MEETING OF THE CITY COMMISSION - AGENDA
WEDNESDAY, SEPTEMBER 21, 2022 AT 11:00 AM
CITY COMMISSION CHAMBER

ORDER OF BUSINESS

CALL MEETING TO ORDER Mayor Becky Smith

MEMBERS PRESENT

Vice Mayor Danny Giefer
Commissioner Susan Brinkman
Commissioner Erren Harter
Commissioner Jaime Sauder

PROCLAMATIONS

PUBLIC FORUM

The public is invited to make comments at this time. Please limit comments to two (2) minutes each. Hate speech, profanity, and defamation are not allowed. Please state your name and address prior to making comments.

NEW BUSINESS

1) **AZA Accreditation to the David Traylor Zoo of Emporia.**

   Presented by: Lisa Keith, Zoo Director

   Recommended Action: Thank the David Traylor Zoo Team and the Emporia Friends of the Zoo for their hard work and dedication.

2) **Resolution No. 3678 Authorizing the City of Emporia to Apply for a Moderate Income Housing Grant.**

   Presented by: Jim Witt, Special Projects Coordinator

   Recommended Action: Approve Resolution & Application

3) **Ordinance No. 22-43 & Resolution 3679 Authorizing the Sale of GO Bonds, Series 2022 in the Principal Amount of $7,135.000.**

   Presented by: Greg Vahrenberg, Manging Director of Raymond James

   Recommended Action: Approve Ordinance & Resolution

COMMUNICATIONS

Presented by Trey Cocking, City Manager.

1) Financials & Permints
2) Budget Report
3) Board Minutes

CONSENT AGENDA

Presented by Trey Cocking, City Manager.

1) Consent Agenda Items List.
2) Minutes for the September 7, 2022, Commission Meeting.
3) Ratification and Approval of the Payroll Ordinances for the period ending September 9, 2022.
4) CDBG Grant Extension
5) Change Order No. 2 for 6th Avenue Watermain Improvements Project No. WM2101

INFORMATIONAL ITEMS

Presented by Trey Cocking, City Manager.

1) Informational Items

GOVERNING BODY COMMENTS

Mayor Becky Smith
Vice Mayor Danny Giefer
Commissioner Erren Harter
Commissioner Susan Brinkman
Commissioner Jamie Sauder

EXECUTIVE SESSION

1) THE CITY COMMISSION REQUESTS AN EXECUTIVE SESSION FOR CONSULTATION WITH AN ATTORNEY FOR THE PUBLIC BODY OR AGENCY WHICH WOULD BE DEEMED PRIVILEGED IN THE ATTORNEY-CLIENT RELATIONSHIP. K.S.A. 75-4319(B)(2) IS THE AUTHORITY FOR THIS RECESS INTO THE EXECUTIVE SESSION.

   Recess into executive session for consultation with the City Attorney for 10 minutes regarding an attorney-client privilege matter and stating at which time the open meeting will resume.

2) THE CITY COMMISSION REQUESTS AN EXECUTIVE SESSION TO DISCUSS DATA RELATING TO FINANCIAL AFFAIRS OR TRADE SECRETS OF CORPORATIONS, PARTNERSHIPS, TRUSTS, AND INDIVIDUAL PROPRIETORSHIPS FOR POTENTIAL ECONOMIC DEVELOPMENT PROJECTS. K.S.A. 75-4319(B)(4) IS THE AUTHORITY FOR THIS RECESS INTO EXECUTIVE SESSION.

   Recess into Executive Session to discuss proprietary information of third parties for potential economic development projects for 10 minutes, inviting Special Projects Manager Jim Witt, and stating at which time the open meeting will resume.

RECESS

Recess to Conference Room 1AB for Study Session

STUDY SESSION AGENDA ITEMS

1) Discuss Water Meters.
2) Stormwater Utility Discussion.
3) Uniform Public Offense Code Discussion.
4) Review Carnegie Library Application.

ADJOURNMENT

Commission Action Report

Title: AZA Accreditation Granted to the David Traylor Zoo of Emporia.

Proposed Agenda Date: September 21, 2022

Presented By: Lisa Keith, Zoo Director

BACKGROUND:

In June of 2022, the David Traylor Zoo of Emporia went through the accreditation process that is conducted every five years by the Association of Zoos and Aquariums (AZA). The City of Emporia was notified on August 29 that the Zoo was granted accreditation by the Accreditation Commission.

To be accredited, the Zoo underwent a thorough review to make certain it has and will meet ever-rising standards in categories which include animal care and welfare, veterinary programs, conservation, education, and safety.

The accreditation process includes a detailed application and a meticulous on-site inspection by a team of trained zoo and aquarium professionals. The inspecting team observes all aspects of the facility's operation, including animal care and welfare; keeper training; safety for visitors, staff, and animals; education programs; conservation efforts; veterinary programs; financial stability; risk management; visitor services; and more. Finally, an interview at a formal hearing in front of the entire Accreditation Commission, after which accreditation is granted, tabled or denied.

DISCUSSION: None

FINANCIAL CONSIDERATIONS: None

OTHER CONSIDERATIONS:

RECOMMENDED ACTION: Thank the David Traylor Zoo Team and the Emporia Friends of the Zoo for their hard work and dedication.

ATTACHMENTS: None

Commission Action Report

Title: Resolution No. 3678 Authorizing the City of Emporia to Apply for a $400,000 Moderate Income Housing Grant

Proposed Agenda Date: September 22, 2022

Presented By: Jim Witt, Special Project Coordinator

BACKGROUND:
This grant is offered by the Kansas Housing Resources Corporation for the development of housing for moderate-income occupants. Moderate income is defined by the State as 60% to 150% of HUD's FY 2022 income ranges. The City has utilized this program in the past with a grant that produced the construction of six new homes from 2017 thru 2020. The application for funding from the Kansas Housing resources Corporation is due by 10-1-2022.The developer group is requesting $650,000 from the corporation.

DISCUSSION:
The current proposal for this year's grant application includes the construction of 24 two-bedroom, one bath duplex housing units. Four buildings housing two units apiece will be constructed at each of the following locations 412 & 416 12th, 1124 & 1128 Union and 1106 &1110 Mechanic Street. Rents for each unit are projected to be $850-950 per month.In addition to the new units 6 dilapidated structures will be removed from the properties to accommodate the new construction. Please see the attached documents requesting support for further details.

FINANCIAL CONSIDERATIONS:
If the MIH funding is approved as part of the total financial package the City intends to issue four million dollars of Industrial Revenue Bonds in accordance with Kansas statutes as part of the financial package to construct the 24 units.

OTHER CONSIDERATIONS:
The obligations from the City are described in the Financial Considerations plus city services related to Building Inspection. The adopted City goals for 2022-23 include a commitment to expand housing opportunities thru new construction using a variety of methods.
RECOMMENDED ACTION:
Approval

ATTACHMENTS:
Resolution; Cover Letter

RESOLUTION NO. 3678

A RESOLUTION OF THE GOVERNING BODY OF THE
CITY OF EMPORIA, KANSAS, CERTIFYING LEGAL AUTHORITY
TO APPLY FOR THE KANSAS MODERATE-INCOME HOUSING
PROGRAM REQUEST FOR PROPOSAL.

WHEREAS, an eligible applicant may be any city incorporated in accordance with the laws of the state of Kansas (the "State") with a population of less than 60,000; and

WHEREAS, the City of Emporia, Kansas (the "City") has an estimated population of approximately 24,139 and therefore constitutes a city as said term is defined in this Request For Proposal; and

WHEREAS, the Governing Body of the City has agreed to the following commitments for the purpose of carrying out the proposed project:

1. Providing staff for grant administration and inspections;

WHEREAS, the City of Emporia intends to submit an application for $400,000 in assistance from the Kansas Housing Resources Corporation, Moderate Income Housing Program.

THE APPLICANT hereby authorizes the MAYOR of EMPORIA, Kansas, to act as the applicant's official representative in signing and submitting an application for the assistance to the KANSAS MODERATE INCOME HOUSING PROGRAM.

APPROVED BY THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS, this 22nd day of September 2022.

(SEAL)

____
Becky Smith, Mayor

EMPORIA
City of Emporia

September 21, 2022

Ms. Alissa R. Ice
Director of Housing Development
Kansas Housing Resources Corporation
611 S. Kansas Ave., Suite 300
Topeka, KS 66603

Dear Ms. Ice,

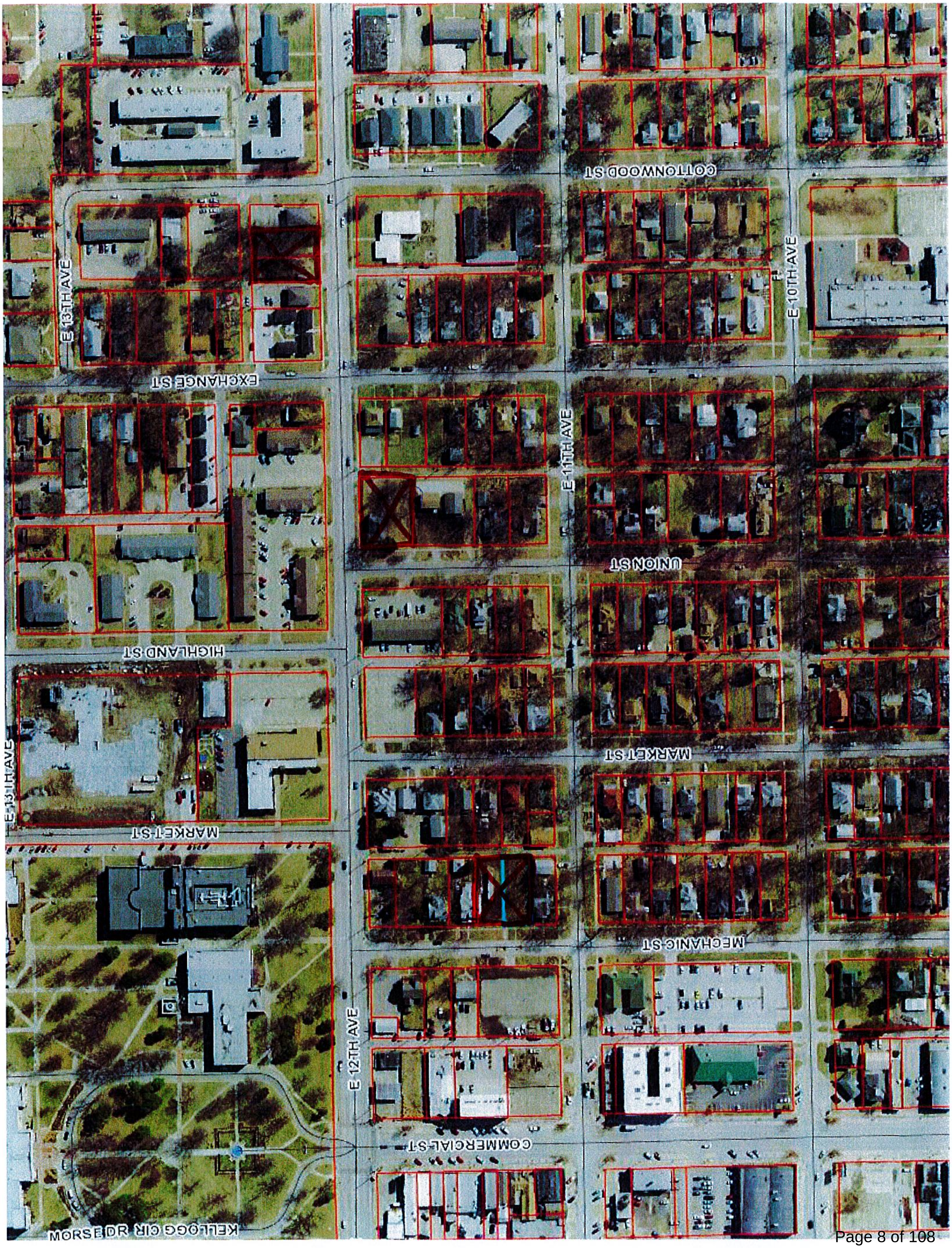
The City of Emporia is submitting this application for $650,000 of funding to provide for the construction of twelve duplex units resulting in twenty-four two (2) bedroom housing units. Providing additional housing units is one of the top goals of the City Commission as our city is in definite need of more housing. In addition to the MIH funds the City of Emporia will be issuing Industrial Revenue Bonds with an estimated value of four million dollar towards the construction of the 24 units.

The city is committed to this project as it will provide additional housing as identified in our 2020 Comprehensive Housing Study. The study identified the need for 443 new housing units by 2030. Of those 443 new units 248 would be in the affordable moderate category. The proposed project will also allow the removal of six dilapidated single-family structures which greatly enhance the neighborhood environment.

We appreciate your consideration of our proposal to improve our community.

