Support for KDOT TA SRTS.

Commissioner Steinkuhler made a motion to approve Resolution Number 3792 of Support for 2026 KDOT Transportation Alternatives Safe Routes to School Grant. Commissioner Harter seconded the motion. The vote follows: Commissioner Steinkuhler, aye; Commissioner Harter, aye; Commissioner Duncan, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

**PAVING
(2026 Pavement Preservation Project No. PV2602)
(Various Locations Within the City Limits)
(Bids)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated bids were received for the 2026 Pavement Preservation Project No. PV2602 for various locations around the city that consists of chip seal and fog seal on the following streets.

Base Bid: Aspen Drive (Cul de Sac to S. Congress Street) Copley Avenue (S. Exchange Street to S. Commercial Street, S. Congress Street to S. Neosho Street, and S. West Street to S. Walnut Street) Kansas Avenue (S. Mechanic Street to S. Commercial Street) Market Street (South Avenue to 2nd Avenue) Randolph Avenue (S. Mechanic Street to S. Commercial Street) Rindom Road (S. Walnut Street to S. Lawrence Street) South Congress Street (Logan Avenue to Kansas Avenue) South Lawrence Street (Rindom Road to Copley Avenue and Copley Avenue to South Avenue) South Pine Street (Dead End to South Avenue) Kansas Avenue (S. Union Street to S. Mechanic Street) South Walnut Street (Rindom Road to South Avenue)

Add Alternate No. 1: Cypress Drive (Merchant Street to Cul de Sac) South Merchant Street (Cypress Drive to Kansas Avenue)

Add Alternate No. 2: Market Street (Railroad Tracks to 5th Avenue)

Add Alternate No. 3: Emporia Recreation center Parking Lot (313 W. 4th Avenue)

He stated two (2) bids were received:

BID TABULATION FOR 2026 PAVEMENT PRESERVATION PROJECT NO. PV2602

Contractor	Base Bid	Add Alt. No. 1	Add Alt. No. 2	Add Alt. No.3
Engineer's Est.	\$190,398.25	\$ 8,295.00	\$14,799.75	\$8,868.25
APAC-Ks Inc. Shears Div.	\$141,250.65	\$10,222.60	\$13,531.20	\$5,787.70
Vance Brothers, LLC	\$164,315.80	\$ 8,563.60	\$15,278.98	\$7,934.75

The project will be funded from the Multi-Year Fund and the City's portion of County wide one cent sales tax. Staff recommend awarding the 2026 Pavement Preservation Project No. PV2602 to APAC-Kansas, Inc. Shears Division for the base bid and all three (3) add alternates in the amount of \$170,792.15.

Following further discussion, Commissioner Duncan made a motion to award 2026 Pavement Preservation Project No. PV2602 to APAC-Kansas, Inc. Shears Division for the base bid and all three a(3) add alternates in the amount of \$170,792.15.

Commissioner Ogle seconded the motion. The vote follows: Commissioner Duncan, aye; Commissioner Ogle, aye; Commissioner Harter, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

PLANNING AND DEVELOPMENT
(MAPC Excerpts of Regular Meeting Held 4-14-26)
(Application No. 2026-03 – Request of Flint Hills Technical College)
(Rezone Property Located at 615 Overlander Road)

The Planning Commission met in a regular session on Tuesday, April 14, 2026, with Chair Kenton Thomas presiding. Commissioners Fowler, Reed, Gilligan, Larson, and Johnson were present. Commissioner Lingenfelter was absent.

City staff: Justin Givens, Interim Director, Building & Neighborhood Development, was present.

Thomas called the meeting to order.

2. Planning Commission: Consider PC 2026-03, a Request for Rezoning of Property Located at 615 Overlander Road from Lyon County Light Industrial to City of Emporia Light Industrial (LI).

Thomas asked if proper notice had been given. Givens confirmed that proper notice was provided.

Thomas asked if any Commissioners needed to recuse themselves or report any ex-parte communications. Commissioner Gilligan recused herself as the applicant is her employer. No other ex-parte communications or conflict of interests were reported.

Givens provided the Staff Report.

STAFF REPORT

Application #: PC 2026-03

Applicants: Flint Hills Technical College

Owners: Flint Hills Technical College

Requested Action: Consider a request to rezone property from Lyon County Light Industrial Parcel Type to City of Emporia Light Industrial (LI) Parcel Type.

Purpose: The applicant has requested the zoning change to allow future development under the City of Emporia Zoning Regulations.

Address: 615 Overlander Rd.

Legal description: BEGINNING 30 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP NINETEEN (19) SOUTH, RANGE ELEVEN (11) EAST OF THE 6TH P.M., LYON COUNTY, KANSAS, THENCE WEST 660 FEET; THENCE NORTH 660 FEET; THENCE EAST 660 FEET; THENCE SOUTH 660 FEET TO THE PLACE OF BEGINNING.

LESS THE FOLLOWING DESCRIBED TRACT:

A TRACT IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS, AS SURVEYED AND DESCRIBED BY AARON C. DAVIS, PS 1368, ON JULY 8, 2025, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 7;

THENCE N.00°41'24"W. (BASIS OF BEARINGS) ON THE EAST LINE OF SAID SE1/4 FOR 660.00 FEET; THENCE S87°53'50"W. FOR 30.00 FEET A POINT ON THE WEST RIGHT OF WAY LINE OF OVERLANDER ROAD, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 1 IN OVERLANDER ADDITION TO THE CITY OF EMPORIA, LYON COUNTY, KANSAS, AND THE POINT OF BEGINNING;

THENCE CONTINUING S87°53'50"W. ON THE SOUTH LINE OF SAID LOT 1 FOR 330.00 FEET; THENCE S.00°41'24"E. PARALLEL WITH SAID EAST LINE FOR 170.00 FEET; THENCE N.87°53'50"E. FOR 330 FEET TO THE WEST RIGHT OF WAY LINE OF OVERLANDER ROAD; THENCE N.00°41'24"W. ON SAID WEST RIGHT OF WAY LINE FOR 170.00 FEET TO THE POINT OF BEGINNING.

