



Emporia
Kansas

CITY COMMISSION
WEDNESDAY, JULY 1, 2026 AT 11:00 AM
CITY COMMISSION CHAMBER

ORDER OF BUSINESS

CALL MEETING TO ORDER

Mayor Becky Smith

MEMBERS PRESENT

Vice-Mayor Tammi Ogle

Commissioner Monica Duncan

Commissioner Erren Harter

Commissioner Kurt Steinkuhler

PROCLAMATIONS

Proclamation Recognizing Parks & Recreation Professionals Day as July 17, 2026

Accepted by: Amanda Gutierrez, Executive Director Emporia Recreation Center; and Kevin Hanlin, Director of City Public Lands & Facilities

PUBLIC FORUM

The public is invited to make comments at this time. Please limit comments to two (2) minutes each. Please state your name and address prior to making comments.

NEW BUSINESS

1) **Appoint City Appointee to Emporia Enterprises**

Presented by: Tammi Ogle, Vice-Mayor & Monica Duncan, Commissioner

Recommended Action: Approve the appointment of Jon Geitz as City Appointee to Emporia Enterprises

2) **Appoint Member to the Emporia Human Relations Commission**

Presented by: Becky Smith, Mayor and Tammi Ogle, Vice-Mayor

Recommended Action: Approve the appointment of Lenia Goekler to the Emporia Human Relations Commission

3) **Purchase of 2026 Utility Work Truck for Underground Utilities**

Presented by: Scott Grogg, Underground Utilities Manager

Recommended Action: Approve the purchase of a 2026 Chevrolet 3500 cab chassis from Longbine Autoplaza for \$59,070.00 and authorize outfitting with a CM Truck Bed from American Equipment Co. for \$16,853.00, for a total of \$75,923.00.

4) **Permanent Sanitary Sewer Easement for Cedarbrook Meadows Addition**

Presented by: Jim Ubert, City Engineer

Recommended Action: City staff recommends accepting the Permanent Sanitary Sewer Easement

COMMUNICATIONS

Presented by Trey Cocking, City Manager.

CONSENT AGENDA

Presented by Trey Cocking, City Manager.

- 1) Commission Meeting Minutes for June 17, 2026

INFORMATIONAL ITEMS

Presented by Trey Cocking, City Manager.

- 1) Informational Items

GOVERNING BODY COMMENTS

Mayor Becky Smith

Vice-Mayor Tammi Ogle

Commissioner Monica Duncan

Commissioner Erren Harter

Commissioner Kurt Steinkuhler

RECESS

Recess to Evora Wheeler Conference Room for Study Session

STUDY SESSION AGENDA ITEMS

- 1) Discuss Large Volume Wastewater User Policy
- 2) Update on Large Water Volume User Policy
- 3) Budget Discussion
- 4) CIP Budget Review
- 5) Discuss Engineering Fees
- 6) Discuss Meeting on July 15, 2026

EXECUTIVE SESSION

- 1) Recess into executive session for 30 minutes, inviting pertinent city staff to discuss confidential data of a third party relating to economic development. The justification for the executive session is provided by K.S.A. 75-4319(b)(4) to protect financial affairs and trade secrets of third parties. The open meeting will resume in the City Commission Chamber at approximately ___:_____ a.m./p.m.

ADJOURNMENT



PROCLAMATION

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Emporia, Kansas; and

WHEREAS, parks and recreation are vital to establishing and maintaining quality of life, promoting physical and mental well-being, fostering community connections, and contributing to the economic and environmental strength of a community and region; and

WHEREAS, our parks and recreation professionals daily maintain our pools, beaches, campsites, marinas, picnic areas, athletic fields, skate parks, dog parks, festival venues, gardens, visitor centers, historic and cultural attractions, and many other recreational facilities and amenities normally as unsung services; and

WHEREAS, Kansas local parks generate over \$1 billion in economic activity annually with the service of parks and recreation professionals; and

WHEREAS, there are over 8,000 programmers, managers, maintainers, landscapers, facilitators, lifeguards, coaches, event organizers and caretakers who plan, provide, operate and enhance the experience of our parks, recreation programs and facilities in the State of Kansas; and

WHEREAS, Emporia recognizes the benefits derived from the service of our parks and recreation professionals

NOW, THEREFORE, I, Becky Smith, Mayor of the City of Emporia, Kansas, do hereby proclaim July 17, 2026, to be recognized as

“Parks and Recreation Professionals Day”

in Emporia, Kansas and urge all residents of Emporia to join the rest of America in celebrating our Parks & Recreation Professionals.

On this 1st day of July 2026

ATTEST:

Becky Smith, Mayor

Kerry Sull, City Clerk



Commission Action Report

Appoint City Appointee to Emporia Enterprises

Title: Appoint City Appointee to Emporia Enterprises
Agenda Date: July 1, 2026
Presented By: Tammi Ogle, Vice-Mayor & Monica Duncan, Commissioner

Background:

Emporia Enterprises requests that the City Commission fill board openings for the City Appointee with qualified candidates.

Discussion:

Applications were received, and interviews were conducted by Vice-Mayor Ogle and Commissioner Duncan.

Interviewing Commissioners recommend the appointment of Jon Geitz as the City Appointee for an unexpired term ending December 31, 2027.

Recommended action:

Approve the appointment of Jon Geitz as City Appointee to Emporia Enterprises.

Online Form Submittal: Board Application Form

From noreply@civicplus.com <noreply@civicplus.com>

Date Fri 6/12/2026 1:26 PM

To [REDACTED]

Board Application Form

Select Board, Commission, Emporia Enterprises
or Committee to apply.

Personal Information

First Name Jon

Last Name Geitz

Address1 [REDACTED]

Address2 *Field not completed.*

City Emporia

State Ks

Zip 66801

Home Phone Number [REDACTED]

Business Address [REDACTED]

Business Phone Number [REDACTED]

Occupation Financial Advisor

Email Address [REDACTED]

Residency Information

Length of Residency in Emporia 49

Are you a registered voter Yes

Education and Hobbies

High School EHS

College ESU

Trade or Business School	<i>Field not completed.</i>
Hobbies	cooking, traveling, reading
Organization Membership Information	
Are you currently serving on other Boards, Commissions, or Committees?	No
If yes, which	Appointed to FHEA June 2026, has not met yet.
Have you served on a Board, Commission, or Committee before?	Yes
If yes, which	City Commission 8 years, RDA 8 years, Emporia Enterprises 6 years, Chamber 6 years
Please, list organization memberships and positions held.	Mayor 3 terms, RDA Chair 2 different terms, EE President, Chamber Boar Chairman, Sacred Heart Church
Please, list areas of special interest.	Property tax, efficient government spending, economic growth
Please, enter basic resume information below.	Certified Financial Planner, Financial Advisor 27 years, Strong background in Emporia economic development
Please, enter why you would like to be a member of this board or commission.	I have not volunteered much completing my time on City Commission in 2021. I think it is time for Emporia to get FHEA off the ground and working for the community. As a member of both FHEA and EE, I think I will be well-suited to help lead the development of our future economic development in Emporia.

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



Commission Action Report

Appoint Member to the EHRC

Title: Appoint Member to the Emporia Human Relations Commission

Agenda Date: July 1, 2026

Presented By: Becky Smith, Mayor & Tammi Ogle, Vice-Mayor

Background:

The Emporia Human Relations Commission requests that the City Commission fill board openings with qualified candidates.

Discussion:

Applications were received, and interviews were conducted by Commissioners Becky Smith and Tammi Ogle.

Interviewing Commissioners recommend the appointment of Lenia Goekler for a three-year term ending June 1, 2029.

Recommended action:

Approve the appointment of Lenia Goekler to the Emporia Human Relations Commission.

City of Emporia Board Application

05/05/2026 6:31 PM (CDT)



City of Emporia Board Application

Select board, commission, or committee to apply.

- Emporia Human Relations Commission

Future Board and Commission Openings

- By checking this box, you authorize consideration of your application for other appropriate board or commission appointments, as openings become available.

Name Lenia Goekler

Address

[REDACTED]

Email

[REDACTED]

Phone number

[REDACTED]

Business Address

[REDACTED]

Business phone number

[REDACTED]

Occupation

Pharmacy Technician

Length of residency in Emporia

20 years

Are you a registered voter?

Yes

High School

Emporia High School

College

Emporia State University B.S. Applied Sociology

Trade or Business School

N/A

Hobbies

Baking, spending time outside, thrifting/antiquing, reading

Are you currently serving on other boards, commissions, or committees?

No

Have you served on a board, commission, or committee before?

No

Please, list organization memberships and positions held.

N/A

Please, list areas of special interest.

Community building and leadership
Public/rural health
Criminology
Deviance and law

Please, enter basic resume information.

Education
Emporia State University - B.S. Applied Sociology, May 2025
Currently studying toward M.A. Applied Sociology with a concentration in community leadership
-Anticipated graduation August 2026 from Emporia State University

Work Experience

CareArc RX Emporia, KS, Pharmacy Technician
October 2025 to present

-Follow strict 340B program rules to prevent diversion and duplicate discounts
-Work closely with pharmacists, providers, and medical staff to ensure coordinated patient care

Walmart Pharmacy Emporia, KS, Lead Pharmacy Technician
September 2023 to October 2025

-Directly assist 300+ patients daily with preparing and picking up prescriptions
-Assist pharmacists in proper documentation and compliance
Emporia State University PAROC, Student Outreach Assistant

Prophet Aquatic Research and Outreach Center
August 2023 to May 2024

-Coordinated events involving multiple organizations within the community
-Led and organized activities in groups ranging from preschool to adult

Volunteer Experience

Shiloh Home of Hope, Childcare Volunteer
Summer 2017 to present

Please, tell us why you would like to be a member of this board, commission, or committee.

As a current graduate student majoring in Applied Sociology, concentrating in community leadership, I am finishing my degree with a strong desire to spearhead change within the community I have grown up in. My husband and I both work at organizations that serve the community, and both thoroughly enjoy assisting the community that has been so great to us. My time spent volunteering, in addition to my education and work experience, has given me the opportunity to understand the issues facing the underprivileged in our community and has allowed me to work first-hand with those in difficult situations before. My deep understanding of intersectionality and the multi-layered social problems an individual might face will allow me to help bring enhanced equalized opportunities to our community. I have spent much time studying social structures and would love to be a part of a commission that allows me to put my best foot forward for my community.