Sincerely,

Becky Smith
Mayor, City of Emporia

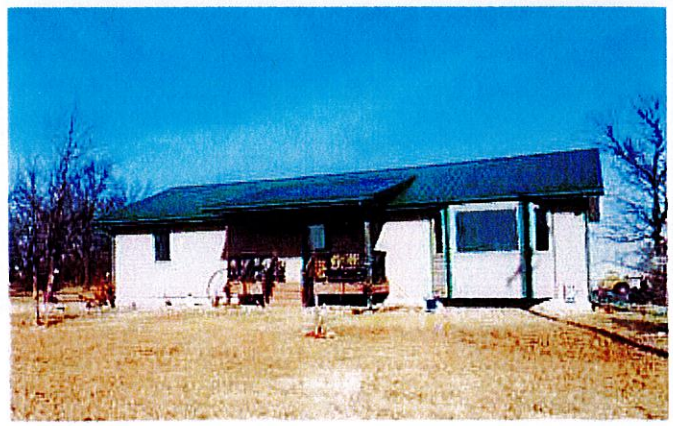

COTTONWOOD ST
E 13TH AVE
E 10TH AVE
EXCHANGE ST
E 11TH AVE
UNION ST
HIGHLAND ST
MARKET ST
E 13TH AVE
MARKET ST
MECHANIC ST
E 12TH AVE
COMMERCIAL ST
MORSE DR
KELLOGG CIR

Housing Demand Projection

Figure 3.2 calculates the overall demand for housing from 2020-2030 by considering:

- Potential population growth at a 0.25% annual rate.
- Household population and size from the U.S. Census Bureau.
- Household demand, generated by the number of households today and the amount caused by new growth.
  - Some of this demand can be met through rehabilitation of existing vacant units. Not all need to come from new construction.
- A vacancy rate that will decrease over time, lower than reported by the Census to align with community conversations, and ensures a quality housing stock is available with a variety of options. Note that vacancy rates tend to be higher in university communities.
- A decreasing annual replacement need for units that are lost to demolition or elimination. The idea is the housing programs help prevent units from reaching demolition over time.

The market in Lyon County could support 464 units through 2030. This equates to approximately 46 new units annually including renter and owner units and fewer demolitions, compared to current building activity since 2009 at about 37 gross units per year (not accounting for demolished units taken out of the housing stock).



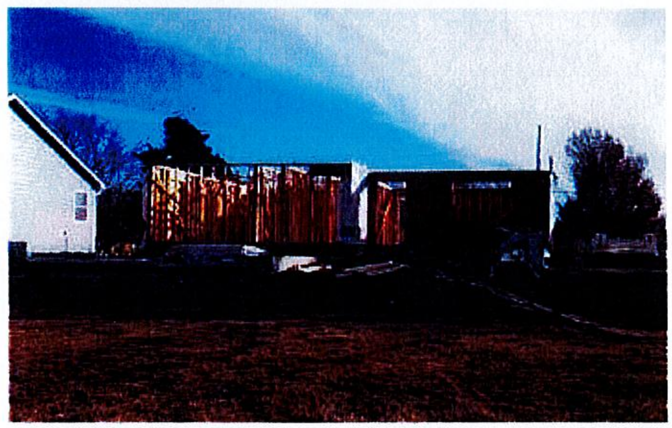
	2020	2020-2025	2026-2030	TOTAL
Population at End of Period	33,406	33,826	34,251	
Household Population at End of Period	31,090	32,392	32,799	
Average People Per Household	2.35	2.35	2.35	
Household Demand at End of Period	13,613	13,784	13,957	
Projected Vacancy Rate	7.5%	7.3%	7.0%	
Unit Needs at End of Period	14,723	14,868	15,014	
Replacement Need (total lost units)		93	80	173
Cumulative Need During Period		237	226	464
Average Annual Construction		47	45	46

Source: RDG Planning & Design

Housing Development Program

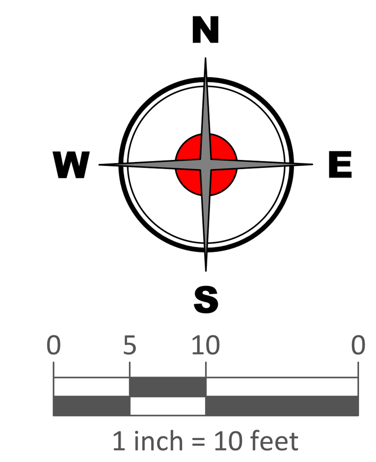
Building on the housing demand model, the development program in **Figure 3.3** forecasts owner- and renter-occupied unit targets based on the following assumptions:

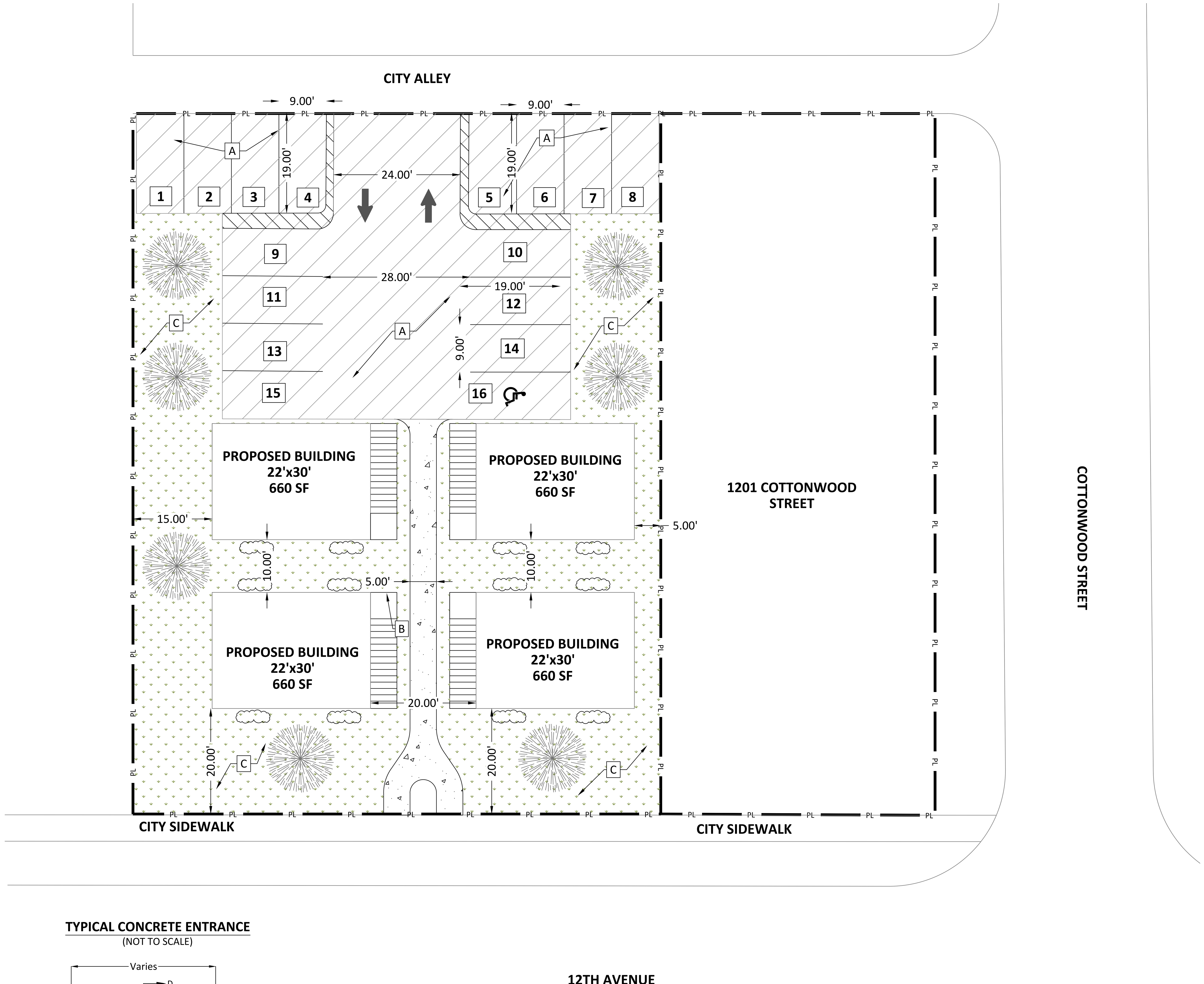
- Owner-occupied units will be distributed roughly in proportion to the household income for whom owner occupancy is an appropriate strategy.
- Most low-income residents will be accommodated in rental units.
- The first five years of programming uses a 70%/30% owner/renter split of new housing. The second five years uses a 60%/40% split. The higher owner-occupied split in the near term is to fill more of the housing demand at higher household income levels.
  - The private market can produce very few homes priced below $125,000 without access to affordable lots and assistance programs like low-income housing tax credits. Most of this demand will be met through a filter effect created by the production of move-up housing.
  - New rental housing construction traditionally demands rents in the range of $1 per square foot and higher. Therefore, to produce housing priced below $500 per month, programs like low-income housing tax credits and Section 8 will need to be leveraged.



Owner Occupied	2020-2025		2026-2030		TOTAL	
Affordable Low: <$125,000	66	166	54	136	120	302
Affordable Moderate: $125-200,000	[illegible]		33		74	
Market: $200-400,000	47		38		85	
High Market: Over $400,000	[illegible]		10		23	
Total Renter Occupied						
Low: Less than $500	21	71	27	91	48	162
Affordable: $500-1,000	40		[illegible]		[illegible]	
Market: Over $1,000	25		32		58	
Total Need		237		226		464

Source: RDG Planning & Design





SITE PLAN INFORMATION

1. Owner: Capital Holdings LLC
2. Total Disturbed Area: 13,000 sf
3. Building Size: 4 - 660 sf
4. Current Zoning: R-3
5. Setbacks:
   - Front =20 ft
   - Side = 5 ft
   - Rear = 25 ft
5. Proposed Parking:
   - New Regular Stalls = 15
   - ADA Stalls = 1
   - Total Proposed Stalls = 16

LEGEND

Construct 5" Concrete Pavement

Construct 4" Concrete Sidewalk

Future Grass

PL Property Line

SITE IMPROVEMENTS

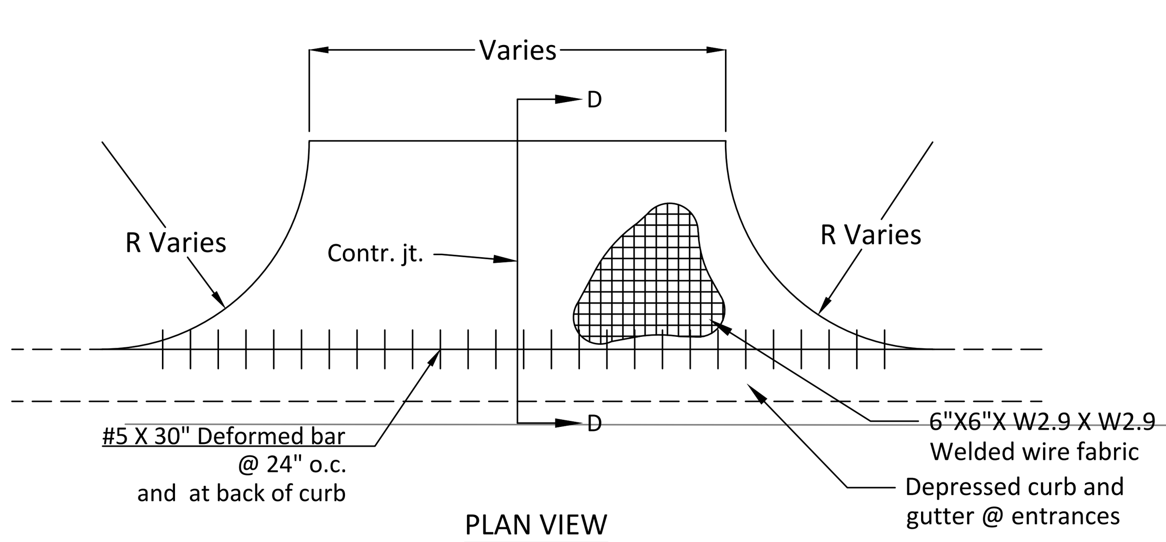
A Construct New 5" Concrete Pavement

B Construct new 4" concrete sidewalk

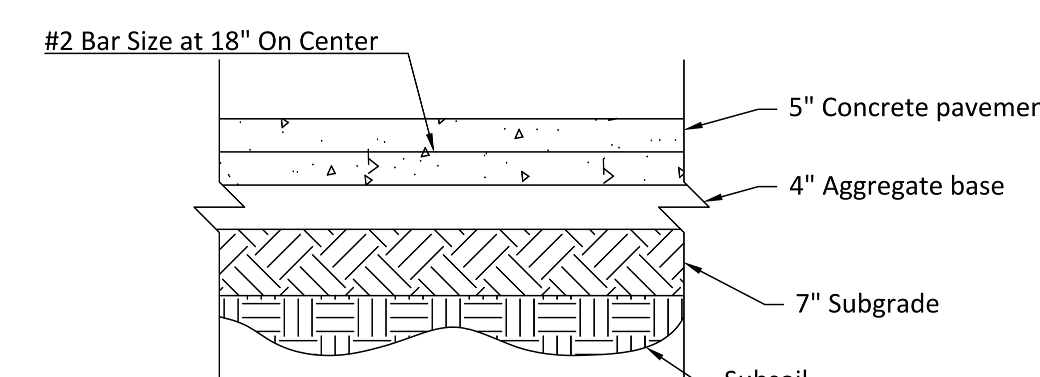
C Future Grass

TYPICAL CONCRETE ENTRANCE

(NOT TO SCALE)