Lot Size: 8.00 acres

Existing Zoning: Lyon County Light Industrial

Future Zoning in ELC Comp. Plan: Light Industrial

Surrounding Zoning:

North: City Light Industrial / Commercial

East: City Light Industrial

South: County Heavy Industrial

West: City & County Light Industrial

Surrounding Actual Uses:

North: Oil and Gas Drilling Operator

East: Bradford Seed and Feed / Truck & Trailer Storage

South: Vacant Farm Ground / Eagle Creek Cement Plant

West: Vacant Farm Ground / Cellular Communications Tower

Analysis: The applicant has requested that this property be rezoned to a city zoning designation to facilitate future development. They are also concurrently seeking a Conditional Use Permit under City of Emporia Zoning Regulations. The property, while annexed into the city, retains its Lyon County zoning designation until such time as it is rezoned.

The absence of extraterritorial zoning, has created additional steps such as rezoning from a county designation to a city designation. The rezoning to a city designation, allows the property owners to have a clearer understanding of allowed uses with the particular Parcel Type that is assigned and design parameters for future development.

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

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

1. Whether the change or approval would be consistent with these regulations; **Removing the County designation and assigning a city zoning designation is consistent with the zoning regulations and required for properties to be developed within the City.**
2. The character and condition of the neighborhood and its effect on the proposed change; **Rezoning this property to a City Light Industrial Parcel Type would have no negative effect on the neighboring properties. Properties in the adjacent area are either zoned City of Emporia Light Industrial or Lyon County Light Industrial.**
3. The zoning and uses of properties nearby; **Transitioning from County to City Light Industrial would not restrict, and would be in conformance with neighboring properties. The majority of properties and uses within this area are zone Light Industrial and have uses which are allowed within Light Industrial Parcel Types.**
4. The suitability of the subject property for the uses to which it has been restricted; **The property is currently being used by an oil and gas operator. It has not been vacant.**
5. The extent to which removal of the restrictions will detrimentally affect nearby property; **Removing the County Parcel Type and reclassifying it as a City Commercial Parcel Type will have no detrimental impact on nearby properties. The property has been used as industrial in nature for some time, and is listed as such in the comprehensive plan.**
6. The length of time the subject property has remained vacant as zoned; **The property is within the natural growth area of the City and has been zoned and used as an industrial type property for some time. The change in zoning is from a County zoning designation to a City zoning designation and therefore the length of time the subject property has remained vacant should be of minimal influence in the decision making process.**
7. The relative gain to the public health, safety, and welfare by the destruction of the value of plaintiff's property as compared to the hardship imposed upon the individual landowner public services, including transportation, exist or can be provided to serve the uses that would be permitted on the property if it were reclassified or granted a conditional use; **This property is well suited for the**

agricultural technical programs that Flint Hills intends on using the property for. There would be no harm to the general public welfare or safety in granting the rezoning. All infrastructure is in place, and there is a current road improvement project occurring on Overlander that would help to accommodate any additional traffic that the new educational programs would bring.

8. The recommendations of a permanent or professional planning staff; **Staff is supportive of the rezoning.**
9. The conformance of the requested change to Plan ELC; **Plan ELC's Regulating Plan identifies this tract of land as a Light Industrial Parcel Type, and the area is within the natural growth area of the city. Existing infrastructure is in place, as encouraged by Plan ELC. The subject property is within the natural growth area of the city.**
10. Such other factors as are deemed relevant by the Planning Commission or Governing Body.

Neighborhood Communications:

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

- 1) The request is consistent with the Comprehensive Plan;
- 2) The request conforms to the intent of the Zoning Regulations
- 3) There would not be a negative impact on the existing neighborhood

Attachments: Aerial Map | Current Zoning Map | Plan ELC Regulating Plan Map

The Public Hearing was opened.

Dr. Caron Daugherty, President, Flint Hills Technical College, spoke on behalf of the project. **Dr. Daugherty** stated that FHTC has recently started a CDL training program and would be using the property to house and expand that program as well as the Precision Agriculture program currently provided at FHTC. She further stated that each program would help to provide training and education to the local workforce and saw the programs as a benefit to the community as a whole.

Commissioner Fowler asked about additional paving on the lot in the future. **Dr. Daugherty** stated that there would be millings brought in from the Overlander Road project and future development would include hard surfacing.

No Person Spoke Against the Rezoning.

The Public Hearing was closed.

After a brief discussion among the Planning Commissioners;

Commissioner Reed made a motion to recommend approval of the rezoning to the Governing Body based on a finding that the request is consistent with the Comprehensive Plan; the request conforms to the intent of the Zoning Regulations,

and there would be no negative impact on the existing neighborhood. Commissioner Johnson seconded the motion. The motion carried 5-0 (Gilligan abstained).

Justin Givens, Interim Director, Building & Neighborhood Development, was recognized and addressed the Governing Body. He stated the owner of the property located at 615 Overlander Road has requested that the property be rezoned from Lyon County Light Industrial to City of Emporia Light Industrial (LI). The request comes as Flint Hills Technical College intends to use the property for CDL Training and Precision Agriculture classes. The applicant has previously been annexed into the city, and prior to any development, a rezoning to a City of Emporia parcel type is required. The Light Industrial (LI) parcel type is consistent with adjacent properties, and the proposed use is allowed via a Conditional Use Permit. The applicant has also submitted a CUP request. Flint Hills Technical College intends to use the property for newly started CDL Training and expand the Precision Agricultural program. At their April 14, 2026, regular meeting, the Planning Commission conducted the required public hearing and voted unanimously recommending for approval for the property at 615 Overlander to be rezoned for the Flint Hills Technical College.