Commission Action Report
 Authorization to Purchase a 2026 Utility
 Work Truck for Underground Utilities

Title: Purchase of Utility Truck
Agenda Date: July 1, 2026
Presented By: Scott Grogg – Underground Utilities Manager

Background: We currently use a repurposed 2003 ambulance. It does not have the configuration to carry the tools, parts or pumps that we need to do the jobs properly. We often have to make multiple trips to get the necessary supplies and tools on site. The new utility truck will be replacing the converted ambulance in the fleet.

The specifications requested were for a 2026 heavy-duty utility truck cab and chassis with diesel power, four-wheel drive, dual rear wheels, and sufficient payload and towing capacity to support municipal field operations. Separate from the vehicle purchase and to ensure the vehicle is properly equipped for service, safety, and field visibility the chassis is to be fitted with a utility bed and emergency lighting package by American Equipment Co.

Discussion: Bid specifications were released for a new utility truck May 8, 2026, with a deadline of June 12. A public bid opening occurred on June 12, 2026. The following bids were received:

	Cab and Chassis		Utility Bed	TOTAL
Longbine Autoplaza Emporia, KS	2026 Chevrolet 3500	\$59,070.00	\$16,853	\$75,923.00
Nashville Automotive LLC Madison, TN	2026 Chevrolet 3500	\$57,477.38	\$16,853	\$74,330.38
Suncoast Chrysler Jeep Dodge Ram Seminole, FL	2026 Ram 3500	\$62,259.00	\$16,853	\$79,112.00
One Nation Distribution LLC Volant, PA	2026 Ford F450	\$64,136.00	\$16,853	\$80,989.00
Ed Morse Automotive Lebanon, MO	2027 Ford F550	\$68,340	\$16,853	\$85,193.00

Freight costs from Tennessee exceed the price difference of the next lowest bid, submitted by local vendor Longbine AutoPlaza, which is the basis of the recommended bid.

Financial Considerations: The purchase of this utility work truck for Public Works Underground Utilities Division is included in the 2026 operating budget in the amount of \$140,000. The cost is equally allocated \$70,000 between the Water Fund Water - Distribution cost center -- Capital Outlay Automotive line item (501-2303--505504) and the Sewer Fund - Wastewater Service cost center -- Capital Outlay Automotive line item (502-5003—505504). The recommended bid totals \$75,923.00 and will be paid equally from the water and wastewater funds in the amount of \$37,961.50 plus sales tax. This purchase request is budgeted and had sufficient expenditure authority for the purchase.



Commission Action Report
Authorization to Purchase a 2026 Utility
Work Truck for Underground Utilities

Recommended Action: It is recommended the City Commission authorize purchase of a 2026 Chevrolet 3500 cab chassis in the amount of \$59,070.00 from the bid submitted by Longbine Autoplaza, and to authorize the vehicle to be outfitted with a CM Truck bed from American Equipment Co. in the amount of with a \$16,853, with a total purchase price of \$75,923.00

Attachments: Bid Tabulations



DATE: Wednesday, June 3, 2026

BID TITLE: 2026 Utility Truck Cab and Chassis

CATEGORY: Public Works Department

TO: City of Emporia City Clerk's Office

Longbine Auto Plaza is submitting this bid based on a truck that is available to us at this time. We would be able to deliver to the city of Emporia within a week. If for some unforeseen reason the truck is gone, we would have to bid a 2027 Chevrolet Silverado build-out, which we don't have pricing for at this time.

Truck Price is \$59,070.00

Thank you

Steve Vaughn

Longbine Auto Plaza

Emporia KS 66801

620-342-2744

American

EQUIPMENT CO.

3250 Harvester Road
 Kansas City, Kansas 66115
 (Phone) 913-342-1450 (Fax) 913-342-1377
 sales@americanequipment.us

QUOTATION

DATE	Quotation #
5/27/2026	052726/1JB

NAME / ADDRESS
Suncoast Chrysler Jeep Dodge 8755 Park Blvd Seminole, FL 33777

TO CONFIRM ORDER
Quote Accepted by _____
Date _____
P.O. # _____

LEAD TIME	TERMS	REP	FOB	PHONE	Email
	CASH	KAY	KC,KS		

QTY	ITEM	DESCRIPTION	U/M	COST	Total
1	300	Tom Reid / 407-451-3084 Cell treid@suncoastejd.com Equipment for City of Emporia, Kansas 84" CA DRW Chassis CM Truck Bodies Model TM Deluxe TM-04948434SDDLX 11' 4" x 94" - Integrated tube headache rack - Steel tubing headache rack with window grill - Super durable powdercoat finish - 30K B&W gooseneck hitch with 7 way electrical plug - 24K B&W bumper pull hitch - 3/4 length shovel box with top access flip up door - Drop down rear tailgate with center handle - 3" steel roll-formed 3/16" channel cross members - LED recessed tail, brake, and back up lights mounted in headache rack - Recessed front and rear toolboxes with locking chrome T-Handle compression latch (2 on each side) - Aluminum Treadplate Trim package - Full length side skirt with stainless fenders and aluminum tread plate - Work Lights in Rear - Possum Belly Box & Deeper Shovel Box - 4 Corner Amber/Clear Strobes ALL OF THE ABOVE INSTALLED		16,853.00	16,853.00T
					0.00

Quoted by John Blogin for Kent Yahne	Total	\$16,853.00
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This quote is valid for 30 days. Applicable taxes not included.



Vehicle: [Fleet] 2026 Chevrolet Silverado 3500HD CC (CK31403) 4WD Reg Cab 171" WB, 84.5" CA
 Work Truck (Complete)

Quote Worksheet

	MSRP
Base Price	\$49,300.00
Dest Charge	\$2,795.00
Total Options	\$11,038.00
	Subtotal
	\$63,133.00
	Subtotal Pre-Tax Adjustments
	\$0.00
Less Customer Discount	(\$5,655.62)
	Subtotal Discount
	(\$5,655.62)
Trade-In	\$0.00
Excluded from Sales Tax	Subtotal Trade-In
	\$0.00
	Taxable Price
	\$57,477.38
Sales Tax	\$0.00
	Subtotal Taxes
	\$0.00
	Subtotal Post-Tax Adjustments
	\$0.00
	Total Sales Price
	\$57,477.38

Comments:

Contact:Coble Shearon
 Serra Chevrolet Buick GMC

Coble.shearon@serranashville.com

615-851-8000 ext 2113

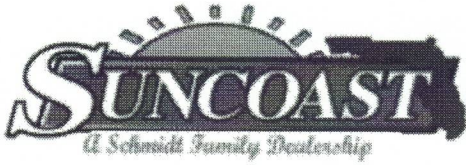
Estimated time of delivery: 90-100 days
 Delivery and all included
 Multiple orders optional if needed

 Dealer Signature / Date

 Customer Signature / Date

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Data Version: 28452. Data Updated: May 11, 2026 1:45:00 AM UTC.



Vehicle Sales Agreement

8755 Park Blvd
 SEMINOLE, FL 33777
 Telephone: (727) 393-4621
 TOLL FREE: (800) 782-9135
 FAX:

Date: 06/08/2026

Email: _____

Purchaser: CITY OF EMOPORIA, KS DOB: _____ SS #: _____

Co-Purchaser: _____ DOB: _____ SS #: _____

Address: 104 E. 5TH AVE City: EMPORIA State: KS Zip: 66801

County: LYON Home Ph. #: _____ Bus. Ph #: _____ Cell Ph #: _____

DL #1 _____ DL #2 _____

PLEASE ENTER MY ORDER FOR ONE: New Demo Used Lease/Rental Stock #: _____

Trade-In Information _____ Purchase Vehicle _____

Year	Make	Model	Body
Color	Mileage	Stock #	
Vin #:			

Year	Make	Model	Body
2026	RAM	3500 Chassis	Tradesman/Big H
Color	Mileage	105	Delivery Date
Vin #:	3C7WRTBL9TG317366		

Lien Held By _____ PH. #: _____

Address: _____

 _____ Zip: _____

2ND LIEN Yes No If Yes, Enter Details on Reverse Side

Confirmed Pay Off _____ Good Until _____ Book _____

Quoted By: _____ Date: 06/08/2026

Account #: _____

Record Lien of \$: _____ Lien Date: _____

With: _____ PH. #: _____

Street: _____

City: _____ State: _____ Zip: _____

No Contractual relationship is created hereby. Full disclosure by the Federal Consumer Protection Act will be made prior to consummation of a credit transaction by purchaser signature to an installment sales contract. Buyer hereby acknowledge that this offer to purchase was solicited and made at seller place of business.

"The information you see on the window form of this vehicle is part of this contract information on the window form overrides any contrary provisions in the contract of sale."

NOTE	TYPE OF WARRANTY	NOTE
	All Deposits hold cars for 24 hour period.	
	IMPORTANT	
	This Section Must be Completed and Signed For	
Exit Warranty	<u>New Car Warranty</u>	
Date in Service:		

The seller, Suncoast Chrysler Jeep, hereby expressly disclaims all warranties, either expressed or implied. Including any warranty of merchantability or fitness for particular purpose, and Suncoast Chrysler Jeep neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this vehicle. If extended drive train warranty is applicable a deductible amount may be chargeable.

Acknowledged By Buyer Signature: _____

Vehicle Sale Price • As Equipped	\$ 62,259.00
<input type="checkbox"/> Added Items	\$ 16,853.00
•CM TRUCK TM DELUX	\$ 16,853.00
<input type="checkbox"/> Deleted Items	\$
Total Selling Price	\$ 79,112.00
Trade Allowance	\$
Net Difference	\$ 79,112.00
Waste Tire, - Lead Acid Battery Fee	\$
Delivery Fee **	\$
Electronic Filing Fee	\$
Sub-Total - Taxable Amount	\$ 79,112.00
Sales Tax: State 6% County _____ %	\$
Lien Fee	\$
Est. Tag Fees*	\$
Florida Motor Vehicle Warranty Enforcement Act	\$
Impact / Temp Tag/ New Plate Fee	\$
Other Fees	\$
Total Price	\$ 79,112.00
Balance Owed on Trade	\$
	\$
	\$
Ext. Warranty - Sales Tax	\$
	\$
	\$
	\$
	\$
	\$
	\$
Total Amount Owed	\$ 79,112.00
Partial Payment	\$
COD	\$
Unpaid Balance	\$ 79,112.00

*All License Tag Charges are C.O.D

On a cash transaction this offer is ot valid unless signed and accepted by a Dealer's Representative.
 On a credit transaction the Buyer(s) offer is not accepted and the transaction is not consummated until (2) approved in writing by Dealer and a responsible Bank of Finance company and (b) all disclosures required by the Federal Consumer Credit Protection Act (Truth in Lending Act) have been given and (c) Buyer and Dealer have signed an installment Sales Contract.