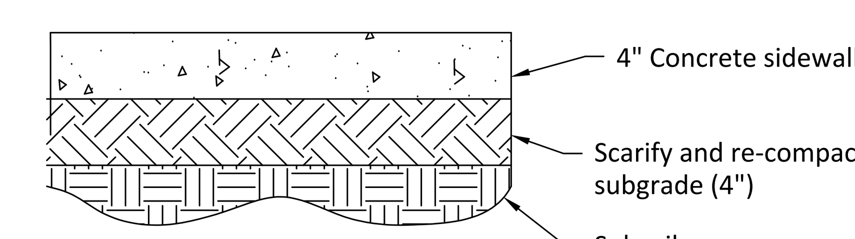


PLAN VIEW



TYP. PAVEMENT SECTION

(NOT TO SCALE)



TYP. SIDEWALK SECTION

(NOT TO SCALE)

No.	Revision	Date

EMPORIA, KANSAS

WINSTON LOFTS_412 & 416 EAST 12TH AVENUE

SITE PLAN

DRIGGS DESIGN GROUP, PA

Surveying Engineering Planning

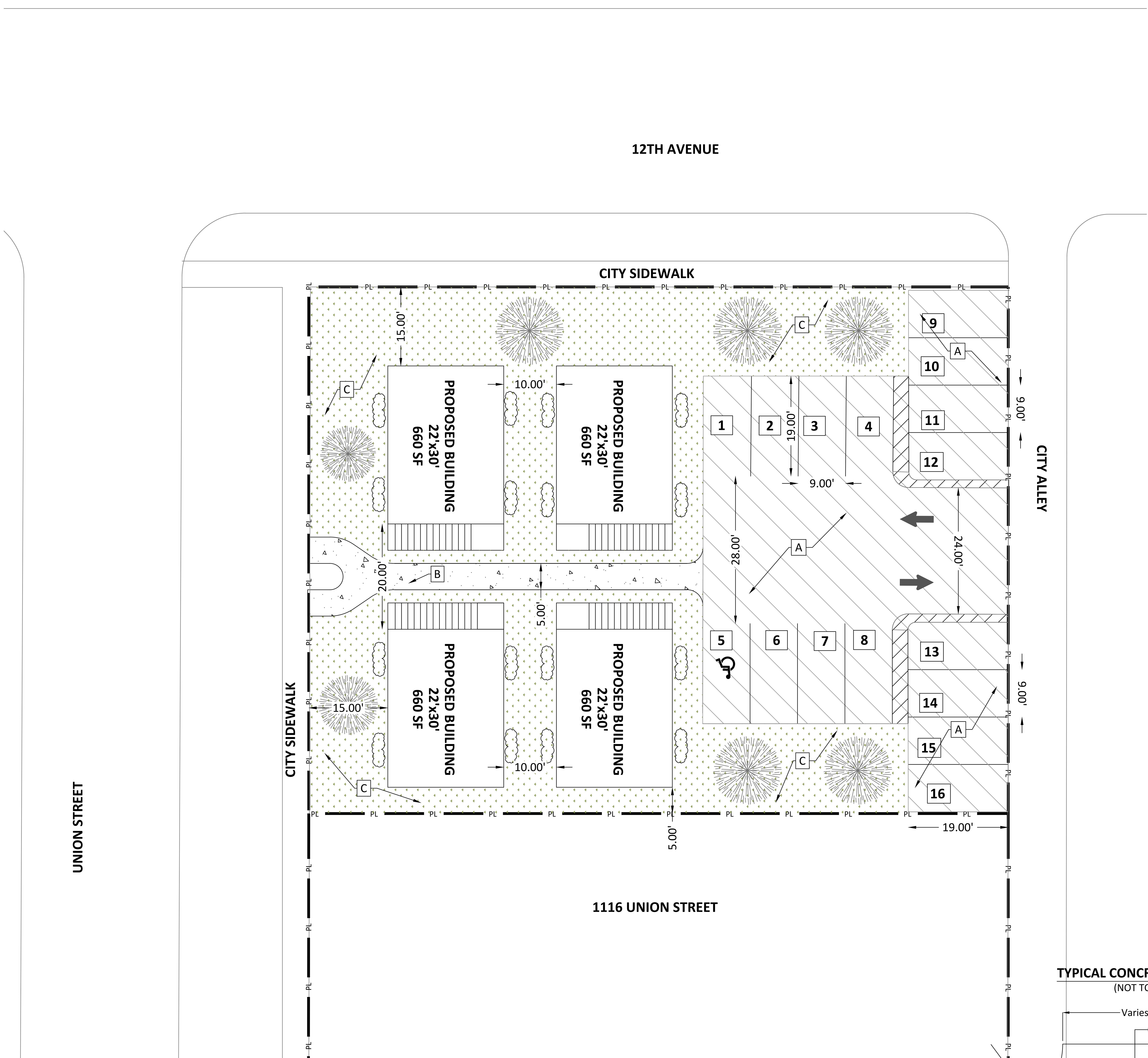
MANHATTAN - HAYS - EMPORIA - TOPEKA - GOODLAND

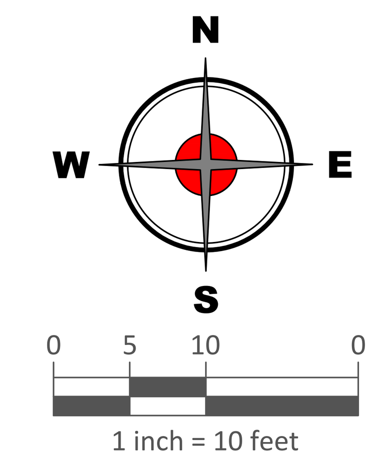
Project No.: ####

Date: 8/26/2022

Sheet No.: 1 OF 1

Colton 8/26/2022





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LEGEND

Construct 5" Concrete Pavement

Construct 4" Concrete Sidewalk

Future Grass

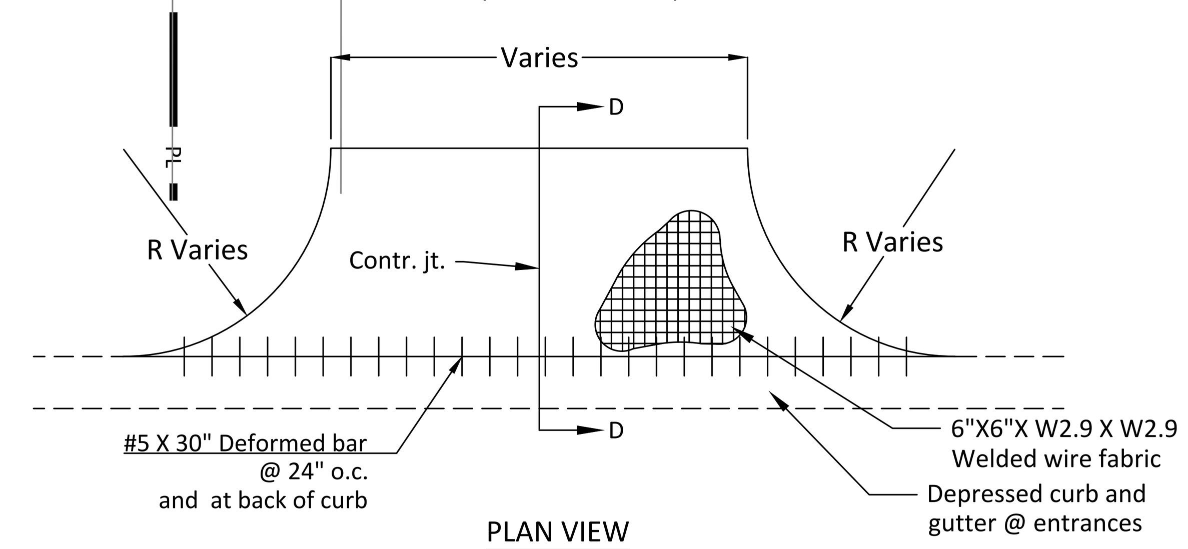
PL Property Line

SITE IMPROVEMENTS

A Construct New 5" Concrete Pavement

B Construct new 4" concrete sidewalk

C Future Grass



TYPICAL CONCRETE ENTRANCE
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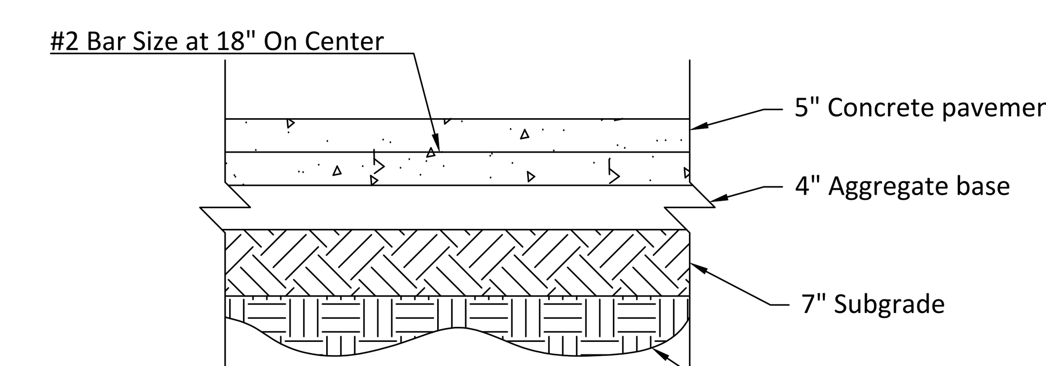

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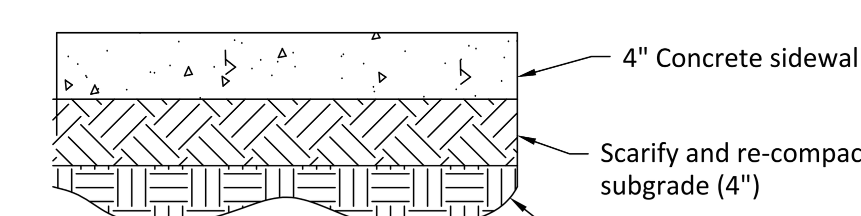


TYP. SIDEWALK SECTION
(NOT TO SCALE)