**PLANNING AND DEVELOPMENT
(Application No. 2026-03 – Request of Flint Hills Technical College)
(Rezone Property Located at 615 Overlander Road)
(Ordinance Number 26-10)**

AN ORDINANCE REZONING LAND IN THE CITY OF EMPORIA, KANSAS FROM LYON COUNTY LIGHT INDUSTRIAL PARCEL TYPE TO CITY OF EMPORIA LIGHTS INDUSTRIAL (LI) PARCEL TYPE AND AMENDING THE OFFICIAL ZONING MAP TO CONFORM WITH SAID ZONING, to which the City Clerk assigned Ordinance Number 26-10, was presented to the Governing Body for their consideration.

Commissioner Harter made a motion to approve Ordinance Number 26-10 and ordinance rezoning property located at 615 Overlander Road from Lyon County Light Industrial to City of Emporia Light Industrial (LI). Commissioner Ogle seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

**PLANNING AND DEVELOPMENT
(MAPC Excerpts of Regular Meeting Held 4-14-26)
(Application No. 2026-04 – Request of Flint Hills Technical College)
(Conditional Use Permit Located at 615 Overlander Road)**

The Planning Commission met in a regular session on Tuesday, April 14, 2026, with Chair Kenton Thomas presiding. Commissioners Fowler, Reed, Gilligan, Larson, and Johnson were present. Commissioner Lingenfelter was absent.

City staff: Justin Givens, Interim Director, Building & Neighborhood Development, was present.

Thomas called the meeting to order.

3. Planning Commission: Consider PC 2026-04, a Request for a Conditional Use Permit for a Technical College located at 615 Overlander Road.

Thomas asked if proper notice had been given. Givens confirmed that proper notice was provided.

Thomas asked if any Commissioners needed to recuse themselves or report any ex-parte communications. Commissioner Gilligan recused herself as the applicant is her employer. No other ex-parte communications or conflict of interests were reported.

Givens provided the Staff Report.

STAFF REPORT

Application #: PC 2026-04

Applicants: Flint Hills Technical College

Requested Action: Approval of a Conditional Use Permit for a Technical School

Purpose: The applicant is requesting the Conditional Use Permit to create expanded Agricultural Technical offerings.

Address: 615 Overlander Rd.

Legal description: BEGINNING 30 FEET WEST OF THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION SEVEN (7), TOWNSHIP NINETEEN (19) SOUTH, RANGE ELEVEN (11) EAST OF THE 6TH P.M., LYON COUNTY, KANSAS, THENCE WEST 660 FEET; THENCE NORTH 660 FEET; THENCE EAST 660 FEET; THENCE SOUTH 660 FEET TO THE PLACE OF BEGINNING.

LESS THE FOLLOWING DESCRIBED TRACT:

A TRACT IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS, AS SURVEYED AND

DESCRIBED BY AARON C. DAVIS, PS 1368, ON JULY 8, 2025, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 7; THENCE N.00°41'24"W. (BASIS OF BEARINGS) ON THE EAST LINE OF SAID SE1/4 FOR 660.00 FEET; THENCE S87°53'50"W. FOR 30.00 FEET A POINT ON THE WEST RIGHT OF WAY LINE OF OVERLANDER ROAD, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 1 IN OVERLANDER ADDITION TO THE CITY OF EMPORIA, LYON COUNTY, KANSAS, AND THE POINT OF BEGINNING; THENCE CONTINUING S87°53'50"W. ON THE SOUTH LINE OF SAID LOT 1 FOR 330.00 FEET; THENCE S.00°41'24"E. PARALLEL WITH SAID EAST LINE FOR 170.00 FEET; THENCE N.87°53'50"E. FOR 330 FEET TO THE WEST RIGHT OF WAY LINE OF OVERLANDER ROAD; THENCE N.00°41'24"W. ON SAID WEST RIGHT OF WAY LINE FOR 170.00 FEET TO THE POINT OF BEGINNING.

Lot Size: 8.00 acres (352,687 sq. ft.)

Existing Zoning: County Light Industrial – A concurrent rezoning application is being considered for City Light Industrial Zoning

Future Zoning in ELC Comp. Plan: City Light Industrial (LI)

Surrounding Zoning:

North: City Light Industrial / Commercial
East: City Light Industrial
South: County Heavy Industrial
West: City & County Light Industrial

Surrounding Actual Uses:

North: Oil and Gas Drilling Operator
East: Bradford Seed and Feed / Truck & Trailer Storage
South: Vacant Farm Ground / Eagle Creek Cement Plant
West: Vacant Farm Ground / Cellular Communications Tower

Analysis: The applicant is proposing to create an expanded Agricultural Technical Program on the site. Technical Colleges are required to receive Conditional Use Permits prior to occupancy of a property. FHTC is proposing to occupy an existing building for use. The building is well suited for the proposed use, as it has previously been used as an oil and gas operator's facility. The location is in an area that is already zoned Light Industrial, so the new use would be compatible with existing uses.

Additional analysis has been provided in the factors for consideration.

Considerations: 26-109. Factors to be Considered for a Conditional Use Permit:

Because of particular conditions associated with their activities, certain uses which might have an adverse effect upon nearby properties or upon the character and future

development of a district are not permitted outright in districts, but are permitted as conditional uses when their proposed location is supplemented by additional requirements so as to make the use requested compatible with the surrounding property, the neighborhood and the zoning jurisdiction.