Buyer: _____ Co-Buyer: _____

Accepted By Sales Manager: Thomas Reid Salesman: THOMAS REID

This charge represents costs and profits to the dealer/seller for items such as inspecting, cleaning and adjusting new and used vehicles and prepared documents related to this sale.



One Nation Distribution LLC

800 Main Street, PO Box 69, Volant, PA 16156 · www.1NGOV.com · admin@1ndl.com · 724-533-7017

June 3, 2026

Re: 2026 Utility Truck Cab and Chassis

To Whom It May Concern,

One Nation Distribution LLC is pleased to present our bid totaling \$80,989.00.

We look forward to hearing from you, and thank you for your consideration.

Qty.	Unit	Description	Unit Cost
1	Each	2026 Ford F450 Per Specifications	\$80,989.00
		Total Price:	\$80,989.00

Sincerely,

Ryan Saari, CEO

Prepared for:
 Emporia, KS Public Works
 Prepared by: Scott Green
 05/30/2026



Ed Morse Ford | 260 West Elm Lebanon Missouri | 655363520

2027 F-550 Chassis 4x4 SD Regular Cab 169" WB DRW XL (F5H)

Price Level: 715 | Quote ID: SG-53026-1

Pricing Summary - Single Vehicle

	MSRP
<i>Vehicle Pricing</i>	
Base Vehicle Price	\$60,295.00
Options	\$13,675.00
Colors	\$0.00
Upfitting	\$0.00
Fleet Discount	\$0.00
Fuel Charge	\$0.00
Destination Charge	\$2,795.00
Subtotal	\$76,765.00

Pre-Tax Adjustments

Code	Description	MSRP
	Dealer Doc Fee	\$399.00
	Fleet - Ed Morse Incentive	-\$8,824.00
	Delivery Fee to Emporia, KS - NO CHARGE	\$0.00
	American Equipment Company Body Upfit	\$16,853.00
Subtotal		\$16,853.00

Bid Amount → \$85,193.00

Post-Tax Adjustments

Code	Description		MSRP
	OPTION: Rear Traction Tires	ADD	\$173.00
	OPTION: Spare Tire/Wheel	ADD	\$319.00
	OPTION: Cab Steps	ADD	\$291.00
	OPTION: Vehicle Integration System	ADD	\$364.00
	OPTION: Rear Backup Camera	ADD	\$468.00

Optional Items Add to Bid Price →

Prices and content availability as shown are subject to change and should be treated as estimates only. Actual base vehicle, package and option pricing may vary from this estimate because of special local pricing, availability or pricing adjustments not reflected in the dealer's computer system. See salesperson for the most current information.



Commission Action Report

Permanent Sanitary Sewer Easement for Cedarbrook Meadows Addition

Title: Permanent Sanitary Sewer Easement for Cedarbrook Meadows Addition

Agenda Date: July 1, 2026

Presented By: James Ubert, City Engineer

Background:

Cedarbrook Meadows Addition proposes to extend sanitary sewer service from the City's 24" main on the west side of Americus Road and north side of 18th Avenue to the Frontier Farm Credit property and then northward along Americus Road to serve their Phase One and beyond.

Discussion:

The placement of this permanent easement is outside the existing Americus Road right-of-way due to the size and depth of the main for current construction and future maintenance.

Financial considerations:

Frontier Farm Credit has provided this permanent easement at no cost to the City and/or future project.

Recommended action:

City staff recommends accepting the Permanent Sanitary Sewer Easement.

Attachments:

Permanent Sanitary Sewer Easement and Exhibit(s).

PERMANENT SANITARY SEWER EASEMENT

This indenture made this 15 day of June, 2026, by and between Frontier Farm Credit, FLCA, a federally chartered corporation, of Emporia, Lyon County, Kansas, hereinafter referred to as "Grantor", and the City of Emporia, Lyon County, Kansas, a municipal corporation hereinafter referred to as "Grantee". WITNESSETH:

That the Grantor, in consideration of the sum of one dollar (\$1.00) duly paid, the receipt of which is hereby acknowledged, does by these presents grants and conveys unto the Grantee, its successors and assigns, a perpetual, non-exclusive permanent sanitary sewer easement over, under, upon, and across the following described parcel, lying, being and situated in the County of Lyon and State of Kansas, to wit:

DESCRIPTION:

A 15-FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE SIXTH PRINCIPAL MERIDIAN, LYON COUNTY, KANSAS, BEING DESCRIBED ON JANUARY 12, 2026, BY CHARLES S. BROWN, P.S. NO. 991 AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER, SECTION 6, TOWNSHIP 19 SOUTH, RANGE 11 EAST OF THE 6TH PRINCIPAL MERIDIAN, LYON COUNTY, KANSAS; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF NORTH 00°06'04" EAST A DISTANCE OF 473.09 FEET TO THE NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN INDIVIDUAL TRUSTEE'S DEED, DOCUMENT NO. 2025-04746 RECORDED AT THE OFFICE OF THE REGISTER OF DEEDS, LYON COUNTY, KANSAS; THENCE BEARING NORTH 89°00'02" EAST ALONG THE NORTH LINE OF SAID TRACT OF LAND DESCRIBED IN SAID DOCUMENT NO. 2015-04746 A DISTANCE OF 70.01 FEET TO THE SOUTHWEST CORNER OF LOT 24, BLOCK D, CEDARBROOK MEADOWS, EMPORIA, LYON COUNTY, KANSAS, ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF ROAD G, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING WITHOUT DEFLECTION ALONG THE NORTH LINE OF SAID TRACT OF LAND DESCRIBED IN DOCUMENT 2015-04746, BEARING NORTH 89°00'02" EAST A DISTANCE OF 15.00 FEET; THENCE BEARING SOUTH 00°06'04" WEST ALONG A LINE BEING 85 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 286.85 FEET TO THE NORTH RIGHT-OF-WAY LINE OF WEST 18TH AVENUE AS DESCRIBED IN CERTIFICATE OF SURVEY PREPARED BY JASON R. LOADER, P.S. -1462 DATED JULY 18, 2016 AND RECORDED AS DOCUMENT NO. 2016-02506 AT THE OFFICE OF THE REGISTER OF DEEDS, LYON COUNTY, KANSAS; THENCE BEARING NORTH 80°03'47" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 15.22 FEET TO THE EAST RIGHT-OF-WAY LINE OF ROAD G, BEING 70 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE BEARING NORTH 00°06'04" EAST ALONG SAID EAST RIGHT-OF-WAY LINE OF ROAD G, BEING 70 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 383.96 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD THE SAME, together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, forever for the purpose of a perpetual easement for the construction and maintenance of public sanitary sewer in any manner which the Grantee may deem necessary and for all uses incidental thereto or any other governmental purpose including, without limitation, the construction, installation and maintenance of sanitary sewer by the Grantee and its franchisees. The proposed sanitary sewer

pipe under the grantor's existing sign shall be encased in a steel casing pipe installed by jack and bore construction. The casing pipe shall extend a minimum of one (1) foot horizontally beyond the outside edge of the existing sign base in both directions for every one (1) foot of depth below the existing sign footing.

of Frontier Farm Credit, FLCA. Such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the day and year last above written.

Marcy Novotny

NOTARY PUBLIC



My Commission Expires: *Sept 4, 2028*

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Commission Meeting

11:00 a.m.

June 17, 2026

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, June 17, 2026, with Mayor Smith presiding and Commissioners Duncan, Harter, Ogle and Steinkuhler present. Also present were City Manager Cocking, Deputy City Manager Wash, City Clerk Sull and City Attorney Montgomery.

Lisa Graff and Maddie Fennell, representing the National Teachers Hall of Fame, were in attendance to accept a proclamation declaring June 20, 2026, as “National Teachers Hall of Fame Day” in Emporia. They stated National Teachers Hall of Fame, founded in Emporia in 1989, is committed to recognizing and honoring exceptional career teachers, encouraging excellence in education, and celebrating the rich heritage of the teaching profession in the United States while inspiring future and current educators. They stated five of the nation's most exemplary career educators – Margaret (Peg) Cagle, Reseda, CA; Dr. Melyssa Ferro, Caldwell, ID; Thersea Maughan, East Orange, NJ; Carle Neely, Cleveland, OH; and Dr. Michael A. Pope, Camp Zama, APO, will be inducted into the National Teachers Hall of Fame during a ceremony held in Emporia on June 20, 2026. The National Teachers Hall of Fame is also honoring the National Education Association Education Support Professional of the Year, Ric Calhoun from Washington. The citizens of Emporia, Kansas has given their hearts to making the Hall of Fame week be a memorable experience for the inductees and guests through their hospitality and generosity as host families, volunteers, and Friends of Education sponsors, earning Emporia the nickname “Teacher Town, USA”.

Mayor Smtih then presented the proclamation.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments.

The public is invited to make comments at this time. Please limit comments to two (2) minutes each. Please state your name and address prior to making comments.

Judith Bilyoa, 921 Lakeview Street, Emporia, Ks
Kathy Lamb, 1706 E. 10th Avenue, Emporia, Ks
Brenda Holmes Thomson, 1442 Road 130, Emporia, Ks
David Claridge, 22 S. Commercial Street, Emporia, Ks
Charles Williams, 340 Sunnyslope Street, Lot 4, Emporia, Ks
Maddison Glover, 620 Oak Street, Emporia, Ks
Jay Vehige, 1319 Lawrence Street, Emporia, Ks
Leslie Smith, 915 Neosho Street, Emporia, Ks
Jerry Campbell, 1201 Presby Drive, Emporia, Ks
Doug McGaw, 1809 Briarcliff Lane, Emporia, Ks
Isabelle Rawley, 1019 W. 7th Avenue, Emporia, Ks
Charles Brown, 1310 Lawrence, Emporia, Ks
Monika Markus, 1318 Neosho Street, Emporia, Ks
Edgar Esparza, 1106 Neosho Street, Emporia, Ks
Amanda Mendoza, 1841 Road F, Emporia, Ks
Jessica Danford, 3532 W. 20th Avenue, Emporia, Ks
Pauleen Hancock, 644 Road 180, Emporia, Ks
Lux Claridge, 3532 W. 20th Avenue, Emporia, Ks
Anna DeLong, 1674 Road 235, Emporia, Ks
Leah Green, 2215 N. Highway 99, Emporia, Ks
Rhonda Gordon, 741 Road 200, Emporia, Ks
Kristina Chrisman, 1033 Road 220, Emporia, Ks

All spoke in opposition and/or had concerns about a potential data center for our community.