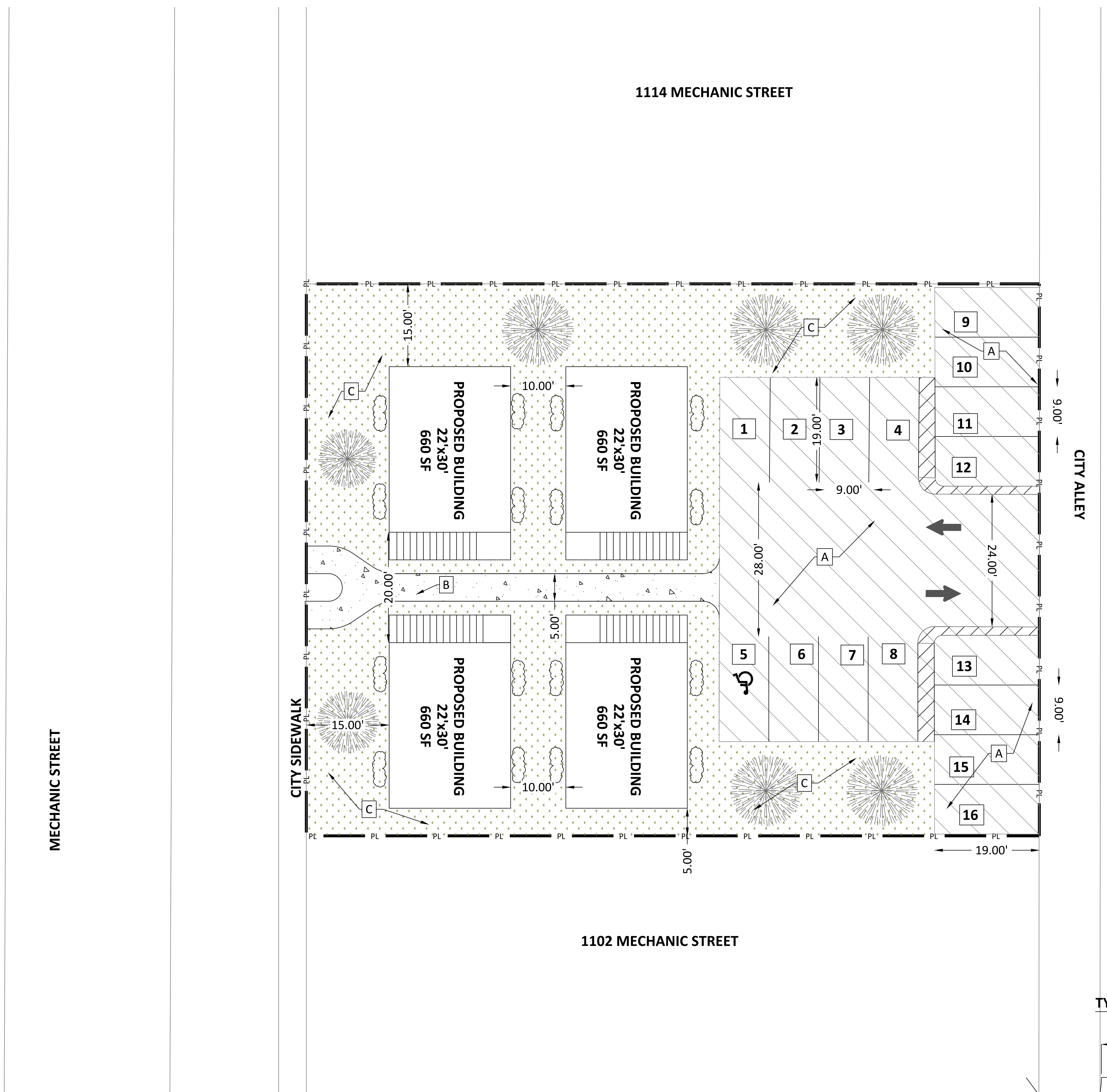
No.	Revision	Date

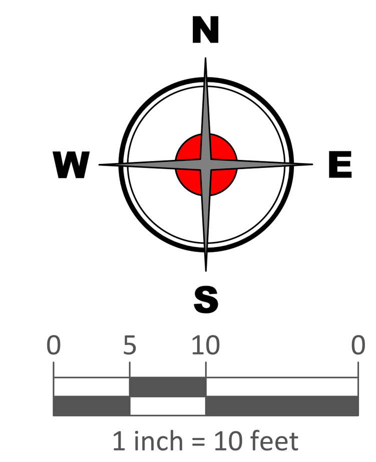
EMPORIA, KANSAS
SENATE LOFTS_1128 UNION STREET
SITE PLAN

DRIGGS DESIGN GROUP, PA
Surveying Engineering Planning
MANHATTAN - HAYS - EMPORIA - TOPEKA - GOODLAND

Project No.: ####
Date: 8/26/2022
Sheet No.: 1 OF 1

Colton 8/26/2022





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LEGEND

- Construct 5" Concrete Pavement
- Construct 4" Concrete Sidewalk
- Future Grass
- Property Line

SITE IMPROVEMENTS

- A Construct New 5" Concrete Pavement
- B Construct new 4" concrete sidewalk
- C Future Grass

TYPICAL CONCRETE ENTRANCE
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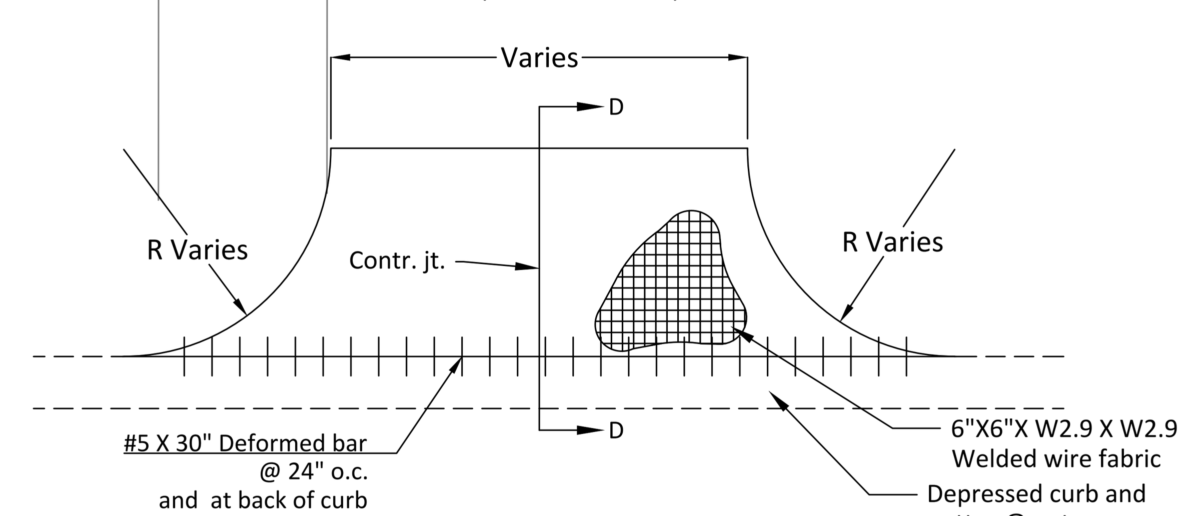

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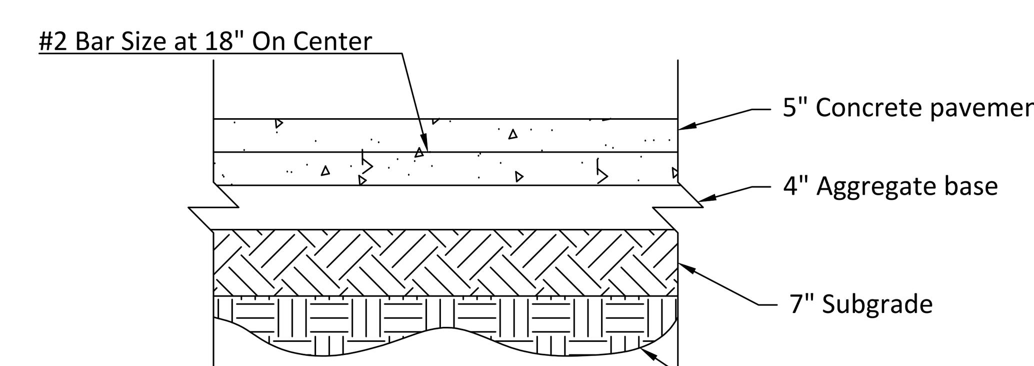

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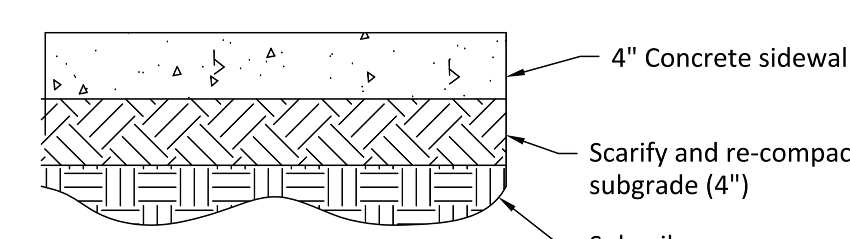

TYP. SIDEWALK SECTION
(NOT TO SCALE)

No.	Revision	Date

EMPORIA, KANSAS
MALLORY SQUARE_1106 & 1110 MECHANIC STREET
SITE PLAN

DRIGGS DESIGN GROUP, PA
Surveying Engineering Planning
MANHATTAN - HAYS - EMPORIA - TOPEKA - GOODLAND

Project No.: ####
Date: 8/26/2022
Sheet No.: 1 OF 1

Colton 8/26/2022

Emporia City Commission
Attn. Trey Cocking
522 Mechanic Street
Emporia, KS 66801

September 8, 2022

Dear City Manager Cocking & City Commission,

RE: Haag Development Proposal for MIH Application support September 2022

I am writing you today to request the support of a 24-unit duplex apartment project being planned by Haag Development of Emporia, Kansas. We are seeking the support of the City of Emporia in applying for a Moderate-Income Housing (MIH) Grant for this development project. The proposed project consists of three separate eight-unit developments, The Winston Lofts located at 412 & 416 East 12th Avenue, The Senate Lofts Located at 1124 & 1128 Union, and the Mallory Square Lofts located at 1106 & 1110 Mechanic Street. Each unit will consist of 2 bedrooms and 1 bath and will rent for approximately $850 – $950 per month. All three development locations are in neighborhoods that meet the City's comprehensive plan to redevelop, and infill blighted existing lots. All three locations have previously had neglected and unkept homes that have been removed within the last 3-4 years. This project will utilize existing city water and sewer infrastructure as well as existing electric utilities. This development will help revitalize these areas which are near downtown and Emporia State University. The Comprehensive Housing Plan of 2020 identified all three of these development locations to be on Emporia's Opportunity Areas Map for Reinvestment/Redevelopment. All three locations are also located on major traffic corridors that are visible to the many people visiting Emporia and potentially seeking to relocate to the community.

The revitalization and redevelopment of these lots will create safe, attainable housing, and thus create stronger neighborhoods. It will also generate new taxable value and thus more tax revenue in future years. The development of these 24 units will convert these vacant lots to a more active and productive use. As downtown living continues to grow in popularity, these new units will attract young professionals and families to live in the core of the city.

One of the largest hurdles to infill development in Emporia is the assembly of multiple lots. Most developers do not have the capital, time, resources, or inclination to assemble multiple lots from multiple property owners. This proposed project represents six former neglected houses that will be redeveloped into new housing that will serve the city for many years to come. The removal of deteriorated structures and the redevelopment of vacant lots will have a major impact on the City's future.

Emporia has a substantial need for all types of housing and this need has been demonstrated in the 2020 Lyon County Housing Study. Fortunately, several projects are in the development stage to add single family dwellings. Those projects are headed to fruition and will aid in helping to fulfill the need in the single-family housing market. The need to address the many neglected and dilapidated homes within the community

4851 Meadowbrook Pkwy, Unit 149 Overland Park, KS 66207 (816) 686-6600

through rehabilitation is also very evident. Regardless of this, perhaps the most difficult need to be addressed in communities, including Emporia, is that of the financial perspective of newly constructed rental units.

The costs to develop and construct new rental housing projects have far outpaced the rental rates the market is able to pay. This has simply rendered the investment in rental housing unfeasible. Since the Logan Lofts were developed 3-4 years ago, the costs to build have increased 30 - 35% while rental rates have only marginally increased. The need for adequate housing is significant in many of the communities across Kansas however new rental housing developments are simply not occurring for these reasons. Fortunately, the State Legislature and the State of Kansas has created and expanded multiple programs which contribute to the financial feasibility of these newly developed housing structures.

This proposed 24-unit development would request the following: Moderate-Income Housing (MIH) Grant support, Industrial Revenue Bonds – IRB's (10 year tax abatement, sales tax relief on construction materials) and Kansas Housing Investor Tax Credit. Although the available funds in the MIH program have increased from $2M to $15M per year, the grant will be very competitive. This proposed project will offer Emporia the best opportunity to be successful in obtaining a MIH grant as it addresses a significant need and leverages the grant funding by developing 24 new units. Haag Development and their entire team are proven assets to the city and are solid applicants for the MIH grant. In addition to the current proposed project, they are committed to develop additional rental units (24 – 32 per year) in the future if the programs are available to make new builds financially feasible (recognizing the MIH Grant is most likely a one-year opportunity).

The information below is quoted from the 2020 Lyon County Housing Study and validates the need for this proposed project:

Lack of rentals appealing to the workforce of Lyon County, Emporia in particular, has a high demand for rental options driven by students and the diverse workforce, leading to fewer available units. Rental housing is important because it provides options for empty-nesters and seniors looking to move or downsize from their current owner-occupied home. Rentals act as transitional housing options for those moving between housing types. Young families, professionals, and new employees to the region rely on rentals as an affordable housing option or to "try-out" the community before deciding to buy a home. The lack of rental options in a market can have several negative effects on a market including, forcing potential new residents to look elsewhere for housing, discouraging reinvestment in existing properties, limiting the turnover of housing in the market, increasing rental prices, and reducing single-family home conversions.

The market in Lyon County could support 464 units through 2030. This equates to approximately 46 new units annually including renter and owner units and fewer demolitions, compared to current building activity since 2009 at about 37 gross units per year (not accounting for demolished units taken out of the housing stock).

Please accept this formal request of support for the application of Haag Development and their proposed development. Thank you for your time and consideration.

Sincerely,

Ross Vogel
Heartland Housing Partners

4851 Meadowbrook Pkwy, Unit 149 Overland Park, KS 66207 (816) 686-6600

Commission Action Report

Title: Ordinance No. 22-43 & Resolution 3679 Authorizing GO Bonds, Series 2022 in the Principal Amount of $7,135,000.