In approving a conditional use, the minimum requirements set out in these regulations for the underlying district must be met unless otherwise reduced by specific reference in the approval of the Governing Body. The requirements may be made more stringent if there are potentially injurious effects which may be anticipated upon other property or the neighborhood or which may be contrary to public health, safety or welfare.

The Planning Commission may recommend approval of a Conditional Use that is expressly authorized to be permitted in a particular zoning district, and the Governing Body may approve such Conditional Use, using the following factors as guidelines: **Staff Commentary in Bold**

1. Whether approval of the conditional use would be consistent with the intent and purpose of these regulations; **The use would be consistent with the intent and purpose of the zoning ordinance. Agricultural sales and service of equipment are allowed uses in Light Industrial Zoning. The reuse of the property is an example of adaptive reuse of buildings that is encouraged within the zoning regulations and comprehensive plan.**

2. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood; **As previously stated, the use is compatible with existing land uses in the surrounding neighborhood.**

3. Whether the proposed use places an undue burden on the existing transportation and service facilities in the area affected and, if so, whether such additional transportation and service facilities can be provided; **Overlander Road is currently being upgraded to handle additional traffic, and any increase in traffic by FHTC occupying this property would be negligible. Other public utilities are available for the property, and the addition of this use would not overwhelm the existing infrastructure.**

4. Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected; The overall need for training of advanced agricultural is driving the necessity to expand the program. There is limited space at the existing campus, which is also currently seeing an expansion. Overall, technical colleges are seeing a rise in enrollment as the cost of higher education continues to rise. Allowing the CUP for the Agricultural Training Program would be a positive for the community.

5. The length of time the subject property has remained vacant or undeveloped as zoned; (the use of land for agricultural purposes shall be considered as viable use of the land and not be considered as allowing the land to be vacant or undeveloped); **N/A**

6. Whether the applicant's property is suitable for the proposed conditional use; **As previously stated, this property is well suited for the proposed conditional use and would be beneficial to the community and the overall area. The property is**

currently used in an industrial manner, and allowing FHTC to operate on the property would not be detrimental to any existing property or business in the area.

7. The recommendations of professional staff; **Staff is supportive of the Conditional Use Permit.**

8. Whether the proposed conditional use would be in conformance to and further enhance the implementation of the City's Comprehensive Plan; **There are several elements of the Comprehensive Plan that conform to the proposed project. The adaptive reuse of property, developing a better trained and skilled workforce, and siting projects in areas that have access to public infrastructure versus expanding to new areas for development.**

9. Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed on the applicant by not upgrading the value of the property by approving the proposed conditional use; **Allowing the applicant to expand the agricultural program and offerings in this community would be a beneficial use for the community and would provide far greater dividends than continuing to restrict the properties use.**

10. Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected; **It is staff's opinion that the use, if approved, would not adversely affect the rights of neighboring properties.**

11. For uses as solid waste disposal facilities, including sanitary landfills, construction and demolition landfills and transfer stations, whether the proposed conditional use is consistent with the adopted Solid Waste Management Plan of Lyon County, and amendments thereto; **N/A**

12. Such other factors as may be relevant from the facts and evidence presented in the application.

Neighborhood Communications:

Recommendation: If the Planning Commission finds that the project is advisable, it may forward a recommendation to approve the Conditional Use Permit to the Governing Body based on the findings that the project is consistent with the intent and purpose of the zoning regulations, will not have an adverse impact on the surrounding area and the use is consistent with neighboring uses subject to the following conditions;

- 1) The project meets all applicable zoning, building, fire, and other applicable code regulations.
- 2) Any additional conditions the Planning Commission or City Commission deem necessary to protect the public health, safety, and general welfare.

Attachments: Aerial Map / Current Zoning Map

The Public Hearing was opened.

Dr. Caron Daugherty, Flint Hills Technical College President, spoke on behalf of the project. **Dr. Daugherty** stated that FHTC has recently started a CDL training program and would be using the property to house and expand that program as well as the Precision Agriculture program currently provided at FHTC. She explained the benefits of having the program located at a central location, owned by the college versus using different spaces. She further stated that each program would help to provide training and education to the local workforce and saw the programs as a benefit to the community as a whole.

No Person Spoke Against the Conditional Use Permit request.

The Public Hearing was closed.

After a brief discussion among the Planning Commissioners;

Commissioner Larson made a motion to recommend approval of the Conditional Use Permit to the Governing Body based on a finding that the project is consistent with the intent and purposes of the zoning regulations, will not have an adverse impact on the surrounding area, and the use is consistent with neighboring uses and subject to the conditions that any future develop meets all applicable zoning, building, fire and any other applicable code regulations. Commissioner Fowler seconded the motion. The motion carried 5-0 (Gilligan abstained).

Justin Givens, Interim Director, Building & Neighborhood Development, was recognized and addressed the Governing Body. He stated the owners of the property at 615 Overlander Road, Flint Hills Technical College, recently annexed the property into city limits and a rezoning application was just approved. A Technical College requires a Conditional Use Permit to be located on all Parcel Types. The CUP would allow Flint Hills Technical College to occupy the property and conduct training and classroom education on site for CDL Training and Precision Agriculture classes. At their April 14, 2026, regular meeting, the Planning Commission conducted the required public hearing and voted unanimously to approve the Conditional Use Permit for the property located at 615 Overlander Road for the Flint Hills Technical College.

PLANNING AND DEVELOPMENT
(Application No. 2026-04 – Request of Flint Hills Technical College)
(Conditional Use Permit Located at 615 Overlander Road)
(Ordinance Number 26-11)

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT FOR A CERTAIN DESCRIBED AREA IN THE CITY OF EMPORIA to which the City Clerk assigned Ordinance Number 26-11 was presented to the Governing Body for their consideration.