Victoria Partridge, Street Cats Club, 920 Union Street, Emporia, Ks – Spoke about injured cats and the need for funding.

Mic McGuire, 1702 Calle De Loma Drive, Emporia, Ks – Reminded citizens of the importance of kindness to each other during the current data center discussion.

Following public forum, Commissioner Duncan asked some clarifying questions to City Manager Cocking and staff related to the data center discussion.

CITY COMMISSION (Board Appointment)

Community Housing Board/Emporia Land Bank:

It was moved by Commissioner Duncan seconded by Commissioner Steinkuhler that David Maldonado be appointed to the Community Housing Board/Emporia Land Bank Board for a term ending May 31, 2029. The vote follows: Commissioner Duncan,

aye; Commissioner Steinkuhler, aye; Commissioner Harter, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

**MUNICIPAL AIRPORT
(Concrete Pad for 24-Hour Self-Serve Fuel)
(Bids)**

Julian Seaman, Assistant Airport Manager, was recognized and addressed the Governing Body. He stated the Commission previously accepted a grant from the Kansas Airport Improvement Program (KAIP) in the amount of \$208,000 for the purchase of the airport self-service fueling area. The fueling equipment has been approved for purchase and this portion of the project is to construct the concrete pad for the self-service fueling area. The bids follow:

BID TABULATION FOR CONCRETE PAD FOR SELF-SERVE FUEL

Contractor	Cost
<i>SR Coffman Construction, Inc.</i>	<i>\$42,000</i>
Roy Miller Backhoe, LLC	\$43,000
Leiser Excavating LLC	\$52,000

Staff recommend approving the low bid of \$42,000 from SR Coffman Construction Inc, to clear, prepare, and construct the new site.

Commissioner Harter made a motion to approve the low bid of \$42,000 from SR Coffman Construction, Inc. to clear, prepare, and construct the new site. Commissioner Ogle seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

**STREET DEPARTMENT
(Equipment Purchase)
(Elgin Whirlwind Street Sweeper)**

Brian Silcott, Director of Public Works, was recognized and addressed the Governing Body. The 2014 Elgin Whirlwind street sweeper has reached the end of its planned replacement cycle and is experiencing increasing maintenance costs and downtime. Replacement of the unit was included in the City's Capital Improvement

Program (CIP) and authorized \$400,000 as part of the GO Bonds Series 2026. The proposed purchase is a 2027 Elgin Whirlwind Pure Vacuum Street Sweeper. The Elgin Whirlwind is a proven municipal vacuum sweeper designed for roadway maintenance, debris removal, leaf collection and stormwater management. This unit will maintain consistency with the City's existing fleet. Replacement of the 2014 unit is expected to improve fleet reliability. Pricing was obtained through the Sourcewell cooperative purchasing program eliminates the need for a separate local bid process. The purchase price is \$402,160.42, which exceeds the original project estimate by \$2,160.42 and excludes the cost of the GPS integration. The existing 2014 and 2021 Elgin Whirlwind Street sweepers along with the proposed purchase will be integrated into the City's GPS fleet management system. Staff recommend authorizing the purchase of one 2027 Elgin Whirlwind Street Sweeper from Key Equipment & Supply company through Sourcewell Contract No. 093021-ELG in the amount of \$402,160.42 and a GPS System compatible with the City's GPS fleet management system and all documents necessary to complete the acquisition.

Commissioner Duncan made a motion to authorize the purchase of one 2027 Elgin Whirlwind Street Sweeper from Key Equipment & Supply Company through Sourcewell Contract No. 093021-ELG in the amount of \$402,160.42 and a GPS System compatible with the City's GPS fleet management system and all documents necessary to complete the acquisition. Commissioner Steinkuhler seconded the motion. The vote follows: Commissioner Duncan, aye; Commissioner Steinkuhler, aye; Commissioner Harter, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Equipment Lease Purchase Agreement)
(2026 Nissan Rogues)**

City Manager Cocking stated the City continues to evaluate multiple options for acquiring vehicles needed for City operations. Options include purchasing vehicles from local dealerships as well as utilizing fleet providers such as Enterprise. Staff determined that purchasing through John North Ford was the most competitive option for these vehicles. The City is interested in entering into a lease purchase agreement with Community National Bank & Trust to finance the acquisition of four (4) 2026 Nissan

Rogues for City operations. The capital cost per vehicle is \$31,681; total capital cost is \$126,724; lease term runs through 2032 with semiannual payments of \$14,307.69; interest rates of 4.54%; payments made from the General Fund; total payments over term are \$143,076.90 and total interest cost is \$16,352.90. The purchase also includes pilot maintenance program offered by John North Ford. The dealership will provide all scheduled maintenance for the vehicle, including a new set of tires, for a period of three (3) years. This allows the City to test a maintenance model that may reduce downtown and simplify fleet maintenance. The vehicles will be used for governmental transportation purposes and will become City property upon completion of the lease purchase agreement. Staff recommend authorizing the City Manager to execute the Equipment Lease Purchase Agreement with Community National Bank & Trust and related documents for the acquisition of four (4) 2026 Nissan Rogues.

Following further discussion, Commissioner Harter made a motion to authorize the City Manager to execute the Equipment Lease Purchase Agreement with Community National Bank & Trust and related documents for the acquisition of four (4) 2026 Nissan Rogues. Commissioner Steinkuhler seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Steinkuhler, aye; Commissioner Duncan, aye; Commissioner Ogle, aye; and Mayor Smith, aye.

CITY COMMISSION
(Kansas Department of Commerce)
(Small Cities Community Development Block Grant Program)
(417 Commercial Street)
(Bids)

Taylor Wash, Deputy City Manager, was recognized and addressed the Governing Body. She stated the owners of the property at 417 Commercial, Forde Gillette, LLC, received a Community Development Block Grant (CDBG) improvements the building. Grant and owner funds will pay for improving roof, gutters, wall stabilization, floors, windows, doors, sprinkler system and mechanical code violations. Two bids were received for the project, and Mitchell Markowitz was the low bidder in the amount of \$523,485.00. The project will consist of six (6) 2-bedroom apartments and two (2) 1-bedroom apartments on the upper floor and commercial space on the ground floor. No

City funds will be used for this project but will collaborate with a Grant Administrator to meet all criteria of the Kansas Department of Commerce Small Cities CDBG program. The project must be completed by July 2028 and occupied by September 2028. Staff recommend awarding the base bid and alternate #2, #4 and #6 to Mitchell Markowitz Construction contingent upon CDBG approval.

Commissioner Steinkuhler made a motion to award base bid and alternate #2, #4 and #6 to Mitchell Markowitz Construction contingent upon CDBG approval. Commissioner Ogle seconded the motion. The vote follows: Commissioner Steinkuhler, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Harter, aye; and Mayor Smith, aye.

**SANITARY SEWER MAINTENANCE
(Lift Station No. 1 - Project No. LS1902)
(Contract for SCADA Communications)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated Lift Station No. 1, located at 1826 Merchant Street, was constructed in 1978. In 2018 one of the two pumps went down and a replacement pump was expedited and flown in from the manufacturer in Europe. Bids were received and awarded in February 2026 for reconstruction on Lift Station No. 1. As part of the reconstruction the decision to upgrade the Integrated Controls Incorporated (ICI) to the Supervisory Control and Data Acquisition (SCADA) communications was proposed with the City's SCADA provider ICI. SCADA allows real time data monitoring of Lift Station No. 1 and its processes and pumps. Staff recommend awarding SCADA contract to Integrated Controls, Inc. for the SCADA controls at Lift Station No. 1 in the amount of \$121,961.00.

Commissioner Harter made a motion awarding the SCADA contract to Integrated Controls, Inc. for the SCADA controls at Lift Station No. 1 in the amount of \$121,961.00. 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
 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 May 2026 for the community:

1. Monthly Local Retail Sales Tax Receipts Update

	2025	2026	Increase of \$8,330.20 for the month, and Overall increase of 2.17% from year 2025.
	\$ 570,707.69	\$ 579,037.89	
YTD	\$ 2,719,230.09	\$2,778,185.12	

2. City Share from County Tax

	2025	2026	Decrease of \$8,267.83 for the month, and Overall increase of 2.70% from year 2025.
	\$ 309,904.64	\$ 301,636.81	
YTD	\$1,416,983.05	\$ 1,456,360.91	

Building Permits issued from 5/1/2026 to 5/31/2026 for new construction, remodeling/repairs and demolition.

Total number of building permits issued through Code Services:	47
Total valuations associated with those building permits:	\$ 2,244,257.79
Large valuations:	
713 Commercial	\$ 338,000.
New Burger King	\$1,200,000.

Total number of dollars collected for Building Permit Fees: \$ 13,171.00

Construct – Single-family dwellings	0
Demo – Single-family dwellings	0

Flint Hills Mall CID for May 2026	\$ 19,200.18
YTD	\$ 79,124.82

Pavilions CID for May 2026	\$ 18,294.74
CID #2	\$ 18,294.74
YTD	\$ 186,077.52

Fairview Hotel CID for May 2026	\$ 6,869.28
YTD	\$ 29,238.04

West Plaza CID for May 2026	\$ 11,858.48
YTD	\$ 41,946.39

Consent Agenda

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

- a. Commission Minutes of the Regular Meeting held on June 3, 2026.

The vote follows: Commissioner Steinkuhler, aye; Commissioner Duncan, aye; Commissioner Harter, aye; Commissioner Ogle, 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 WEDNESDAY JULY 1, 2026, MEETING.

- Proclamation Recognizing Park & Recreation Day.
- Approve 2025 Audit Report.
- Purchase of Utility Truck Body Equipment and Installation.
- Annual Operation and Maintenance Assurance Agreement with Kansas Department of Wildlife, Parks and Tourism.