Proposed Agenda Date: September 21, 2022

Presented By: Greg Vahrenberg, Managing Director Raymond James

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BACKGROUND:
The City Commission has previously authorized financing the cost of capital improvements in the City.

- Aviation Fuel Truck
- Street Department Bucket Truck
- Street Sweeper
- Backhoe for Street Department
- Vactor Truck
- 30th Avenue from Crestview Drive to Prairie Street
- Highland Street improvements
- Industrial Park land purchase
- Red Brick Street improvement
- Americus Road Sewer Main
- S Arundel Street Sewer Main
- Actuators and Turbidity Meters at the water treatment plant
- Water Intake & Dam repair

DISCUSSION:
Consider the approval of the Ordinance and Resolution authorizing the issuance of the City's General Obligation Bonds, Series 2022, in the principal amount of $7,135,000 for the purpose of financing the cost of capital improvements in the City.

FINANCIAL CONSIDERATIONS:

OTHER CONSIDERATIONS:

RECOMMENDED ACTION:

Approve Ordinance and Resolution authorizing issuance of the City's General Obligation Bonds, Series 2022, in the principal amount of $7,135,000 for the purpose of financing the cost of capital improvements in the city.

ATTACHMENTS:

Ordinance No. 22-43

(Published in *The Emporia Gazette* on September 27, 2022)

ORDINANCE NO. 22-__

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS, AUTHORIZING ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2022, IN THE PRINCIPAL AMOUNT OF $7,135,000, FOR THE PURPOSE OF FINANCING THE COSTS OF MULTIPLE CAPITAL IMPROVEMENTS IN THE CITY; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AUTHORIZING OTHER RELATED DOCUMENTS AND ACTIONS; AND MAKING COVENANTS WITH RESPECT THERETO.

WHEREAS, the governing body of the City of Emporia, Kansas (the "City"), under the authority of K.S.A. 12-685 *et seq*., K.S.A. 12-617 and K.S.A. 12-618, K.S.A. 65-162a *et seq.*, and Article 12, §5 of the Constitution of the State of Kansas, all as amended and supplemented (collectively, the "Project Act") has authorized the following improvements in the City (the "Project"), as described below:

1. Replace and realign a broken sewer main in the Arundel Street area, and all things necessary and related thereto, as authorized by Ordinance No. 19-31, as amended by Ordinance No. 22-40; and

2. Construct, reconstruct, pave and otherwise improve 30th Avenue from Crestview Drive to Prairie Street, as authorized by Ordinance No. 20-19, as amended by Ordinance No. 21-24; and

3. Acquire two tracts of real property at the location commonly referred to as 1503 East Logan Avenue, to be included in the City's Industrial Park, as authorized by Ordinance No. 21-06; and

4. Acquire certain equipment including a motor grader and an aviation fuel truck, as authorized by Ordinance No. 21-07; and

5. Improvement of City's water treatment plant by upgrading existing turbidimeters, acquiring and installing new turbidimeters, acquiring new valve actuators, as authorized by Ordinance No. 21-07; and

5. Acquire a Vactor truck as authorized by Ordinance No. 21-24; and

6. Improvements to the municipal water system, consisting of repairs to the low water dam and repair of flood damage to the raw water intake structure, as authorized by Ordinance No. 21-35; and

7. Acquire certain equipment to assist in providing City services, including a backhoe loader, a bucket truck, a street sweeper, and related equipment, as authorized by Ordinance No. 22-01; and

8. Construct and install approximately 2,600 linear feet of 24-inch sanitary sewer line, along Americus Road from US-50 Highway to 18th Avenue, and all things necessary and related thereto, as authorized by Ordinance No. 22-09; and

9. To construct and install water main improvements, rehabilitate and reconstruct the main sanitary sewer line, each located in Highland Street, and to construct and reconstruct necessary stormwater and drainage improvements on Highland Street, as authorized by Ordinance No. 22-31; and

10. Construct and acquire street improvements on Brownstone Boulevard from US Highway 50 to its intersection with Martin Drive, and Martin Drive from its intersection with Overlander Street to its eastern terminus, as authorized by Ordinance No. 22-37.

WHEREAS, the City is authorized by the Project Act (defined above) and K.S.A. 10-101 to 10-125, inclusive, as supplemented and amended (together with the Project Act, the "Bond Act"), to issue, sell and deliver its general obligation bonds for the purpose of providing financing for the costs of the Project; and

WHEREAS, the governing body adopted Resolution No. 3676 on August 17, 2022, authorizing the public sale of general obligation bonds of the City, and notice of the public sale was published, the public sale was held, and the general obligation bonds have been awarded to the best bidder; and

WHEREAS, the governing body determines it necessary and appropriate to authorize issuance of general obligation bonds to provide funds to pay unpaid costs of the Project, and the costs of issuing the bonds, and to specify the terms, details, form, and conditions of the general obligation bonds.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS:

SECTION 1. Authorization of the Bonds. General Obligation Bonds, Series 2022, of the City of Emporia, Kansas (the "City") in the total principal amount of $7,135,000.00 (the "Bonds") are authorized to be issued for the purpose of providing funds to pay a portion of the costs of the Project, as defined above.

SECTION 2. Security for the Bonds. The Bonds are general obligations of the City. The full faith, credit and resources of the City are pledged to secure the payment of the principal of and the interest on the Bonds as the same severally become due and payable. The governing body of the City covenants that it shall annually make provision for the payment of the principal of and the interest on the Bonds as and when the same become due and payable by levying and collecting the necessary ad valorem taxes upon all of the taxable tangible property located within the territorial limits of the City, in such amounts as are necessary to provide for such annual payment.

SECTION 3. Terms, Details and Conditions of the Bonds. The Bonds shall be dated and bear interest, shall mature and be payable at such times, shall be in such forms, shall be subject to redemption and payment prior to maturity thereof, and shall be issued and delivered in the manner prescribed and subject to the provisions, covenants and agreements set forth in a resolution adopted by the governing body of the City (the "Resolution"), concurrently with this Ordinance. Terms used in this Ordinance but not defined herein shall have the meaning given to them in the Resolution, and this Ordinance and the Resolution shall be read together as a single document authorizing and describing terms of the Bonds.

SECTION 4. Designation of Paying Agent and Bond Registrar; Issuer/Agent Agreement. Pursuant to K.S.A. 10-620 *et seq.*, the governing body of the City elects to have the provisions of the Kansas Bond Registration Law apply to the Bonds and designates and appoints the Treasurer of the State of Kansas, Topeka, Kansas, as the Bond Registrar and Paying Agent for the Bonds (the "Paying Agent"). The terms, conditions and provisions under which the Paying Agent will perform its duties are set forth in an Agreement between Issuer and Paying Agent dated as of October 11, 2022 (the "Issuer/Agent Agreement"). The form and text of the Issuer/Agent Agreement are approved and accepted by the governing body, and all of the covenants, duties and responsibilities therein to be performed by and on behalf of the City are declared to be the covenants, duties and responsibilities of the City as though fully set forth at this place. The Mayor and City Clerk are authorized to execute and deliver the Issuer/Agent Agreement for and on behalf of the City. The Issuer/Agent Agreement is incorporated in and made a part of this Ordinance as though fully set forth at this place; provided however, the inclusion of the Issuer/Agent Agreement in the publication of this Ordinance shall not be required.

SECTION 5. Levy and Collection of Annual Tax. The governing body of the City shall annually make provision for the payment of principal of, premium, if any, and interest on the Bonds as the same become due by levying and collecting the necessary taxes upon taxable tangible property within the City in the manner provided by law.

The taxes above referred to shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as other general ad valorem taxes of the City are levied and collected, shall be used solely for the payment of the principal of and interest on the Bonds as and when the same become due and the fees and expenses of the Paying Agent. The proceeds derived from such taxes shall be deposited in the Series 2022 Principal and Interest Account, as defined in the Resolution.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the City Treasurer is authorized and directed to pay the principal or interest out of the general funds of the City and to reimburse the general funds for money so expended when said taxes are collected.

SECTION 6. Tax Covenants. The governing body of the City covenants that so long as any of the Bonds remain outstanding and unpaid, no use will be made of the proceeds thereof which, if such use had been reasonably expected on the date of issuance and delivery, would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 103(b)(2) of the Internal Revenue Code of 1986, as amended (the "Code"); and that it will comply with all applicable requirements of Section 148 of the Code and the Rules and Regulations of the United States Treasury Department thereunder for so long as any of the Bonds remain outstanding and unpaid. The governing body further covenants to take all such action in its power as may be required from time to time in order to ensure the continued tax-exempt status of the interest on the Bonds, and to comply with all provisions of the Code, as the same be amended, and any applicable Rules and Regulations of the United States Treasury Department thereunder.

SECTION 7. Authorization of Official Statement; Continuing Disclosure. The governing body of the City hereby ratifies and confirms its prior approval of the form and content of the "deemed final" Preliminary Official Statement dated September 8, 2022 and the use of the final Official Statement in the reoffering of the Bonds by [ORIGINAL PURCHASER], [ORIGINAL PURCHASER CITY AND STATE], as Original Purchaser is approved and authorized; and the Mayor is authorized to execute and the City Clerk to attest the Official Statement on behalf of the City. The City covenants and agrees to provide continuing disclosure as required by Securities and Exchange Commission Rule 15c2-12 under the Securities Exchange Act of 1934, as amended (17 CFR part 240, §240. 15c2-12) and as set forth in the Continuing Disclosure Undertaking submitted to the governing body with this Ordinance. The Mayor is authorized to execute and the City Clerk to attest the Continuing Disclosure Undertaking on behalf of the City.

SECTION 8. Designation as Qualified Tax-Exempt Obligations. The governing body of the City designates the Bonds as "qualified tax-exempt obligations" as defined in Section 265(b)(3) of the Code.

SECTION 9. Further Authority. The City and its officers, agents and employees are authorized and directed to take such actions, expend such moneys and execute such other documents, certificates and instruments as may be necessary or desirable in order to carry out and comply with this Ordinance and to give effect to the transactions authorized and described herein, including final certificates required to be included in the official Transcript of Proceedings relating to the authorization and issuance of the Bonds, all without further action by the governing body.

SECTION 10. Severability. If any provision of this Ordinance shall be held or deemed to be invalid, inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provision or provisions herein contained invalid, inoperative or unenforceable to any extent whatsoever.

SECTION 11. Governing Law. This Ordinance and the Bonds shall be governed exclusively by and construed in accordance with the applicable laws of the State of Kansas.

SECTION 12. Effective Date. This Ordinance shall be in force and take effect from and after its adoption and approval and its publication one time in the City's official newspaper.

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ADOPTED AND APPROVED by the governing body of the City of Emporia, Kansas on September 21, 2022.

CITY OF EMPORIA, KANSAS

[seal]

By_______________________________________
Becky Smith, Mayor

ATTEST:

By_________________________________
Kerry Sull, City Clerk

<u>EXCERPT OF MINUTES</u>

The governing body of the City of Emporia, Kansas, met in regular session at the usual meeting place in the City on September 21, 2022, at 11:00 A.M. The Mayor, Becky Smith, presided, and all members of the governing body were present as follows:

and the following members were absent:

Greg Vahrenberg of Raymond James & Associates, Inc., Leawood, KS, the City's Municipal Advisor, presented bids received at the public sale of the City's General Obligation Bonds, Series 2022, pursuant to the City's Official Notice of Bond Sale. The governing body of the acknowledged the receipt of bids, prior to the deadline, and after review of the bids, on motion of _________________, seconded by _________________, determined the Bonds should be awarded to the following bidder:

[ORIGINAL PURCHASER]
[ORIGINAL PURCHASER CITY AND STATE]

whose bid represents the lowest true interest cost to the City. The Mayor and City Clerk were directed to execute and return a copy of the successful bidder's Official Bid Form (said bid adjusted to $_________ par amount to account for premium included in the bid); and the City Clerk was further directed to return the good faith checks or other deposits of all unsuccessful bidders.

An Ordinance was presented to the governing body entitled:

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS, AUTHORIZING ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2022, IN THE PRINCIPAL AMOUNT OF $7,135,000, FOR THE PURPOSE OF FINANCING THE COSTS OF MULTIPLE CAPITAL IMPROVEMENTS IN THE CITY; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AUTHORIZING OTHER RELATED DOCUMENTS AND ACTIONS; AND MAKING COVENANTS WITH RESPECT THERETO.

The Ordinance was considered and discussed, and upon the motion of _________________, seconded by _________________, the Ordinance was adopted by a majority vote of the governing body. The Ordinance was assigned No. 22-__.

A Resolution was presented to the governing body a Resolution entitled:

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2022, IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $7,135,000, OF THE CITY OF EMPORIA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 22- OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS CONNECTED THEREWITH.

The Resolution was considered and discussed; and on motion of ___________________, seconded by ___________________, the Resolution was adopted by a majority vote of all members present.

The Resolution was assigned No. ____.