Commissioner Harter made a motion to approve Ordinance Number 26-11 for a Conditional Use Permit for a Technical College at 615 Overlander Road. Commissioner Steinkuhler seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Steinkuhler, aye; Commissioner Duncan, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

PLANNING AND DEVELOPMENT
(MAPC Excerpts of Regular Meeting Held 4-14-26)
(Application No. 2026-02 – Request of S & S Mini Storage LLC)
(Conditional Use Permit Located at 2606 W. Hwy 50)

The Planning Commission met in a regular session on Tuesday, April 14, 2026, with Chair Kenton Thomas presiding. Commissioners Fowler, Reed, Gilligan, Larson, and Johnson were present. Commissioner Lingenfelter was absent.

City staff: Justin Givens, Interim Director, Building & Neighborhood Development, was present.

Thomas called the meeting to order.

4. Planning Commission: Consider PC 2026-02, a Request for Conditional Use Permit at 2606 W HWY 50 for Outdoor Recreational Vehicle Storage.

Thomas asked if proper notice had been given. **Givens** confirmed that proper notice was provided.

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

Givens provided the Staff Report.

STAFF REPORT

Application #: PC 2026-02

Applicants: S & S Mini Storage LLC

Requested Action: Approval of a Conditional Use Permit for Recreational Vehicle Storage

Purpose: The storage of recreational vehicles within an existing storage facility.

Address: 2606 W HWY 50

Legal description: LOT 2 IN S&S ADDITION TO THE CITY OF EMPORIA, LYON COUNTY, KANSAS, ACCORDING TO THE RECORDED PLAT THEREOF.

AND

A PART OF LOT 3 OF S&S ADDITION TO THE CITY OF EMPORIA, LYON COUNTY, KANSAS; AS SURVEYED AND DESCRIBED BY STEVEN S. BROSEMER ON OCTOBER 21, 2020; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID LOT 3 AND BEING ALSO THE NE CORNER OF SAID ADDITION; THENCE S.00°42'20"E. (GRID BEARINGS) ON THE WEST LINE OF ANDERSON STREET FOR 143.00 FEET; THENCE S.89°14'30"W. PARALLEL WITH THE NORTH LINE OF SAID ADDITION FOR 111.56 FEET TO THE EAST LINE OF LOT 2 OF SAID ADDITION; THENCE N.00°42'20"W. ON THE EAST LINE OF SAID LOT 2 FOR 113.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE S.89°14'30"W. ON THE NORTH LINE OF SAID LOT 2 FOR 133.75 FEET; THENCE N.00°42'20"W. FOR 30 FEET TO THE NORTH LINE OF SAID ADDITION; THENCE N.89°14'30"E. ON SAID NORTH LINE FOR 245.31 FEET TO THE POINT OF BEGINNING.

Lot Size: 3.30 acres (147,875 sq. ft.)

Existing Zoning: Flex-Use High (FH)

Future Zoning in ELC Comp. Plan: Flex-Use High (FH)

Surrounding Zoning:

North: Flex-Use High
East: Light Industrial / Commercial
South: Flex-Use High
West: Flex-Use High

Surrounding Actual Uses:

North: Lyon County Fair Grounds
East: Veterinary Clinic / Commercial Office Space
South: Bluestem Farm and Ranch
West: MFA Propane

Analysis: The applicants have recently purchased a storage facility that was granted a conditional use permit in 2021. The original owners had requested that storage buildings be allowed to cover a majority of the property. At that time, the Planning Commission and City Commission limited the coverage of storage facilities to only a portion of the property. The reason behind this decision was to protect the frontage of the property as future commercial development versus storage buildings. The current owner is requesting that the storage of recreational vehicles be allowed in a portion of the area that was originally excluded from storage in the initial application.

The storage of recreational vehicles would allow the property to be easily developed if a time comes when development pressure would dictate that the space had greater value as commercially built property versus storage of recreational vehicles.

Additional analysis has been provided in the factors for consideration.

Considerations: 9.5.4. Factors to be Considered for a Conditional Use Permit:

Because of particular conditions associated with their activities, certain uses which might have an adverse effect upon nearby properties or upon the character and future development of a district are not permitted outright in districts, but are permitted as conditional uses when their proposed location is supplemented by additional requirements so as to make the use requested compatible with the surrounding property, the neighborhood and the zoning jurisdiction.

In approving a conditional use, the minimum requirements set out in these regulations for the underlying district must be met unless otherwise reduced by specific reference in the approval of the Governing Body. The requirements may be made more stringent if there are potentially injurious effects which may be anticipated upon other property or the neighborhood or which may be contrary to public health, safety or welfare.

The Planning Commission may recommend approval of a Conditional Use that is expressly authorized to be permitted in a particular zoning district, and the Governing Body may approve such Conditional Use, using the following factors as guidelines: **Staff Commentary in Bold**

1. Whether approval of the conditional use would be consistent with the intent and purpose of these regulations; **Self-Service Storage facilities are not listed as approved uses within the use table and therefore require review from the Planning Commission and City Commission. Similar uses, such as Recreational Vehicle Sales, are allowed outright in Flex-Use High areas. Allowing the storage of recreational vehicles after review would be consistent with the intent and purpose of the zoning regulations.**

2. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood; **Multiple properties within the area have outdoor storage of goods and materials for sale including Bluestem across the street, and MFA directly to the west of this property. Allowing the storage of recreational vehicles would be compatible with adjacent properties.**