- **Study Session:**
 - Discuss Rates.
 - Discuss Budget.

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 12:47 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. Prairie Paws Annual Update.
2. Large Volume Water User Policy.
3. Discuss Emporia Land Bank Housing Infill Project.

EXECUTIVE SESSION

Commissioner Harter made a motion to recess into Executive Session for 25 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 the City Commission Chamber at approximately 2:29 p.m. Commissioner Ogle seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Ogle, aye; Commissioner Duncan, aye; Commissioner Steinkuhler, aye; and Mayor Smith, aye.

Upon reconvening the meeting in Regular Session at 2:29 p.m., this same date, in the City Conference Meeting Room, Mayor Smith stated they had discussed confidential data of a third party relating to economic development and no action was taken.

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

Becky Smith, Mayor

ATTEST:

Kerry Sull, City Clerk



Commission Action Report

Informational Items

Title: Informational Items
Agenda Date: July 1, 2026
Presented By: Trey Cocking, City Manager

Background:

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

Discussion:

At the time this Agenda was prepared, the following items were in the works for the tentative Agendas of the upcoming meetings on Wednesday, July 15, 2026.

Commission Meeting:

- Resolution for Adoption of Large Volume Water User Policy
- Resolution for Adoption of Large Wastewater User Policy
- DeBauge Soccer Complex Bids
- 2025 Audit Report

Study Session:

- Discuss Budget
- Discuss Revenue Neutral Rate

Title: Large Volume Wastewater Service (LVWWS) Policy
Agenda Date: July 1, 2026
Presented By: City Manager

Background: The City of Emporia has experienced increasing interest from industrial, institutional, manufacturing, and campus-style developments requiring wastewater service substantially greater than that of traditional residential and commercial customers. These requests have the potential to require significant public investment in collection infrastructure, interceptor capacity, lift stations, wastewater treatment facilities, regulatory compliance, and long-term operational commitments.

The City currently establishes wastewater rates through ordinance and administers wastewater service through Chapter 28 of the City Code and individual utility service agreements. However, the City has not previously adopted a comprehensive policy establishing uniform criteria for evaluating and negotiating requests for large volume wastewater service.

The proposed Large Volume Wastewater Service (LVWWS) Policy establishes a consistent administrative framework for evaluating future requests while protecting existing wastewater customers from subsidizing infrastructure or treatment capacity required solely to accommodate large-volume users.

The policy is intended to complement, not replace, the City's existing ordinances and future Wastewater Service Agreements. Detailed engineering, financial, legal, operational, environmental, and construction requirements will continue to be negotiated on a project-specific basis through individual agreements approved by the City Commission.

Discussion: The proposed policy establishes the City's guiding principles for evaluating future requests for Large Volume Wastewater Service.

Policy Highlights:

- Establishes a consistent review process for new or expanded wastewater customers exceeding administrative thresholds.
- Confirms that wastewater service remains discretionary and subject to available collection and treatment capacity.
- Protection of existing wastewater customers by requiring project-specific infrastructure and treatment improvements to be funded by the benefiting development.
- Requires City Commission approval of all Large Volume Wastewater Service Agreements.
- Allocates engineering, hydraulic modeling, environmental review, legal review, consultant services, and other evaluation costs to the requesting customer.
- Authority to require financial assurances proportionate to the City's financial exposure.
- Establishes a minimum agreement provisions including contract term, minimum billing commitments, capacity reservations, and default provisions.
- Addresses master-planned and campus-style developments by allowing aggregate demand to be evaluated while limiting capacity reservations to approved development phases.
- Incorporates wastewater pretreatment requirements and authority to address PFAS, contaminants of emerging concern (CECs), corrosive materials, and future emerging pollutants through monitoring, treatment, and source-control requirements.

- Preserves of City Commission authority regarding rates, conditions of service, and approval of future agreements.

The policy intentionally establishes broad policy direction while reserving project-specific technical, financial, engineering, operational, environmental, and legal requirements for negotiated Wastewater Service Agreements.

This approach provides flexibility to address the unique characteristics and risks associated with each development while maintaining consistent policy guidance.

Financial Considerations: Adoption of the policy itself has no direct budgetary impact. Future financial impacts will be determined on a project-by-project basis through individual Wastewater Service Agreements.

- Requires applicants to reimburse the City for reasonable engineering, legal, consultant, environmental, hydraulic modeling, financial analysis, and administrative costs associated with evaluating service requests.
- Requires developers to fund infrastructure improvements and treatment capacity expansions attributable to their projects.
- Provides authority for financial assurances sufficient to protect the City's investment.
- Minimizes financial risk to existing wastewater customers.
- Supports long-term financial sustainability of the wastewater utility through cost-of-service principles.

Attachments:

- A. LVWWS Policy Draft

Large Volume Wastewater Service (LVWWS) Policy-v1.c

City of Emporia, Kansas

Large Volume Wastewater Service (LVWS) Policy-DRAFT-v1.c

Section 1. Purpose and Findings

The purpose of this policy is to establish a consistent framework governing requests for Large Volume Wastewater Service (LVWWS) to ensure that the City's wastewater collection, conveyance, treatment, and disposal systems remain financially sustainable, operationally reliable, environmentally compliant, and capable of serving existing and future customers.

The City Commission finds that large-volume wastewater customers may require substantial public investment in collection infrastructure, interceptor capacity, pumping facilities, treatment plant improvements, and regulatory compliance. Such investments should be evaluated independently from ordinary utility expansion and shall not shift financial responsibility to existing wastewater customers.

This policy establishes minimum requirements for evaluating service requests, assigning infrastructure responsibilities, allocating costs, establishing financial assurances, and protecting long-term wastewater system capacity. Detailed engineering, financial, operational, and legal obligations shall be established within individual Wastewater Service Agreements approved by the City Commission.

Accordingly, it is in the public interest to ensure that existing residential and commercial customers are not required to subsidize large-volume users, to protect the financial integrity of the City's wastewater utility, and to provide a clear and predictable framework for evaluating and serving large water users.

Section 2. Legal Sufficiency and Rate Authority

This policy is structured to align with the City's home rule authority and applicable Kansas law governing municipal utilities. Wastewater rates and charges are established by ordinance and codified in Chapter 28 of the City Code.

This policy does not create independent rate-setting authority but instead provides a framework for applying cost-of-service-based rates and contract terms for large-volume users in a manner that is reasonable, non-discriminatory, and consistent with the City Code.

Nothing contained herein shall limit the authority of the City Commission to establish wastewater rates, charges, connection fees, surcharges, capacity charges, or other lawful fees pursuant to Kansas law or the City Code.

Large Volume Wastewater Service (LVWWS) Policy-v1.c

Approval of Large Volume Wastewater Service shall remain discretionary and subject to available treatment capacity, collection system capability, regulatory requirements, financial considerations, and the best interests of the City.

Nothing contained herein creates an entitlement to wastewater service, nor shall be construed to limit the City Commission's authority to amend rates, classifications, or service conditions by ordinance as necessary to ensure the continued financial integrity and operational reliability of the wastewater utility system.

Section 3. Applicability

This policy applies to all requests for new or existing customer requesting new or expanded wastewater service that exceed thresholds established administratively by the City or otherwise require significant public investment or operational review.

The policy applies regardless of whether service is requested within or outside the corporate limits. The City may also apply this policy to master planned or campus-style developments where aggregate wastewater demand is anticipated to exceed established thresholds over multiple phases.

Specific service conditions shall be established through the Wastewater Service Agreement.

Section 4. Large Volume Wastewater Service Classification and Rate Structure

Customers meeting the City's Large Volume Wastewater Service classification shall be served under wastewater rates established by ordinance.

Rates may include volumetric wastewater charges; capacity reservation charges; treatment surcharges; strength-based surcharges; industrial pretreatment fees; monitoring charges; minimum monthly billing obligations; and other applicable charges authorized by ordinance.

The specific rate structure applicable to each customer shall be established through the Wastewater Service Agreement consistent with adopted ordinances.

Customers classified as LVWWS shall be subject to individualized service agreements, cost-of-service-based rates and charges, and additional financial and contractual requirements as outlined in this policy and applicable City Code provisions.

Rates for LVWWS customers shall be designed to fully recover the incremental cost of providing service, including impacts to treatment capacity, transmission and distribution infrastructure, storage, and operations and maintenance attributable to the customer. Rate

Large Volume Wastewater Service (LVWWS) Policy-v1.c

structures may include capacity reservation charges, volumetric usage rates, and demand or peak-use components as appropriate.

Improvements financed through the LVWWS policy application will be funded solely by the benefiting development and will not result in costs being allocated to, or rates being increased for existing customer classes.

Section 5. Wastewater Service Agreements

All LVWWS customers shall enter into a written Wastewater Service Agreement approved by the City Commission. Agreements shall include a contract term commensurate with the level of infrastructure investment, generally not less than ten (10) years, together with defined capacity limits, and a minimum monthly billing obligation based on not less than seventy-five percent (75%) of contracted capacity. Agreements may also include phased service provisions and such other terms as the City determines necessary to protect the financial and operational integrity of the wastewater utility. Nothing herein shall prevent future rate adjustments adopted by ordinance.

Agreements shall establish requirements for the monitoring, characterization, source identification, source reduction, pretreatment, treatment, removal, or other control of PFAS, contaminants of emerging concern, and other pollutants or constituents that may adversely affect the City's wastewater utility, treatment processes, biosolids, receiving waters, regulatory compliance, personnel, equipment, or current or future treatment and disposal costs.

Such contaminants may include microplastics and nanoplastics, pharmaceuticals and personal care products, endocrine-disrupting compounds, antimicrobial-resistant organisms or genetic material, 6PPD and 6PPD-quinone, flame retardants, corrosion inhibitors, scale inhibitors, biocides, cleaning agents, glycols, refrigerants, heat-transfer fluids, dissolved solids, chlorides, bromides, metals, nutrients, treatment byproducts, degradation products, transformation products, and other contaminants or classes of contaminants identified by the City, KDHE, or EPA. Such requirements shall be imposed when the City determines they are reasonably necessary based on the nature, concentration, volume, or variability of the discharge; the capabilities of the City's wastewater treatment system; the potential for pass-through or interference; impacts on biosolids, receiving waters, or regulatory compliance; or the protection of the City's wastewater utility. Requirements may include constituent-specific discharge limitations, nondetect requirements where technically feasible, replacement or elimination of contaminant-containing materials, advanced pretreatment or treatment technologies, corrosion control measures, periodic sampling and reporting, and future modifications

Large Volume Wastewater Service (LVWWS) Policy-v1.c

necessary to address evolving analytical methods, treatment technologies, regulatory standards, or conditions affecting the City's wastewater utility. Nothing herein shall prevent future rate adjustments adopted by ordinance.