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CITY CLERK'S
CERTIFICATION OF EXCERPT OF MINUTES

I certify that the foregoing is a true and correct Excerpt of Minutes of the September 21, 2022 meeting of the governing body of the City of Emporia, Kansas.

[seal]

____
Kerry Sull, City Clerk

RESOLUTION NO. 3679

A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2022, IN THE PRINCIPAL AMOUNT OF $7,135,000, OF THE CITY OF EMPORIA, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 22-__ OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS TO PROVIDE FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING OTHER DOCUMENTS AND ACTIONS CONNECTED WITH THE BONDS.

WHEREAS, the governing body of the City of Emporia, Kansas (the "City"), has adopted Ordinance No. 22-__ (the "Bond Ordinance") authorizing the issuance of the City's General Obligation Bonds, Series 2022 (the "Bonds") for the purpose of providing funds to pay a portion of the costs of the project as described and defined in the Bond Ordinance; and

WHEREAS, the Bond Ordinance authorized the governing body of the City to adopt a resolution prescribing certain details and conditions and to make certain covenants with respect to the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS:

SECTION 1. Authority for Bonds; Security. In the Bond Ordinance the City has authorized the issuance of the Bonds for the purposes described in the Bond Ordinance pursuant to the statutory authority cited in the Bond Ordinance. The Bonds are general obligations of the City and payment of the Bonds is secured as described in the Bond Ordinance. Terms used in this Resolution but not defined herein shall have the meaning given to them in the Bond Ordinance, and this Resolution and the Bond Ordinance shall be read together as a single document authorizing and describing terms of the Bonds.

SECTION 2. Details of Bonds; Payment of Principal and Interest. The Bonds shall be issued in the total principal amount of $7,135,000.00, shall be designated "City of Emporia, Kansas, General Obligation Bonds, Series 2022"; and shall be dated October 11, 2022 (the "Dated Date"). The Bonds shall mature on September 1 (the "Principal Payment Date") in each of the years and in the principal amounts and shall bear interest at the respective rates per annum (computed on the basis of a 360-day year of twelve 30-day months), as follows:

Maturity Schedule
SERIAL BONDS

Maturity Date	Principal Amount	Interest Rate
09/01/2023	$695,000.00	_.__%
09/01/2024	685,000.00	_.__%
09/01/2025	705,000.00	_.__%

09/01/2026	720,000.00	_.__%
09/01/2027	740,000.00	_.__%
09/01/2028	470,000.00	_.__%
09/01/2029	480,000.00	_.__%
09/01/2030	495,000.00	_.__%
09/01/2031	510,000.00	_.__%
09/01/2032	525,000.00	_.__%
09/01/2033	210,000.00	_.__%
09/01/2034	215,000.00	_.__%
09/01/2035	220,000.00	_.__%
09/01/2036	230,000.00	_.__%
09/01/2037	235,000.00	_.__%

TERM BONDS

Maturity Date	Principal Amount	Interest Rate
09/01/2037	$__,000.00	_.__%

Subject to the book-entry provisions of Section 6 of this Resolution, The Bonds shall be issued as fully registered certificated bonds without coupons in denominations of $5,000, or integral multiples thereof not exceeding the principal amount of Bonds maturing on the respective Principal Payment Date; and the Bonds shall be numbered in such manner as the Bond Registrar (hereinafter defined) shall determine.

The principal amount of the Bonds shall be payable in lawful money of the United States of America by check or draft of the Paying Agent (as defined in the Bond Ordinance) upon the presentation of the Bonds for payment and cancellation at the Paying Agent's principal office in the City of Topeka, Kansas. The interest on the Bonds shall be payable in lawful money of the United States of America to the owners of the Bonds (the "Owners") as of the Record Date (hereinafter defined), by check or draft of the Paying Agent mailed to the Owners at their addresses as shown on the Registration Books, or at such other address as an Owner has furnished in writing to the Bond Registrar, or in the case of an interest payment to an Owner of $500,000 principal amount or more of the Bonds or an Owner that is a securities depository, by electronic transfer, upon written notice given to the Paying Agent by that Owner, not less than 15 days before the Record Date for such payment, containing the electronic transfer instructions, including the bank address (required to be in the United States of America), ABA routing number and account number to which the wire transfer should be directed.

The interest on the Bonds shall be payable semiannually on March 1 and September 1 of each year (the "Interest Payment Dates"), commencing March 1, 2023, to the Owners of the Bonds as shown on the Registration Books as of the fifteenth (15th) day of the month prior to the Interest Payment Date (the "Record Date"). The Bonds shall bear interest from the Interest Payment Date immediately preceding their effective authentication date, unless such effective authentication date shall be an Interest Payment Date in which case the Bonds shall bear interest from such Interest Payment Date, or unless the effective authentication date shall be prior to the first Interest Payment Date, in which case the Bonds shall bear interest from the Dated Date. The effective date of authentication shall be set forth on each Bond, such date to be the date of authentication by the Bond Registrar.

If a Principal Payment Date or an Interest Payment Date (collectively a "Payment Date") is a Saturday, Sunday or any day designated as a holiday by the Congress of the United States or by the Legislature of the State of Kansas and on which the Paying Agent is scheduled to be closed in the normal course of its operations, then the payment of such principal, premium or interest need not be made on the scheduled Payment Date, and may be made on the next succeeding business day with the same force and effect as if made on the scheduled Payment Date, and no interest shall accrue for the period after the scheduled Payment Date.

The Paying Agent shall make payments directly to DTC or its nominee, as the registered owner, for the principal of and the interest on the Bonds; and DTC will remit such principal and interest to its Direct Participants for distribution to the Beneficial Owners, all as defined and in the manner set forth in the following Section 6 and as governed by the terms of the Letter of Representation described in Section 6 herein.

In the event that the Bonds should be issued and delivered in certificated form at any time after the initial delivery of the Bonds, the Paying Agent shall maintain Registration Books for the ownership of the Bonds on behalf of the City; and the Paying Agent will make payment for the Bonds directly to the registered owners of the Bonds as shown by said Registration Books as described in this Section 2.

SECTION 3. Redemption of Bonds.

(A) Optional Redemption. At the option of the City, the Bonds maturing September 1, 2032, and thereafter, may be called for redemption and payment prior to their respective maturities, on September 1, 2031 and thereafter, as a whole or in part and at any time, as determined by the City, at a redemption price equal to the principal amount, plus accrued interest to the date of redemption, without premium.

[(B) Mandatory Redemption of Term Bonds. Each of the Bonds maturing on September 1, 2037 (the "Term Bonds"), shall be subject to mandatory redemption and payment as described herein, beginning September 1, [First Sinking Fund Year], and continuing on September 1 of each year thereafter pursuant to the redemption schedule hereafter set out, at the principal amount thereof, plus accrued interest thereon to the date fixed for redemption and payment, without premium.

The transfers to the Series 2022 Principal and Interest Account required by this Resolution which are to be made for payments commencing September 1, [First Sinking Fund Year], shall be sufficient to redeem, and the City agrees to redeem, the following principal amounts of the Term Bonds on September 1, in each of the following years:

Redemption Date	Principal Amount

September 1, [First Sinking Fund Year]	$[First Sinking Fund Amount]
September 1, [Second Sinking Fund Year]	[Second Sinking Fund Amount]
September 1, [Third Sinking Fund Year]	[Third Sinking Fund Amount]
September 1, [Fourth Sinking Fund Year]	[Fourth Sinking Fund Amount]

(Leaving $[Final Sinking Fund Amount] to mature on September 1, 2037)

The Term Bonds to be redeemed and paid as described above shall be selected by the Paying Agent in such equitable manner as it may designate. In each year in which the Term Bonds are to be redeemed, the Paying Agent shall make timely selection of the Term Bonds to be so redeemed and shall give notice thereof to the Owners as hereinafter provided without further instructions from the City.

At its option, to be exercised on or before the 45th day next preceding any mandatory Redemption Date, the City may: (1) deliver to the Paying Agent for cancellation Term Bonds subject to mandatory redemption on said mandatory Redemption Date, in any aggregate principal amount desired; or (2) furnish the Paying Agent funds, together with appropriate instructions, for the purpose of purchasing any Term Bonds subject to mandatory redemption on said mandatory Redemption Date from any Owner thereof whereupon the Paying Agent shall expend such funds for such purpose to such extent as may be practical; or (3) receive a credit with respect to the mandatory redemption obligation of the City under this Section for any Term Bonds subject to mandatory redemption on said mandatory Redemption Date which, prior to such date, have been redeemed (other than through the operation of the mandatory redemption requirements of this subsection) and cancelled by the Paying Agent and not theretofore applied as a credit against any redemption obligation under this subsection. Each Term Bond so delivered or previously purchased or redeemed shall be credited at 100% of the principal amount thereof on the obligation of the City to redeem Term Bonds of the same stated maturity on such mandatory Redemption Dates as determined by the City, and the principal amount of Term Bonds to be redeemed by operation of the requirements of this Section shall be accordingly reduced. If the City intends to exercise any option granted by the provisions of clauses (1), (2) or (3) above, the City will, on or before the 45th day next preceding each mandatory Redemption Date, furnish the Paying Agent a written certificate indicating to what extent the provisions of said clauses (1), (2) and (3) are to be complied with, with respect to such mandatory redemption payment.]

(C) Selection of Bonds to be Redeemed. The Bonds shall be redeemed only in face amounts of $5,000 or integral multiples thereof. If the City elects to call for redemption less than all of the Bonds at the time outstanding, the Bonds shall be redeemed in such manner as the City shall determine, with Bonds of less than a full maturity to be selected by lot in units of $5,000; and the City shall, in the case of Bonds registered in denominations greater than $5,000, treat each $5,000 of face value of a Bond so registered as though it were a separate Bond in the denomination of $5,000. If it is determined that one or more, but not all, of the $5,000 units of face value represented by any fully registered Bond certificate is selected for redemption, then the Owner of such Bond shall forthwith present and surrender such Bond to the Paying Agent for payment of the redemption price of the $5,000 unit or units of face value called for redemption, and for exchange, without charge to the Owner thereof for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Owner of any such

Bond of a denomination greater than $5,000 shall fail to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the redemption date to the extent of the principal amount thereof called for redemption (and to that extent only).

(D) Notice of Redemption. The City shall give notice of any call for redemption and payment in writing to the Paying Agent not less than forty-five (45) days prior to the redemption date; and the Paying Agent shall give notice of such call for redemption and payment in writing mailed via United States first class mail to the Owners of the Bonds so called not less than thirty (30) days prior to the redemption date, unless any Owner has waived such written notice of redemption. The City shall also give or cause to be given such additional notice of any call for redemption and payment as may be required by the laws of the State of Kansas which are in effect as of the date of giving any such notice. All notices of redemption given under the provisions of this Section shall state (i) the redemption date, (ii) the redemption price, (iii) if less than all Outstanding Bonds are to be redeemed, the identification (and in the case of partial redemption, the respective principal amounts) of the Bonds to be redeemed, (iv) that on the redemption date the principal amount, and premium, if any, will become due and payable upon each such Bond or portion thereof which has been selected for redemption, and that the interest thereon shall cease to accrue from and after the redemption date, (v) any conditions required prior to redemption and payment, and (vi) that the Bonds so selected for redemption are to be surrendered to or at the principal office of the Paying Agent for payment. The failure of any Owner of the Bonds to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

At the option of the City, a notice of optional redemption may be conditional upon moneys being on deposit with the Paying Agent on or prior to the redemption date in an amount sufficient to pay the redemption price on the redemption date. If a redemption notice is conditional and moneys are not received, such notice shall be of no force and effect, the Paying Agent shall not redeem such Bonds and the Paying Agent shall give notice, in the same manner in which the notice of redemption was given, that such moneys were not received and that Bonds will not be redeemed.

For as long as the Securities Depository (defined in Section 6) is effecting book-entry transfers of the Bonds, the Bond Registrar shall provide the notices specified in this subsection to the Securities Depository. It is expected the Securities Depository will, in turn, notify its Participants and that its Participants, in turn, will notify or cause to notification of the Beneficial Owners of the Bonds. A failure on the part of the Securities Depository or a Participant, or a failure on the part of a nominee of a Beneficial Owner of Bond (having received notice of a redemption from the Bond Registrar, the Securities Depository, a Participant or otherwise) to notify the Beneficial Owner of the Bonds so affected, shall not affect the validity of the redemption of such Bond.

(E) Deposit of Moneys for and Payment of Redemption Price. On or prior to the redemption date, the City shall deposit with the Paying Agent sufficient funds to pay the redemption price, together with all unpaid and accrued interest thereon to the redemption date, of all Bonds or portions thereof selected for redemption on the redemption date. Upon the surrender by the Owners of Bonds selected for redemption, the Paying Agent shall pay the redemption price therefor to the Owners. If one or more, but not all, of the $5,000 units of face value represented by any Bond is selected for redemption and surrendered and paid, then the Paying Agent shall prepare and furnish to the Owner thereof a new Bond or Bonds of the same maturity and in the amount of the unredeemed portion of such Bond as provided above. All Bonds selected, called and surrendered for redemption shall be canceled by the Paying Agent and shall not be reissued.