3. Whether the proposed use places an undue burden on the existing transportation and service facilities in the area affected and, if so, whether such additional transportation and service facilities can be provided; **There would be no undue burden on existing public services in the area. The road system is designed to handle high volume traffic as major commercial corridor. Additional services demands would be negligible for a project such as this.**

4. Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected; **N/A**

5. The length of time the subject property has remained vacant or undeveloped as zoned; (the use of land for agricultural purposes shall be considered as viable use of the land and not be considered as allowing the land to be vacant or undeveloped); **The applicant is proposing a use that would maximize space, while retaining the potential for future commercial development on the property. The total of the property was vacant for some time before the initial storage facility development.**

6. Whether the applicant's property is suitable for the proposed conditional use; **The property has ample space to allow for the storage of recreational vehicles and fenced screening, while being setback at a distance that would not hinder traffic flow along HWY 50. The property is adjacent to other properties that have outdoor storage including propane tanks, farm equipment, and both new and used cars.**

7. The recommendations of professional staff; **Staff supports the Conditional Use request provided the applicant adheres to the conditions levied in the original request and any new conditions that would be required for approval.**

8. Whether the proposed conditional use would be in conformance to and further enhance the implementation of the City's Comprehensive Plan; **The proposed development increases the use of existing property which is encouraged in the comprehensive plan, and it retains area that could be developed with new buildings for commercial ventures. Also, a secondary aspect is that this project would provide for additional space for residents to store recreational vehicles outside of residential parcel types, which generally helps improve the aesthetic of our neighborhoods.**

9. Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed on the applicant by not upgrading the value of the property by approving the proposed conditional use; **The is no real gain for the public health, safety, or welfare, but limiting the use of the property when similar uses such as recreational vehicle sales would be allowed does create a hardship on the applicant.**

10. Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected; **Staff does not feel that based on the location and nature of the request would not have a detrimental impact on neighboring properties.**

11. For uses as solid waste disposal facilities, including sanitary landfills, construction and demolition landfills and transfer stations, whether the proposed conditional use is consistent with the adopted Solid Waste Management Plan of Lyon County, and amendments thereto; **N/A**

12. Such other factors as may be relevant from the facts and evidence presented in the application.

Neighborhood Communications: Staff has not had any contact on this proposal.

Recommendation: If the Planning Commission finds that the project is advisable, it may forward a recommendation to approve the Conditional Use Permit to the Governing Body based on the findings that the project is consistent with the intent and purpose of the zoning regulations, will not have an adverse impact on the surrounding area and the use is consistent with neighboring uses subject to the following conditions;

- 1) Any new development meets and maintains compliance with all applicable zoning, building, fire, and other code.
- 2) The applicant complies with the items not completed with the original development including hard surfacing of the drives within the existing storage facility.
- 3) Any additional conditions the Planning Commission or City Commission deem necessary to protect the public health, safety, and general welfare.

Attachments: Aerial Map / Current Zoning Map / Site Plan

The Public Hearing was opened.

Brandon Rains, 144 Road 147, Emporia, KS. (owner) spoke on behalf of the project. **Mr. Rains** stated that the asphalt had been installed in the last several days, and they had spoken with the Engineering Department on retention / detention structures. He also stated that an iron fence with a gate would be installed in front of the storage area. **Rains** stated that they were working with an electrical contractor to install lights on the property to increase security.

Commissioner Johnson asked about the fence. **Rains** stated the location of the fence would follow the perimeter of the property except along the front where it would run in line with the middle of the building.

Scott Strahm, 1554 Road 175, Emporia, KS. (owner) spoke on behalf of the project, stating that they were working towards compliance with the original conditional use permit.

No Person Spoke Against the Conditional Use Permit request.

The Public Hearing was closed.

Commission Fowler stated concerns about the proposed screening and the appearance of the property especially if the quality of recreational vehicles declines over time. After a brief discussion among the Planning Commissioners concerning the proposed project including screening,

Commissioner Johnson made a motion to recommend approval of the Conditional Use Permit to the Governing Body based on the findings that the project is consistent with the intent and purpose of the zoning regulations, will not have an adverse impact on the surrounding area and the use is consistent with neighboring uses subject to the following conditions;

- 1) Any new development meets and maintains compliance with all zoning, building, fire, and any other applicable federal, state, or municipal code or regulation.
- 2) The applicant complies with the items not completed with the original development including hard surfacing of the drives, retention/detention structure, landscaping per the original plan within 90 days.
- 3) No vehicles or recreational vehicles that meet the definition of an inoperable vehicle as defined in Section 17.3 of the Emporia Municipal Code be stored on the property. Commissioner Reed seconded the motion. The motion carried 6-0.

Justin Givens, Interim Director, Building & Neighborhood Development, was recognized and addressed the Governing Body. He stated S & S Storage has recently purchased an existing storage facility at 2606 W. Hwy 50 and is proposing to have recreational vehicles stored on the property. A Conditional Use Permit is required for this type of storage. There were several items related to the original Conditional Use Permit granted to allow storage facilities still outstanding. The applicant has agreed to and is already in the process of completing those items. The items that need to be addressed based on the original CUP include hard surfacing, installation of retention/detention structure, and landscaping. He stated the Conditional Use Permit would allow the applicants to have storage space for recreational vehicles on the property while maintaining space that would be developed as commercial property in the future. The Planning Commission made its recommendation with the following conditions:

1. All previously incomplete items be installed within 90 days of the passage of this ordinance.
2. That all future development meets all federal, state, and local building, fire, and zoning codes, as well as be in compliance with all municipal codes.
3. No vehicles or recreational vehicles that meet the definition of an inoperable vehicle as defined in Section 17.3 of the Emporia Municipal Code be allowed to be stored on the property.