Section 6. Infrastructure and Capital Cost Responsibility

Infrastructure improvements required to provide the requested service shall be funded by the customer, as determined by the City. Infrastructure intended for public utility service shall be subject to City ownership unless otherwise approved. LVWWS customers shall be responsible for costs attributable to infrastructure or treatment capacity required to provide requested service, except where otherwise approved by the City Commission.

Infrastructure responsibilities may include collection mains; interceptors; lift stations; force mains; treatment plant improvements; regulatory compliance improvements; odor control facilities; storage or equalization facilities; easements; and related engineering and permitting costs.

Detailed allocation of project responsibilities shall be established in the Wastewater Service Agreement. Nothing contained herein obligates the City to construct improvements absent an executed agreement.

Section 7. Financial Assurance and Entity Responsibility

The City may require financial assurances commensurate with the scale, duration, and risk of the proposed service. Such assurances may include financial security generally equivalent to 12–24 months of minimum billings, evaluation of the customer's financial capacity and creditworthiness, and, where appropriate, parent company guarantees or similar assurances for limited liability or special purpose entities.

Financial assurance requirements may be adjusted based on demonstrated financial strength, payment history, or changes in risk. All such requirements shall be reasonably related to the City's anticipated financial exposure and shall not be imposed in an arbitrary or discriminatory manner.

The applicant shall reimburse the City for all reasonable costs incurred by the City in evaluating the proposed Large Volume Wastewater Service request, including but not limited to engineering studies, hydraulic modelling, water supply evaluations, financial analyses, legal review, environmental review, consultant services, administrative expenses, and other professional services reasonably required by the City.

Prior to commencement of service or construction, the City may require financial assurances sufficient to protect the public investment. Financial assurances may include

Large Volume Wastewater Service (LVWWS) Policy-v1.c

letters of credit; performance bonds; escrow deposits; corporate guarantees; parental guarantees; development security; or other security acceptable to the City.

Where the customer is a special purpose entity, the City may require guarantees from parent organizations or affiliated entities.

Specific financial assurance requirements shall be established and defined by the Wastewater Service Agreement.

Section 8. Early Termination and Default

Wastewater Service Agreements shall include provisions addressing recovery of unrecovered capital costs, payment obligations upon early termination, and remedies in the event of default, including the ability for the City to draw upon financial security as applicable.

The Wastewater Service Agreement shall establish the rights and remedies of both parties in the event of default; abandonment; bankruptcy; failure to maintain required discharge quality; failure to satisfy pretreatment requirements; early termination; non-payment; or other material breach. Available remedies may include suspension of service, termination, recovery of damages, collection of outstanding obligations, or other remedies authorized by law or agreement.

Section 9. System Capacity Review

Approval of service under this policy shall be subject to engineering analysis, financial impact analysis, evaluation of water supply availability and sustainability, wastewater service capacity, wastewater service capacity conservation, and such other technical or operational review as the City determines necessary.

The customer shall be responsible for obtaining or funding all studies, analyses, reviews, and related professional services reasonably required by the City in connection with evaluation of the proposed service request.

All requests for LVWWS shall undergo engineering review to determine impacts upon collection system capacity; interceptor capacity; lift station performance; wastewater treatment plant capacity; hydraulic loading; organic loading; industrial loading; corrosion potential; contaminants of emerging concern; PFAS and other persistent compounds where applicable; biosolids management; treatment residuals; regulatory compliance; biosolids processing; future capital improvements; and long-term utility planning.

Large Volume Wastewater Service (LVWWS) Policy-v1.c

For master planned or campus-style developments, projected aggregate wastewater demand from all anticipated development phases may be considered during capacity evaluation.

The City reserves the right to deny or condition service based upon system limitations or anticipated future needs.

Nothing in this policy shall be construed to require the City to provide service beyond available system capacity or in a manner that would adversely affect the reliability, operation, or financial integrity of the wastewater utility system.

The City may consider master-planned campus development as a single coordinated project for planning purposes. Approval of a master development plan does not constitute a commitment to providing water service for the ultimate build-out.

For the purposes of this policy a master-planned or campus-style development is defined as: A coordinated development undertaken by a single owner, developer, or affiliated entities that is intended to be constructed in multiple phases under a unified master plan and that may include one or more buildings, facilities, parcels, or land uses served by common or interconnected public water infrastructure.

Wastewater service capacity shall be evaluated and approved on a phased basis as development progresses. Capacity reservations shall be limited to approved phases and may expire if established milestones are not achieved within the timeframe specified in the applicable Development Agreement.

Each subsequent phase shall be subject to updated engineering analysis, financial review, and City approval to verify that adequate system capacity remains available and that all applicable policy requirements continue to be satisfied.

Section 10. Pretreatment, Conservation and Efficiency

LVWWS customers shall comply with all applicable pretreatment requirements, discharge permits, City ordinances, state regulations, and federal regulations. The City may require water and wastewater efficiency, reuse, or peak demand management measures as a condition of service.

Where appropriate, the City may require wastewater pretreatment; flow equalization; inflow reduction measures; infiltration control; monitoring equipment; sampling facilities; best management practices; industrial waste minimization; and operational reporting.

Emerging Contaminants and Source Control

Large Volume Wastewater Service (LVWWS) Policy-v1.c

Where the City determines that a proposed or existing discharge may contain per- and polyfluoroalkyl substances (PFAS), corrosive materials, persistent bioaccumulative compounds, pharmaceuticals, endocrine disrupting compounds, microplastics, contaminants of emerging concern, or other constituents that may adversely affect collection systems, treatment processes, biosolids management, regulatory compliance, receiving waters, or future regulatory obligations, the City may require the customer to conduct sampling, characterization, treatability studies, ongoing monitoring, source reduction measures, pretreatment, advanced treatment, operational modifications, or other corrective actions as a condition of service.

The customer shall be responsible for all costs associated with testing, monitoring, engineering evaluation, treatment, reporting, disposal, regulatory compliance, and any infrastructure or operational improvements reasonably required to manage such constituents. Compliance with current federal or state regulations shall not limit the City's authority to require additional measures reasonably necessary to protect the wastewater utility, public health, biosolids quality, environmental resources, or anticipated future regulatory requirements.

For the purpose of this policy “Contaminants of Emerging Concern” (CECs) are defined as: Chemical, biological, or physical constituents that are not currently regulated, are subject to evolving regulatory standards, or are reasonably anticipated to become subject to future regulation, and that may adversely affect wastewater collection systems, treatment processes, biosolids management, worker safety, receiving waters, regulatory compliance, environmental quality, or the long-term operational or financial integrity of the City's wastewater utility. CECs may include, but are not limited to, per- and polyfluoroalkyl substances (PFAS), pharmaceuticals, personal care products, endocrine-disrupting compounds, microplastics, persistent organic pollutants, nanomaterials, and other constituents identified by the City based upon scientific, engineering, or regulatory considerations.

Specific operational requirements shall be established within the Wastewater Service Agreement.

Section 11. Administration

The City Manager is authorized to negotiate Wastewater Service Agreements consistent with this policy. All such agreements shall require approval by the City Commission.

The City Manager, or designee, shall administer this policy. The City may adopt administrative procedures, engineering standards, application requirements, technical review criteria, and related guidance necessary to implement this policy.

Large Volume Wastewater Service (LVWWS) Policy-v1.c

Nothing contained herein limits the City's authority to require additional information necessary for evaluating a proposed wastewater service request.

Section 12. Interpretation

This policy establishes minimum standards for consideration of Large Volume Wastewater Service requests.

Nothing contained herein limits the authority of the City Commission to approve, deny, or condition any request based upon the public interest, available capacity, regulatory compliance, financial considerations, or other lawful considerations.

Where any conflict exists between this policy, City ordinances, or an executed Wastewater Service Agreement, the applicable ordinance and executed agreement shall govern to the extent permitted by law.

***** END *****



Commission Study Session Item #1

July 1, 2026

Review & Discuss Draft Large Volume Wastewater Service Policy





Why Create This Policy?

- Establish ground rules before negotiations begin
- Protect existing ratepayers
- Support responsible economic development
- Provide consistency and transparency
- Reduce long-term financial risk

What Problem Are We Solving or Preventing?

- Large users may require major infrastructure investment
- This policy provides a comprehensive policy framework
- Allows for proactive response to evolving environmental regulations and community concerns
- Provides consistent evaluation criteria for applicants
- Service remain discretionary at the will of the city commission



Sections 1 – 3 Policy Foundation

- Purpose, Legal Authority, & Applicability
- Affirms City Commission's Authority
- Creates a Predictable Consistent Transparent Review Process
- Defines Criteria for Policy Application
- No Entitlement to Service

Sections 4 – 8 Financial Protection

- Growth Pays for Infrastructure Serving Growth
- Implements a Cost of Service Rate Structure
- Development Served by Project Infrastructure Fund the Cost of Service
- City Commission Approves Service & Development Agreements
- Financial Assurances & Default Provisions Protect Emporia Utility Customers & Taxpayers



Section 9 Protecting Utility Capacity

Requires the Following Actions be Performed by City Staff/Consultants with Costs Funded by Applicant

- Engineering Review & Financial Assessment of Every Request
- Evaluates Collection & Treatment Impact on Current & Future Capacity

Policy Also Requires:

- Applies Phased Capacity for Master Planned & Campus Development
- There is No Commitment of the City for Ultimate Build-out
- Process Framework Ensures Reliability for Existing Residents & Customers

Section 10 Environmental Stewardship

- Applies Industrial Pretreatment Requirements
- Per/Polyfluoroalkyl Substances (PFAS) & Contaminants of Emerging Concern(CEC)
- Requires Monitoring & Source Control on Site & w/in Collection System
- Compliance Costs Funded by LVWWS Customer
- Prepares & Creates Flexibility in Anticipation of Future Regulations



Sections 11 & 12 Administrative & Commission Oversight

- Authorizes the City Manager to Negotiate Agreement within Policy Framework
- City Commission Approves All LVWWS Agreements
- City Commission Retains Utility Rate Setting & Policy Authority
- The LVWWS Policy Establishes **MINIMUM** Standards

Policy Benefits of the Proposed LVWS



Protects Existing Ratepayers: Ensures that infrastructure improvements, treatment capacity expansions, and other costs attributable to large-volume wastewater users are borne by the benefiting development rather than existing residential and commercial customers.