(F) Effect of Call for Redemption. Whenever any Bond, or one or more of the $5,000 units of face value represented by any Bond, has been selected for redemption and payment as provided in this Section, all interest on such Bond, or such one or more of the $5,000 units of face value represented by any such Bond, shall cease from and after the redemption date, provided funds are then available for its payment at the price hereinbefore specified.

SECTION 4. Designation of Paying Agent and Bond Registrar. Pursuant to K.S.A. 10-620 *et seq.*, the governing body of the City has elected to have the provisions of the Kansas Bond Registration Law apply to the Bonds and pursuant thereto, has designated and appointed the Treasurer of the State of Kansas, Topeka, Kansas, as the Bond Registrar and Paying Agent for the bonds (the “Paying Agent” or “Bond Registrar”). The terms, conditions and provisions under which the State Treasurer will perform its duties as Bond Registrar and Paying Agent for the Bonds are set forth in an “Agreement between Issuer and Agent”, dated as of October 11, 2022 (the “Issuer/Agent Agreement”) and authorized by the Bond Ordinance.

SECTION 5. Ownership; Transfers and Exchanges; Mutilated, Lost, Stolen or Destroyed Bonds. Pursuant to the Issuer/Agent Agreement, the Bond Registrar shall maintain books for the recording of the initial registration and any subsequent transfers of the ownership of the Bonds (the “Registration Books”), and the person(s) in whose name any Bond is registered as shown on the Registration Books shall be deemed and regarded as the absolute Owner thereof for all purposes. Payment of, or on account of, the principal of and the interest on any such Bond shall be made only to or upon the order of the Owner or his duly authorized agent. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond, including the interest thereon, to the extent of the sum or sums so paid.

The provisions, terms, conditions and requirements for the transfer and exchange of the Bonds, and for the replacement of a mutilated, lost, stolen or destroyed Bond are fully set forth in the Issuer/Agent Agreement. Replacement bonds delivered upon any transfer or exchange made in compliance with the provisions, terms, conditions and requirements set forth in the Issuer/Agent Agreement shall be valid obligations of the City, evidencing the same debt as the Bonds surrendered, shall be secured by the pledges made in this Resolution and the Bond Ordinance and shall be entitled to all of the security and benefits hereof to the same extent as the bonds surrendered.

SECTION 6. Book-Entry-Only Bonds. The Bonds shall be initially distributed in book-entry-only form through The Depository Trust Company, New York, New York (“DTC”), by depositing with DTC one certificate for each maturity in fully registered form, registered in the name of DTC’s nominee, Cede & Co., in an amount equal to the total principal amount of the Bonds maturing on the respective Principal Payment Dates as authorized herein. Notwithstanding anything in this Resolution to the contrary, so long as the Bonds remain in book-entry-only form the manner of payment of the principal of and the interest on the Bonds to DTC, and other matters relating to the distribution of the Bonds in book-entry-only form through DTC, shall be governed by the provisions of this Section 6 and a Letter of Representations from the City to DTC (the "Letter of Representations"), which the Mayor or City Clerk is hereby authorized to execute and deliver on behalf of the City.

One certificate per maturity registered in the name of DTC's nominee, Cede & Co., for the total principal amount of the Bonds maturing on the respective Principal Payment Dates will be issued to DTC in New York, New York; and such certificates will be immobilized in its custody. Purchases of the Bonds in denominations permitted by Section 2 hereof must be made by or through Direct Participants of DTC (as defined in the Letter of Representations), which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond (the "Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Transfers of ownership will be effected on the records of DTC and its Participants pursuant to the rules and procedures established by DTC and its Participants. Payment of principal and interest on the Bonds will be made in same day funds directly to DTC. The transfer of principal and interest to Participants of DTC will be the responsibility of DTC; the transfer of principal and interest to beneficial owners by Participants of DTC will be the responsibility of such Participants. Neither the City nor the Paying Agent and Bond Registrar will be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its Participants or persons acting through such Participants.

In the event the Bond Registrar receives written notice from Participants having interest in not less than 50% of the Bonds outstanding, as shown on the records of DTC (and certified to such effect by DTC), that the continuation of a book-entry only system to the exclusion of any Bonds being issued to any Registered Owner other than Cede & Co., is no longer in the best interest of the Beneficial Owners of the Bonds, then the Bond Registrar shall notify the registered owners of such determination or such notice, and the Bond Registrar shall register in the name of and authenticate and deliver replacement Bonds to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption ("Replacement Bonds"). If issued in certificated form, the certificates representing the Bonds shall be numbered in such manner as the Bond Registrar shall determine.

All references to DTC herein shall relate to the period of time when DTC has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by DTC shall be deemed to be imposed upon and performed by the Bond Registrar, to the extent applicable with respect to such Replacement Bonds. If DTC resigns and the City, the Bond Registrar or the Owners are unable to locate a qualified successor of the securities depository, then the Bond Registrar shall authenticate and cause delivery of Replacement Bonds to Owners, as provided herein. The Bond Registrar may rely on information from DTC and its Participants as to the names of the Beneficial Owners of the Bonds. The cost of printing, registration, authentication, and delivery of Replacement Bonds shall be paid for by the City.

In the event DTC resigns, is unable to properly discharge is responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, the City may appoint a successor securities depository provided the Bond Registrar receives written evidence satisfactory to the Bond Registrar with respect to the ability of the successor securities depository to discharge its responsibilities. Any such successor securities depository shall be a securities depository which is a registered clearing agency under the Securities and Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Bond Registrar upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of the Bonds to the successor securities depository in appropriate denominations and form as provided in this Resolution.

SECTION 7. Execution and Authentication. The Bonds shall be executed for and on behalf of the City by the manual or facsimile signature of its Mayor or Acting Mayor, attested by the manual or facsimile signature of its City Clerk or any Deputy or Acting City Clerk, and a facsimile of the City's official seal shall be affixed or imprinted on the Bonds. The Bonds shall be registered in the Office of the City Clerk, evidenced by the manual or facsimile signature of the City Clerk on a Certificate of Registration appearing on the Bonds, attested by a facsimile of the City's official seal affixed or imprinted opposite such signature. The Bonds shall be registered by the State Treasurer in the municipal bond register in his or her office, which registration shall be evidenced by his or her manual or facsimile signature on a Certificate of State Treasurer which shall be printed on the reverse of the Bonds, and which shall be attested by a facsimile of his or her official seal imprinted opposite his or her signature. In case any officer of the City or of the State whose signature appears on the Bonds ceases to be such officer before the actual delivery of the Bonds, such signature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until such delivery.

No bond shall be valid or obligatory for any purpose unless and until the Certificate of Authentication thereon is duly executed by the Bond Registrar, and such duly executed Certificate on any Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. The Bond Registrar's Certificate of Authentication on any Bond shall be deemed duly executed by it when manually signed by an authorized officer or signatory thereof; and it shall not be necessary that the same officer or signatory of the Bond Registrar manually sign such Certificate on all Bonds issued under this Resolution.

SECTION 8. Non-presentment of Bonds. If any Bond is not presented for payment when the principal thereof becomes due at maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the City to the Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Bond Ordinance or on, or with respect to, said Bond. If any Bond is not presented for payment within four (4) years following the date when such Bond becomes due at maturity, the Paying Agent shall repay to the City the funds therefore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the City, and the Owner thereof shall be entitled to look only to the City for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and City shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

SECTION 9. Payment of Costs. The City shall pay out of the proceeds of the Bonds all costs incurred in connection with the issuance, transfer, exchange, registration, redemption and payment of the bonds except (a) the reasonable fees and expenses of replacing a Bond or Bonds which have been mutilated, stolen, lost or destroyed, or (b) any tax or other governmental charge imposed in relation to the transfer, exchange, registration, redemption or payment of the Bonds.

SECTION 10. Form of Bonds. The Bonds issued under this Resolution shall be evidenced by printed certificates in the form required by the laws of the State of Kansas, and shall contain recitals as required by the Constitution and Laws of the State of Kansas, including a recital that the Bonds are issued in the manner prescribed by the Bond Act, and pursuant to the authority of the Project Act, for the purpose of paying the costs of acquiring, constructing and installing the Project in the City.

The governing body authorizes and directs Triplett Woolf Garretson, LLC, the City's Bond Counsel, to prepare the form and text of the certificates for the Bonds, and to cause the same to be printed as the definitive bond certificates for the Bonds.

SECTION 11. Creation and Ratification of Accounts. Simultaneously with the issuance and delivery of the Bonds, the following accounts for the Bonds are created within the Treasury of the City:

General Obligation Bonds, Series 2022 Principal and Interest Account (the "Series 2022 Principal and Interest Account"); and

General Obligation Bonds, Series 2022 Project Fund (the "Project Fund").

The Series 2022 Principal and Interest Account shall be administered and maintained for the purpose of depositing moneys from the issuance, sale and delivery of the Bonds which represent accrued interest and premium, if any, and for the subsequent payment and retirement of the Bonds, whether upon an Interest Payment Date, Principal Payment Date or upon the redemption thereof prior to maturity, and for no other purpose. The Series 2022 Principal and Interest Account may be created as a subaccount of the City's Bond and Interest Fund.

The Project Fund shall be administered and maintained for the purpose of depositing moneys received in connection with the issuance, sale and delivery of the Bonds for the purpose of paying the costs associated with purchasing, acquiring, constructing and installing the Project, as well as any applicable costs of issuance associated with the issuance of the Bonds. Amounts remaining in the Project Fund after payment of costs of the Project and costs of issuance can thereafter be used together with the Series 2022 Principal and Interest Account for the subsequent payment and retirement of the Bonds.

SECTION 12. Sale and Delivery of Bonds; Disposition of Proceeds. The Mayor and City Clerk are authorized and directed to prepare and execute the Bonds in the form and manner specified in this resolution, including a reasonable inventory quantity of bond certificates for transfer, exchange and replacement in accordance with the provisions hereof; and when executed the Bonds shall be registered in the Office of the City Clerk and in the Office of the State Treasurer, as required by law and as hereinbefore provided. The Bonds having been sold as provided by law, they shall be delivered to [ORIGINAL PURCHASER], [Original Purchaser City And State], through the clearing facilities of DTC, upon receipt by the City of the full purchase price therefor, being par less an underwriter's discount of $_____, premium, if any, and accrued interest from the Dated Date to the date of issuance and delivery.

The proceeds from the sale of the Bonds shall be deposited into the Treasury of the City for the credit of and shall be applied, together with other monies of the City, as follows:

(A) The amount of the proceeds representing accrued interest on the Bonds, if any, [and the amount of the proceeds representing premium paid on the Bonds, if any,]shall be credited to and deposited in the Series 2022 Principal and Interest Account; and any said accrued interest will be used toward the payment of the first maturing interest on the Bonds[, and any said premium will be used toward the payment of the first maturing principal on the Bonds]; and

(B) $[Project Fund Deposit] of the proceeds shall be immediately credited to and deposited in the Project Fund for the direct payment or reimbursement to the City of the expenses associated with the Project, including administrative costs and expenses of the Bonds, costs of issuance, and costs related to any interim financing.

SECTION 13. Resolution Constitutes Contract; Remedies of Owners. The provisions of this Resolution, and all of its covenants and agreements, shall constitute a contract between the City and the Owners, and the Owners of not less than ten percent (10%) of the Bonds at the time Outstanding shall have the right, for the equal benefit and protection of all Owners similarly situated:

(A) By mandamus or other suit, action or proceeding at law or in equity to enforce his or their rights against the City and its officers, agents and employees, and to require and compel the City and its officers, agents and employees to perform all duties and obligations required by the provisions of this Resolution or by the Constitution and laws of the State of Kansas;

(B) By suit, action or other proceeding in equity or at law to require the City, its officers, agents and employees to account as if they were the trustees of an express trust; and

(C) By suit, action or other proceeding in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Owners.

SECTION 14. Limitation on Actions by Owners; Remedies Cumulative; Delay or Omission Not Waiver. No one or more of the Owners secured hereby shall have any right in any manner whatsoever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all of the Owners. Nothing in this Resolution or in the Bonds shall affect or impair the obligations of the City to pay at the date of maturity thereof or on any prepayment date established therefor, the principal of and the interest on the Bonds to the respective Owners thereof or affect or impair the right of action of any Owners to enforce payment of the Bonds held by them, or to reduce to judgment their claim against the City for the payment of the principal amount of and the interest on the Bonds without reference to or consent of any other Owners. No remedy herein conferred upon the Owners is intended to be exclusive of any other remedy or remedies, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute, and may be exercised without regard to any other remedy however given. No delay or omission of any Owners to exercise any right or power accruing upon any default occurring and continuing as aforesaid shall impair any such default or be construed as an acquiescence therein, and every right, power and remedy given by this Resolution to the Owners, respectively, may be exercised from time to time and as often as may be deemed expedient. In case any proceeding taken by any Owners on account of any default shall have been discontinued or abandoned for any reason, or shall have been determined adversely to the Owners, then in every such case the City and the Owners shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Owners shall continue as though no such proceedings had been taken.