At their April 14, 2026, regular meeting, the Planning Commission conducted the required public hearing and voted unanimously to approve the Conditional Use Permit for the property located at 2606 W. Hwy 50 subject to the above conditions.

PLANNING AND DEVELOPMENT
(Application No. 2026-02 – Request of S & S Mini Storage LLC)
(Conditional Use Permit Located at 2606 W. Hwy 50)
(Ordinance Number 26-12)

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT FOR A CERTAIN DESCRIBED AREA IN THE CITY OF EMPORIA, KANSAS, to which the City Clerk assigned Ordinance Number 26-12, was presented to the Governing Body for their consideration.

Following further discussion, Commissioner Harter made a motion to approve Ordinance Number 26-12 for a Conditional Use Permit for Outdoor Recreational Vehicle Storage at 2606 W. Hwy 50. Commissioner Steinkuhler seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Steinkuhler, aye; Commissioner Duncan, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

FRANCHISE AGREEMENT
(Evergy Kansas Central, Inc.)
(Ordinance Number 26-09)

AN ORDINANCE GRANTING TO EVERGY KANSAS CENTRAL, INC., A KANSAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, AN ELECTRIC FRANCHISE INCLUDING THE RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN ELECTRIC TRANSMISSION, DISTRIBUTION AND STREET LIGHTING FACILITIES WITHIN THE CORPORATE LIMITS OF THE CITY OF EMPORIA, KANSAS, to which the City Clerk assigned Ordinance Number 26-09, was presented to the Governing Body for their consideration.

Mark Detter, Deputy City Manager, was recognized and addressed the Governing Body. He stated in 2006, the City of Emporia signed a 20-year Franchise Agreement with Westar Energy. The agreement created a 5% franchise fee on all gross receipts for revenue generated by Westar Energy on electricity sold in Emporia. Evergy has agreed to renew the Franchise Agreement for a 10-year period with a 5-year reopener clause. Evergy has also agreed to a 6% Franchise Fee on all gross receipts for electricity sold in Emporia. The increase in rate will generate approximately \$400,000 more in franchise

fee revenue or the equivalent of 1.5 to 1.75 mills. The new agreement will go into effect after publication and acceptance by Evergy and notification to the Kansas Corporation Commission. Staff recommend approval of Ordinance Number 26-09 granting Evergy Central, Inc. an electric franchise.

Commissioner Steinkuhler made a motion to approve Ordinance Number 26-09 granting to Evergy Kansas Central, Inc. an electric franchise including the right to construct, operate and maintain electric transmission, distribution, and street lighting facilities within the City limits of Emporia. Commissioner Duncan seconded the motion. The vote follows: Commissioner Steinkuhler, aye; Commissioner Duncan, aye; Commissioner Harter, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

BONDS

(Authorizing and Providing Issuance of General Obligation Bonds Series 2026) (Ordinance Number 26-06)

AN ORDINANCE AUTHORIZING AND PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS; SERIES 2026, OF THE CITY OF EMPORIA, KANSAS; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AN INTEREST ON SAID BONDS AS THEY BECOME DUE; AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH; AND MAKING CERTAIN COVENANTS WITH RESPECT THERETO, to which the City Clerk assigned Ordinance Number 26-06, was presented to the Governing Body for their consideration.

Mark Detter, Deputy City Manager, was recognized and addressed the Governing Body. He stated the bond ordinance authorized and provides for the issuance of \$13,635,000 in General Obligation Bonds Series 2026. The Ordinance will authorize the issuance of Bonds for the purpose of making the following improvements:

- Fire Station #2 Remodel and Rehabilitation
- New Aerial Fire Truck Acquisition
- Flint Hills Crossing Infrastructure Improvements
- Overlander Road – Main Trafficway
- Street Sweeper
- Storm Sewer Improvements

Fire Station #2, Flint Hills Crossing Infrastructure, Overlander Road and Storm Sewer Improvements will be financed for a period of 20 years. Aerial Fire Truck will be financed for 10-year period, and the Street Sweeper will be financed over 5 years.

Greg Vahrenberg, representing Raymond James as advisor for the City of Emporia, addressed the Governing Body. He reviewed information pertaining to the bond sale, the City's AA- bond rating with comments from Standard and Poor (S&P) about debt management, reserves that are solid with conservative budgeting, management is proactive in long term financial and capital planning, debt is manageable and the City's financial practices allow the City to maintain stable operating performances and reserves and overall debt profile. Bids received from the sale today were from 3.75% to 3.83% with the best bid from Robert W. Baird at an interest rate of 3.753% and offered excess proceeds to the City of \$728,000, which allowed the principal amount of the financing to be reduced from \$14,315,000 to \$13,635,000. He recommends accepting the low bid from Robert W. Baird of 3.753% and adopting the resolution and ordinance for closing on May 27, 2026.

Staff recommend approval of Ordinance Number 26-06 authorizing and providing the issuance of General Obligations Bonds, Series 2026 of the City of Emporia, Kansas.

Following further discussion, Commissioner Harter made a motion to approve Ordinance Number 26-06 authorizing the issuance of General Obligation Bonds Series 2026, of the City of Emporia. Commissioner Ogle seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

BONDS
(Prescribing the Form & Details & Authorizing the Sale & Delivery)
(General Obligation Bonds Series 2026)
(Resolution Number 3790)

Mark Detter, Deputy City Manager, stated the Bond Ordinance authorized and provided for the issuance of \$13,635,000 in General Obligation Bonds. The Resolution describes the form and details of the bonds, including detailing the description of bonds, the designated paying agent and bond registration, and other legal details of the bonds that are required by Kansas and Federal law. The Resolution prescribes the form and details and authorizes the sale and delivery of General Obligation Bonds Series 2026 of the City for a total of \$13,635,000. He stated the Bond Resolution provides that the City

Commission will levy property taxes necessary to make dept payments on the GO Bonds Series 2026.