Provides a Consistent & Transparent Decision-Making Framework: Establishes uniform evaluation criteria, improving fairness, predictability, and transparency for applicants, City staff, and the City Commission.

Supports Responsible Economic Development: Creates a clear pathway for evaluating large industrial, institutional, manufacturing, and campus-style developments while allowing the City to negotiate project-specific agreements that reflect each project's unique characteristics and public benefits.

Protects Long-Term Utility Capacity and Reliability: Requires comprehensive engineering, financial, and operational analyses to ensure new development does not adversely affect existing customers or compromise the long-term reliability and sustainability of the City's wastewater system.

Reduces Financial and Operational Risk: Requires financial assurances, minimum service commitments, reimbursement of evaluation costs, and contractual protections that safeguard the City's investment and minimize exposure to project default or abandonment.

Prepares the City for Future Regulatory Requirements: Provides authority to address PFAS, contaminants of emerging concern (CECs), industrial pretreatment, and evolving environmental regulations through monitoring, source control, and project-specific treatment requirements, protecting the City's treatment facilities, biosolids program, and regulatory compliance.

Requested Commission Direction

The proposed LVWWS Policy establishes a consistent framework that protects existing ratepayers, supports responsible economic development, ensures growth pays its own way, preserves long-term wastewater system capacity, and safeguards the City's financial interests while maintaining flexibility to regulatory requirements.



- Does the Policy Support & Align w/ Community Values?
- Does the Policy Provide Community & Utility Safeguards & Protection?
- Are there Any Policy Revisions Desired?
- If Desired, Authorize Preparation of Final Policy Document.



Title: Large Volume Water Service Policy Discussion
(Continued from June 17, 2026)

Agenda Date: July 1, 2026

Presented By: Trey Cocking, City Manager

Background:

This item was presented for discussion at the June 17, 2026, study session. The City of Emporia has experienced increasing interest from prospective commercial and industrial customers whose projected water demands substantially exceed those of typical utility customers. While these developments present significant opportunities for economic growth, they may also require considerable investment in water production, treatment, storage, transmission, and distribution infrastructure. Without an established policy framework, these requests have the potential to create financial and operational risks for the City's water utility and existing ratepayers.

The proposed Large Volume Water Service (LVWS) Policy establishes uniform standards for evaluating and serving customers with an average daily water demand of 0.5 million gallons per day (MGD) or greater, or a peak demand of 1.0 MGD or greater. The policy is intended to ensure that extraordinary infrastructure costs are borne by the benefiting development, preserve the financial integrity of the utility system, protect existing customers from subsidizing future growth, and provide a transparent and predictable process for evaluating large water service requests.

Since preparation of the initial draft, staff have incorporated revisions intended to further clarify customer cost responsibility, reimbursement of engineering and professional service costs, financial assurance provisions, and procedures for evaluating master-planned and campus-style developments through phased capacity reviews.

Discussion:

The proposed policy is intended to provide the Commission with a governance framework for future large-volume water service requests while preserving flexibility to evaluate each project on its individual merits.

The policy does not establish water rates or approve any specific development project. Rather, it establishes the administrative, engineering, financial, and contractual expectations that would apply when evaluating future qualifying customers.

Major policy elements include:

- Establishment of a Large Volume Water Service customer classification.
- Cost-of-service-based rate methodology for qualifying customers.
- Required long-term Water Service Agreements approved by the City Commission.
- Customer responsibility for infrastructure improvements required to provide service.
- Financial assurance requirements commensurate with project risk.
- Reimbursement of engineering studies, hydraulic modeling, legal review, environmental review, and other professional services required to evaluate service requests.
- Provisions addressing early termination, recovery of unrecovered capital investment, and default remedies.

- Engineering and financial evaluation of available water supply and system capacity before service approval.
- Procedures for evaluating master-planned and campus-style developments on a phased basis to prevent premature reservation of utility capacity.
- Authority for the City Manager to negotiate agreements subject to final Commission approval.

The policy has been developed to complement existing City Code provisions governing utility rates while preserving the Commission's authority to amend rates and utility classifications by ordinance. Improvements required solely to serve a qualifying large-volume customer would be funded by the benefiting development and are not intended to increase rates or allocate costs to existing customer classes.

The purpose of this study session is to review the proposed policy, discuss its principal provisions, receive Commission feedback, and identify any desired revisions before staff prepares the policy for formal consideration at a future regular meeting.

Financial considerations:

Adoption of the policy does not authorize construction expenditures or establish new utility rates. Future capital improvements required solely to serve qualifying LVWS customers would generally be funded by the benefiting development through negotiated Water Service Agreements. Applicants would also be responsible for reimbursing the City for engineering studies, hydraulic modeling, financial analysis, legal review, consultant services, and other reasonable costs associated with evaluating the proposed service request. Minimum contractual billing requirements and financial assurance provisions are intended to reduce the City's financial exposure associated with significant infrastructure investments.

Attachments:

- A. Revised Policy Document
- B. Redline Policy Document (Track Changes)

City of Emporia, Kansas

Large Volume Water Service (LVWS) Policy – DRAFT-v2

Section 1. Purpose and Findings

The City finds that the recruitment of large commercial and industrial water users can provide significant economic development benefits to the community. Such users may require substantial investment in water production, treatment, storage, and distribution infrastructure and may create financial risk to the City if projected demand is not realized or is later discontinued.

Accordingly, it is in the public interest to ensure that existing residential and commercial customers are not required to subsidize large-volume users, to protect the financial integrity of the City's water utility, and to provide a clear and predictable framework for evaluating and serving large water users.

Section 2. Legal Sufficiency and Rate Authority

This policy is structured to align with the City's home rule authority and applicable Kansas law governing municipal utilities. Water rates and charges are established by ordinance and codified in Chapter 28 of the City Code. This policy does not create independent rate-setting authority, but instead provides a framework for applying cost-of-service-based rates and contract terms for large-volume users in a manner that is reasonable, non-discriminatory, and consistent with the City Code.

Nothing in this policy shall be construed to limit the City Commission's authority to amend rates, classifications, or service conditions by ordinance as necessary to ensure the continued financial integrity and operational reliability of the water utility system.

Section 3. Applicability

This policy applies to any customer requesting new water service with an average daily demand of 0.5 million gallons per day (MGD) or greater, or a peak demand of 1.0 MGD or greater, as well as to any existing customer proposing an expansion that would exceed these thresholds.

Section 4. Large Volume Water Service Classification and Rate Structure

A classification of Large Volume Water Service (LVWS) is established. LVWS means water service provided to customers meeting the applicability thresholds established in Section 3 of this policy.

Customers classified as LVWS shall be subject to individualized service agreements, cost-of-service-based rates and charges, and additional financial and contractual requirements as outlined in this policy and applicable City Code provisions.

Rates for LVWS customers shall be designed to fully recover the incremental cost of providing service, including impacts to treatment capacity, transmission and distribution infrastructure, storage, and operations and maintenance attributable to the customer. Rate structures may include capacity reservation charges, volumetric usage rates, and demand or peak-use components as appropriate.

Improvements financed through the LVWS policy application will be funded solely by the benefiting development and will not result in costs being allocated to, or rates being increased for existing customer classes.

Section 5. Water Service Agreements

All LVWS customers shall enter into a written Water Service Agreement approved by the City Commission. Agreements shall include a contract term commensurate with the level of infrastructure investment, generally not less than ten (10) years, together with defined capacity limits, and a minimum monthly billing obligation based on not less than seventy-five percent (75%) of contracted capacity. Agreements may also include phased service provisions and such other terms as the City determines necessary to protect the financial and operational integrity of the water utility. Nothing herein shall prevent future rate adjustments adopted by ordinance.

Section 6. Infrastructure and Capital Cost Responsibility

Infrastructure improvements required to provide the requested service shall be funded by the customer, as determined by the City. ~~Where infrastructure provides a broader system benefit, costs may be allocated proportionally, as determined by the City.~~ Infrastructure intended for public utility service shall be subject to City ownership unless otherwise approved.

Section 7. Financial Assurance and Entity Responsibility

The City may require financial assurances commensurate with the scale, duration, and risk of the proposed service. Such assurances may include financial security generally equivalent to 12–24 months of minimum billings, evaluation of the customer’s financial capacity and creditworthiness, and, where appropriate, parent company guarantees or similar assurances for limited liability or special purpose entities.

Financial assurance requirements may be adjusted based on demonstrated financial strength, payment history, or changes in risk. All such requirements shall be reasonably

related to the City’s anticipated financial exposure and shall not be imposed in an arbitrary or discriminatory manner.

The applicant shall reimburse the City for all reasonable costs incurred by the City in evaluating the proposed Large Volume Water Service request, including but not limited to engineering studies, hydraulic modelling, water supply evaluations, financial analyses, legal review, environmental review, consultant services, administrative expenses, and other professional services reasonably required by the City.

Procedure for reimbursement will be defined in the water service agreement.

Section 8. Early Termination and Default

Water Service Agreements shall include provisions addressing recovery of unrecovered capital costs, payment obligations upon early termination, and remedies in the event of default, including the ability for the City to draw upon financial security as applicable.

Section 9. System Capacity Review

Approval of service under this policy shall be subject to engineering analysis, financial impact analysis, evaluation of water supply availability and sustainability, and such other technical or operational review as the City determines necessary.

The customer shall be responsible for obtaining or funding all studies, analyses, reviews, and related professional services reasonably required by the City in connection with evaluation of the proposed service request.

Nothing in this policy shall be construed to require the City to provide service beyond available system capacity or in a manner that would adversely affect the reliability, operation, or financial integrity of the water utility system.

The City may consider master-planned campus development as a single coordinated project for planning purposes. Approval of a master development plan does not constitute a commitment to providing water service for the ultimate build-out.

For the purposes of this policy a master-planned or campus-style development is defined as: A coordinated development undertaken by a single owner, developer, or affiliated entities that is intended to be constructed in multiple phases under a unified master plan and that may include one or more buildings, facilities, parcels, or land uses served by common or interconnected public water infrastructure.

Water service capacity shall be evaluated and approved on a phased basis as development progresses. Capacity reservations shall be limited to approved phases and may expire if

established milestones are not achieved within the timeframe specified in the applicable Development Agreement.

Each subsequent phase shall be subject to updated engineering analysis, financial review, and City approval to verify that adequate system capacity remains available and that all applicable policy requirements continue to be satisfied.

Section 10. Conservation and Efficiency

The City may require water efficiency, reuse, or peak demand management measures as a condition of service.

Section 11. Administration

The City Manager is authorized to negotiate Water Service Agreements consistent with this policy. All such agreements shall require approval by the City Commission.

Section 12. Interpretation

This policy is intended to provide a consistent framework for evaluating large-volume water users while preserving the City's discretion to evaluate projects on a case-by-case basis.



Commission Study Session Item #2

July 1, 2026

**Review & Discuss Draft Large
Volume Water Service Policy
Incorporating Changes from
the June 17th City Commission
Study Session**





Purpose of the LVWS Policy Follow-Up

- Follow-up to the June 17 Study Session.
- Review revisions incorporated into the draft policy.
- Explain why each change was made and the value it provides.
- Receive Commission feedback before formal adoption.

What Hasn't Changed

- Protect existing utility customers.
- Support responsible economic development.
- Growth pays for growth.
- Maintain Commission authority over rates and agreements.
- Preserve long-term utility reliability.



Summary of Revisions

- Existing customer protection clarified.
- Infrastructure cost allocation refined.
- Engineering/professional cost reimbursement added.
- Financial assurance strengthened.
- Master-planned campus development provisions added.
- Phased capacity reservation process established.

Section 4 Existing Customer Protection



Previous Draft

- Cost-of-service rates and LVWS agreements.
- Less explicit statement protecting existing rate classes.

Revised Language

- LVWS-funded improvements paid solely by benefiting development.
- Cost-of-service rates language strengthen.
- No costs allocated to existing customer classes.

Why This Matters

- Clarifies growth pays its own way.
- Addresses concerns of public subsidizing growth.
- Protects existing ratepayers.

Section 6 Infrastructure Cost Responsibility



Previous Draft

LVWS Customer funds required improvements.

Revised Language

Allows proportional allocation when infrastructure provides broader system benefit, while maintaining equitable cost recovery.

Why This Matters

- Provides equitable cost sharing.
- Retains City flexibility while maintaining equitable cost recovery for the utility.
- Recognizes public benefit improvements.

Section 7 Financial Assurances



Previous Draft

General financial assurance provisions.

Revised Language

- Clarifies 12–24 months security, credit review, parent guarantees, risk-based adjustments.
- Reduce exposure if projects fail or terminate early.

Why This Matters

- Reduces City's Financial Exposure.
- Protects utility revenues & infrastructure investment.
- Protects Utility Revenues.

Section 7 Explicitly States City Reimbursed by the Applicant



Previous Draft

General financial assurance provisions.

Revised Language

- Applicant reimburses engineering, hydraulic, legal, environmental, financial, consultant and administrative review costs.
- Long-term developments require staged evaluation.

Why This Matters

- Taxpayers do not fund speculative projects.
- Recovers staff and consultant costs to the City.
- Supports Growth without overcommitting the utility capacity or the City's financial commitment to a project.

Section 9 Master Planned & Campus Style Development



Previous Draft

General capacity review language.

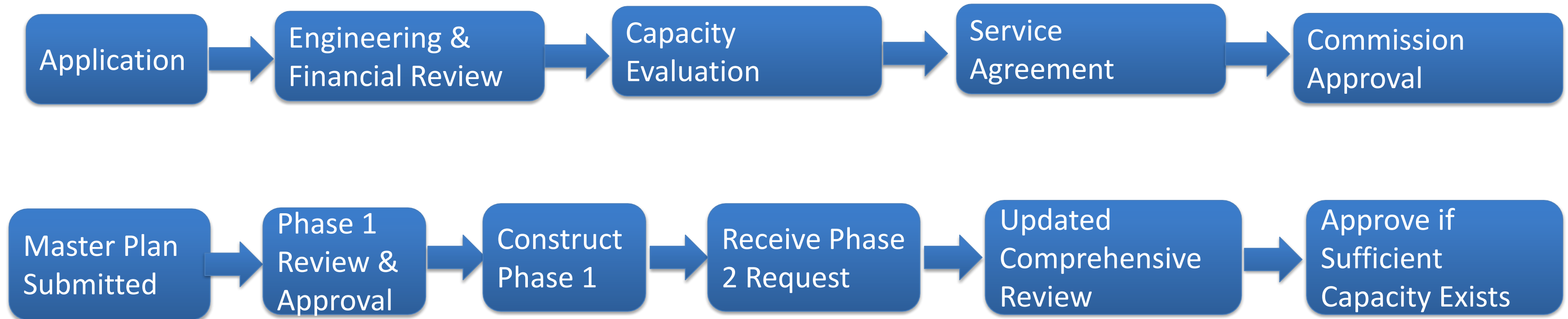
Revised Language

- Defines Master-Planned & Campus Style Development
- Requires Phased Approvals
- Utility service capacity reservations limited to approved phases.
- Future phases require an updated comprehensive review.
- Preserves capacity, protects future customers, avoids speculative reservations.

Why This Matters

- Preserves Integrated Utility System Capacity.
- Discourages Speculative Capacity Reservations.
- Supports Orderly, Intentional, Prudent Growth.

LVWS Review Process & Phased Campus Development



Review Process Overview

- Approval of a master plan does not reserve ultimate build-out capacity.
- Each future phase requires updated engineering, financial, and capacity review before approval.



Policy Benefits of the Proposed LVWS

Protects Existing Utility Customers: Ensures that infrastructure and service costs associated with large-volume customers are borne by the benefiting development rather than existing residential, commercial, and industrial ratepayers.

Supports Responsible Economic Development: Establishes a clear, predictable framework for evaluating and negotiating large-volume water service requests, providing greater certainty for prospective employers and developers.

Protects the Financial Integrity of the Water Utility: Requires long-term service agreements, financial assurances, minimum revenue commitments, and cost recovery provisions that reduce the City's financial risk.

Preserves Water System Capacity and Reliability: Requires engineering, hydraulic, water supply, and financial evaluations before service is approved to ensure new demands do not adversely affect existing customers or future growth opportunities.

Provides Fair and Equitable Cost Allocation: Applies cost-of-service principles so that customers creating the need for additional infrastructure pay their proportionate share while allowing flexibility when improvements provide broader system benefits.

Improves Transparency, Consistency, and Governance: Establishes standardized evaluation criteria, contractual requirements, and Commission oversight, resulting in more consistent, objective, and defensible decisions for future large-volume service requests.

Requested Commission Direction

The proposed LVWS Policy protects existing ratepayers, strengthens the financial sustainability of the City's water utility, preserves system capacity, and provides a consistent framework for supporting responsible economic development.

- Does the Policy Support & Align w/ Community Values?
- Does the Policy Provide Community & Utility Safeguards & Protection?
- Are there Any Policy Revisions Desired?
- If Desired, Authorize Preparation of Final Policy Document.



Title: Discuss Engineering Fees
Agenda Date: July 1, 2026
Presented By: Jim Ubert, City Engineer

Background:

City Engineering currently has the following programs in which we want to revisit our fee structure.

1. License Agreements
2. Superload Permits
3. Excavating/Cutting Permits

Discussion:

1. License Agreements – currently there is no fee for the City to enter into an agreement that grants access to City public right of way for a variety of purposes. The most common are for monitoring wells, private utilities, and encroachments.
2. Superload Permits – currently there is a \$75 permit fee (Engineering) for the following (vehicles attempting to drive thru City without permit the fee is \$150):
 - a.) Truck exceeds 16ft in height
 - b.) Truck exceeds 15ft in width
 - c.) Truck exceeds 126ft in length
 - d.) Additional fees (as applies) for traffic signal department to remove signal heads to pass thru on route and police department escort are billed separately.
3. Excavating/Cutting Permits – currently charged as follows:
 - a.) Spot excavation = \$25.00 (in town contractor) & \$35.00 (out of town contractor)
 - b.) New service fees (by a utility without a franchise agreement) = \$0.50/linear ft (in town) & \$0.60/linear ft (out of town) in paved areas.
 - c.) New service fees (by a utility without a franchise agreement) = \$0.15/linear ft (in town) & \$0.15/linear ft (out of town) in unpaved areas.
1. **(Proposed)** License Agreement Fee – propose a \$50 fee for time (3 – 5 hours) spent by Engineering staff putting the license agreement draft and exhibits together, review with City Attorney, and presenting it at City Commission for approval.
2. **(Proposed)** Superload Permit Fee – propose a two (2) tier system.
 - a.) \$75 permit fee for transport loads under 17'-3" (that do NOT need coordination with outside utilities, Lyon County Road & Bridge, and City Traffic Department).
 - b.) \$150 permit fee for transport loads 17'-3" and taller (that DO need coordination with outside utilities, Lyon County Road & Bridge, and City Traffic Department).
 - c.) Continue double the fee for trucks that drive through the City without a permit.
3. **(Proposed)** Excavating/Cutting Permits propose as follows:
 - a.) Spot excavation = \$50.00 (in town contractor) & \$75.00 (out of town contractor)
 - b.) New service fees (by a utility without a franchise agreement) = \$0.65/linear ft (in town) & \$0.75/linear ft (out of town) in paved areas.

- c.) New service fees (by a utility without a franchise agreement) = \$0.25/linear ft (in town) & \$0.35/linear ft (out of town) in unpaved areas.

Financial:

The financial impact is to raise fees to be somewhat more in line with the amount of time spent by Engineering staff on permits/license agreements and or the cost of allowing a non-franchise utility use of City public right of way.



Commission Action Report

Executive Session

Title: Executive Session

Agenda Date: July 1, 2026

Recommended Action:

Recess into executive session for 30 minutes, inviting pertinent city staff to discuss confidential data of a third party relating to economic development. The justification for the executive session is provided by K.S.A. 75-4319(b)(4) to protect financial affairs and trade secrets of third parties. The open meeting will resume in the City Commission Chamber at approximately __:____ a.m./p.m.