Commissioner Harter made a motion approving Resolution Number 3790 prescribing the form and details and authorizing the sale and delivery of General Obligation Bonds Series 2026 of the City of Emporia, Kansas and accepting the low bid from Robert W. Baird for 3.753% for \$13,635,000. Commissioner Ogle seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Emporia Recreation Commission)
(Jones Aquatic Center Agreement)**

Kevin Hanlin, Director of Public Lands and Facilities, was recognized and addressed the Governing Body. He stated the City owns the Jones Aquatic Center and the Emporia Recreation Commission (ERC) operates the facility annual per agreement. The ERC is responsible for daily operations, staffing, programming, and routine maintenance, while the City provides utilities, pool chemicals, and maintenance of major systems, grounds, and infrastructure. The proposed 2026 agreement continues the existing agreement as the previous 2025 term with the except for an addition of Section 7.1 addressing extended operations beyond the start of the school year. He stated Section 7.1 provides weekend operations beyond the first day of school through Labor Day, with ERC retaining discretion to determine feasibility based on staffing and operational considerations. If extended operations occur, the City's maximum reimbursement obligation increases by up to \$7,000, for a total not to exceed \$103,000. The City's financial obligation remains capped at \$96,000 for the base season, with a potential increase to \$103,000 if expanded operations occur.

Commissioner Harter made a motion to approve 2026 Jones Aquatic Center Agreement. Commissioner Steinkuhler seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Steinkuhler, aye; Commissioner Duncan, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

Consent Agenda

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

- a. Minutes of Regular Commission Meeting Held on April 15, 2026.
- b. Resolution Number 3793 Adopting a Policy on Voluntary Annexation and Limited Property Tax Rebate.

CITY COMMISSION Adopting Policy on Voluntary Annexation And Limited Property Tax Rebate Resolution Number 3793

City Attorney Montgomery stated the proposed policy establishes a framework for voluntary annexation and allows, a case-by-case basis, a limited and temporary rebate of the City's portion of property taxes for properties annexed in advance of anticipated development. The policy is intended to encourage early annexation to support coordinated municipal planning, efficient provision of services, and long-term growth of the City's tax base. The policy establishes eligibility criteria and procedures for voluntary annexation and limited property tax rebate agreements. Participation is discretionary and subject to Governing Body approval. Rebates may be provided for up to three years (3) following annexation and may not exceed 100% of the City's portion of property taxes. Rebates terminate upon development, transfer of ownership, extension of infrastructure to development, expiration of the agreement term or other specified conditions. Rebates do not alter the tax levy, assessment, or collection process as they are a municipal expenditure. The policy also provides a process for discretionary consideration of de-annexation if anticipated development does not occur. Any rebate payments would be limited to the City's portion of property taxes levied, collected and distributed to the City. Rebates are subject to annual appropriation by the Governing Body. Staff recommend approval of Resolution Number 3793 adopting a policy on voluntary annexation and limited property tax rebate.

- c. Application to the Kansas Housing Resources Corporation for Emergency Solutions Grant on Behalf of Local Agencies.

The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Steinkuhler, aye; and Mayor Smith, 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 MAY 20, 2026, MEETING.

- Proclamation Recognizing America's 250th Celebration.
Discuss 417 Commercial CDBG Project.

STUDY SESSION

- Discuss Solid Waste Master Plan.
- 2025 Public Works Department Totals

**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 Harter made a motion to recess the meeting until 12:17 p.m. at the Evora Wheeler Conference Room. Commissioner Steinkuhler seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Steinkuhler aye; Commissioner Duncan, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

The following items were discussed at the Study Session:

1. Discuss Extending Hours of Alcohol Sales during 2026 FIFA World Cup Series.
2. Discuss Water Treatment Plant
3. Discuss Becker Addition.

EXECUTIVE SESSION

Commissioner Harter made a motion to recess into Executive Session for 1 hour 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 downstairs at approximately 3:00 p.m. Commissioner Steinkuhler seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Steinkuhler, aye; Commissioner Duncan, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

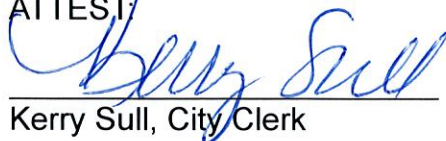
Upon reconvening the meeting in Regular Session at 3:00 p.m., this same date, in the City Commission Meeting Room, Commissioner Harter made a motion to continue the executive session for the reason stated previously with all the same pertinent city staff and resume the open meeting at approximately 3:17 p.m. Commissioner Duncan seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Duncan, aye; and Commissioner Ogle, aye. Commissioner Steinkuhler and Mayor Smith were not present at the time of the vote.

Upon reconvening the meeting in Regular Session at 3:17 p.m., this same date, in the City Commission Meeting Room, Commissioner Harter made a motion to continue the executive session for the reason stated previously with all the same pertinent city staff and resume the open meeting at approximately 3:31 p.m. Commissioner Ogle seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; and Commissioner Duncan, aye. Commissioner Steinkuhler and Mayor Smith were not present at the time of the vote.

Upon reconvening the meeting in Regular Session at 3:31 p.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had consultation with the City Attorney regarding a legal matter and no action was taken.

Commissioner Ogle then made a motion to adjourn. Commissioner Harter seconded the motion. The vote follows: Commissioner Ogle, aye; Commissioner Harter, and Mayor Smith, aye. Commissioner Duncan and Commissioner Steinkuhler were not present at the time of the vote.

ATTEST:


Kerry Sull, City Clerk




Becky Smith, Mayor