SECTION 15. Amendments. The City may, without the consent of the Owners, amend or supplement the provisions of this Resolution (i) to cure any ambiguity herein or to correct or supplement any provision herein which may be inconsistent with any other provision herein or to correct errors, provided such action shall not materially adversely affect the interest of the Owners, or (ii) to grant or confer upon the Owners any additional rights, remedies, powers or security, or (iii) to more precisely identify the Project, or (iv) to conform this Resolution to the Code (as hereinafter defined) or future applicable Federal laws concerning tax-exempt obligations. The rights and duties of the City and the Owners and the terms and provisions of this Resolution may be modified or altered in any respect by an ordinance of the City with the consent of the Owners of not less than seventy-five percent (75%) in principal amount of the bonds then outstanding, such consent to be evidenced by an instrument or instruments executed by the Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the City Clerk; provided that, the following modifications or alternations shall require the written consent of one hundred percent (100%) of the Owners of the then outstanding Bonds:

(A) Extending the maturity of any payment of principal or interest due upon the Bonds, or

(B) Effecting a reduction in the amount which the City is required to pay by way of principal or interest on the Bonds, or

(C) Permitting a preference or priority of any Bond or Bonds over any other Bond or Bonds, or

(D) Reducing the percentage of the principal amount of the then outstanding Bonds for which the written consent of the Owners is required for any modification or alteration of the provisions of this Resolution.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the City Clerk a copy of the ordinance of the City authorizing said modifications, as hereinabove provided for, duly certified and published, as well as proof of consent to such modification by the Owners of not less than the percentage of the principal amount of the bonds then outstanding as hereinabove required therefor. It shall not be necessary to note on any of the outstanding Bonds any reference to such amendment or modification.

SECTION 16. Defeasance. When the principal of and the interest on the Bonds shall have been paid and discharged, then the requirements contained herein and all other rights granted by this Resolution shall cease and terminate. The Bonds shall be deemed to have been paid and discharged within the meaning of this Resolution if there shall have been deposited with the Paying Agent or with a bank located in the State of Kansas and having full trust powers, at or prior to the maturity or date of redemption, as the case may be, of the Bonds, in trust for and irrevocably appropriated thereto, moneys and/or Government Securities consisting of direct obligations of, or obligations payment of the principal of and interest on which are guaranteed by, the United States of America, which together with the interest to be earned on such Government Securities, will be sufficient for the payment of the principal amount of and the interest on the Bonds, to the date of maturity or redemption, as the case may be, or if default in such payment shall have accrued on such date, then to the date of the tender of such payments; provided that, if such payment and discharge is to be made on a redemption date that notice of such redemption has been duly and properly given as provided by this Resolution and that all of the other terms and provisions of this Resolution relative to the call for and the redemption and payment of the Bonds shall have been satisfied. Any moneys which at any time shall be deposited with the Paying Agent or such Kansas bank by or on behalf of the City, for the purpose of paying and discharging any of the Bonds or interest thereon, shall be and are hereby assigned, transferred and set over to the Paying Agent or such Kansas bank in trust for the respective Owners of the Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All moneys so deposited with the Paying Agent or such Kansas bank shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Resolution.

SECTION 17. Surrender and Cancellation of Bonds. Whenever any outstanding Bond shall be delivered to the Bond Registrar after payment of the principal amount of and the interest represented thereof or for replacement pursuant to this Resolution, such Bond shall be canceled and destroyed by the Bond Registrar and counterparts of a Certificate of Destruction describing such Bonds so destroyed and evidencing such destruction shall be furnished by the Bond Registrar to the City.

SECTION 18. Tax Covenants. The governing body of the City covenants and agrees that so long as any of the Bonds remain outstanding and unpaid, no use will be made of the proceeds thereof which, if such use had been reasonably expected on the date of issuance and delivery, would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 103(b)(2) of the Internal Revenue Code of 1986, as amended (the "Code"); and that it will comply with all applicable requirements of Section 148 of the Code and the Rules and Regulations of the United States Treasury Department thereunder for so long as any of the Bonds remain outstanding and unpaid. The governing body further covenants to take all such action in its power as may be required from time to time in order to assure the continued tax-exempt status of the interest on the Bonds, and to comply with all provisions of the Code, as the same be amended, and any applicable Rules and Regulations of the United States Treasury Department thereunder.

SECTION 19. Designation as Qualified Tax-Exempt Obligations. In the Bond Ordinance, the governing body of the City has designated the Bonds as "qualified tax-exempt obligations" as defined in Section 265(b)(3) of the Code.

SECTION 20. Other Documents. The Mayor and City Clerk are authorized and directed to prepare and execute any and all supporting documents and certificates required in the issuance of the Bonds, including final certificates required to be included in the official Transcript of Proceedings relating to the authorization and issuance of the Bonds, all without further action by the governing body.

SECTION 21. Further Authority. The City shall, and the officers, agents and employees thereof, are authorized and directed to, take such actions, expend such moneys and execute such other documents, certificates and instruments as may be necessary or desirable in order to carry out and comply with the provisions of this Resolution and to give effect to the transactions contemplated hereby.

SECTION 22. Severability. If any section, paragraph, clause or provision of this Resolution is, for any reason, held invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any remaining provisions of this Resolution.

SECTION 23. Effective Date. This Resolution shall be in force and take effect from and after its adoption and approval.

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ADOPTED AND APPROVED by the governing body of the City of Emporia, Kansas on September 21, 2022.

CITY OF EMPORIA, KANSAS

[seal]

By____
Becky Smith, Mayor

ATTEST:

By__________________________________
Kerry Sull, City Clerk

Commission Action Report

Title: Financials & Building Permits

Proposed Agenda Date: September 21, 2022

Presented By: Trey Cocking, City Manager

BACKGROUND:

This is a time for the Mayor and City Commissioners to make comments and reports to the Public.

The following is general information for the month of August 2022 for the community:

1) Monthly Local Retail Sales Tax Receipts Update

	2021	2022	
	$462,483.97	$514,737.39	**Increase of $52,253.42** for the month, and Overall increase of 10.46% from year 2021
YTD	**$ 3,587,363.52**	**$ 3,962,655.98**	

2) City Share from County Tax

	2021	2022	
	$238,741.23	$263,349.85	**Increase of $24,608.62** for the month, and Overall increase of 11.00% from year 2021
YTD	**$1,816,851.08**	**$ 2,016,686.99**	

3) **Building Permits issued from 8/1/2022 to 8/31/2022 for new construction, remodeling/repairs, and demolition.**

Total number of building permits issued through Code Services:	137
Total of valuations associated with those building permits:	$ 5,960,490.00
Total number of dollars collected for Building Permit Fees:	$ 28,564.00
Construct - single family dwellings	3
Demo - single family dwellings	0
Flint Hills Mall CID for August 2022	**$ 21,261.00**
Year to Date Total	**$ 143,730.28**

DISCUSSION:

FINANCIAL CONSIDERATIONS:

N/A

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

N/A

ATTACHMENTS:

N/A

City of Emporia, Kansas

GENERAL FUND

as of August 31, 2022

GENERAL FUND

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	4,300,640	4,515,233	4,515,233	4,535,364	4,535,364
REVENUE					
Ad Valorem Property Tax	4,722,275	4,979,844	4,878,844	4,904,155	(25,311)
Taxes	11,692,294	11,022,480	7,144,692	7,416,079	(271,387)
Intergovernmental Taxes	272,554	244,660	168,405	234,652	(66,247)
Licenses & Permits	291,189	215,900	143,936	294,372	(150,436)
Charges for Services	2,301,602	2,627,418	1,803,515	1,374,861	428,654
Fines & Fees	508,360	550,800	343,200	291,582	51,618
Use of Property and Money	144,759	154,024	102,672	121,063	(18,391)
Reimbursements	218,280	160,087	108,720	109,394	(674)
Misc. Rev. - Administrative Transfers	2,825,664	2,533,894	1,689,248	2,047,060	(357,812)
Transfer from Solid Waste Fund	0	0	0	0	0
Transfer from Health Insurance Fund		0			0
Operating Revenues	45,240	4,700	3,136	150	2,986
Nonoperating Revenues	27,597	0		50,000	(50,000)
TOTAL RECEIPTS	23,049,814	22,493,807	16,386,368	16,843,368	(457,000)
EXPENDITURES					
Personnel Services	12,866,777	14,013,680	9,177,018	8,617,712	559,306
Vacancy Rate		(258,532)	0		0
Maintenance & Repair	735,350	935,804	623,880	538,880	85,000
Commodities	1,260,084	1,500,190	1,012,496	1,095,884	(83,388)
Other Charges	493,000	882,718	422,970	175,864	247,106
Capital Outlay	334,083	518,300	518,300	153,963	364,337
Debt Reduction		0			0
Stock	0	0	0	0	0
Transfer to Industrial Development Sales Tax	925,000	925,000	616,664	539,581	77,083
Transfer to Multi Year Fund	2,953,164	2,623,107	1,748,736	1,755,404	(6,668)
Transfer to Project accounts	1,640,729	40,000	26,664	67,936	(41,272)
Transfer to B&I for Hanger payment	0	0	0	0	0
Utilities	561,222	502,050	334,696	324,688	10,008
Communications	96,294	124,731	83,183	74,021	9,162
Training and Travel	145,922	219,250	146,168	123,540	22,628
Jail Expenses	34,520	75,000	50,000	46,680	3,320
Other Contractual	821,776	925,939	620,288	663,428	(43,140)
Excess Carryover		0	0		0
Outstanding PO's	(155,880)				
TOTAL EXPENDITURES	22,712,040	23,027,237	15,381,063	14,177,581	1,203,481
Revenue less expenses	337,774	(533,430)	1,005,305	2,665,787	(1,660,482)
Cash Basis Adjustments/Non-appropriated Balance	(103,049)	0	0	113,855	
Ending Cash Balance	**4,535,364**	**3,981,803**	**5,520,538**	**7,315,007**	
Base for Reserve calculation	16,859,064	18,920,830	12,470,699	11,660,698	
15% Reserve	2,528,860	2,838,125	1,870,605	1,749,105	
Amount over 15% Reserve	2,006,505	1,143,679	3,649,934	5,565,902	

General Fund
Capital Items

	Budget Amount	Purchase Price	
City Wide	$30,000	30,000	Communication Equipment
EMS	$43,000	42,487	Monitor/Defibrillator
EMS	$30,000		EMS Pickup (2006)
EMS	$46,000		Replace Power Cots
Fire	$30,000		Battery Powered Hydraulic Extrication Tools
Fire	$40,500		Breathing Air Compressor - Station 2
Code Services	$35,000		Pick up or Car (2000)
Park	$55,000		1 ton Dump Bed pickup (1994)
Shop	$8,000	$6,579.20	OBD 2 Scan Tool
Police	$25,000		2 Mobile data terminals & 2 Video Cameras
Police	$14,000		8 Tasers
Police	$25,000	$14,950.00	10 Body Cameras
Police	$16,800		Firewall (Our Share)
Police	$120,000		2 Patrol Vehicles
Police			

City of Emporia, Kansas

Multi Year Fund

as of August 31, 2022

			Purchase Order	Expenses	2022 Actual	2022 Budget/estimated
	Beginning unencumbered balance				3,582,386.79	1,015,631.00
		Sales Tax Proceeds from General Fund			1,755,403.88	2,623,107.00
		Interest			7,160.98	5,000.00
		Tax Credits				-
		Accounts Receivable			(800.00)	
REVENUE					1,761,764.86	2,628,107.00
	102-0101-400.0505	2020, 21 & 22 Private/Public partnership		-	-	600,000.00
	102-0101-400.0801	Land Bank land purchase & PEP		100,000.00	100,000.00	100,000.00
	102-0101-400.0505	ADA Sidewalks	-	-	-	50,000.00
Total Revenue	102-0101-400.0265	Miscellenous storm water repairs			-	208,276.00
	102-0101-400.0265	Lakeridge Rd to Bayfront Dr	-	339.04	339.04	14,809.97
	102 0101 400 0505	Holiday Drive Storm Water		-	-	165,500.00
	102-0101-400.0265	E 12th Ave & RR storm water			-	50,000.00
	102-0301-400.0502	Replace HVAC in Admin & Dorms St #2 & Jace Controller	0.00	167,874.48	167,874.48	108,007.45
	102-0301-400.0502	Kithen Remodel at Fire Station 2			-	28,000.00
SW1903	102-0301-400.0502	Overhead Door Replacement Station 2			-	12,000.00
SW1303	102 0601 400 0257	2022 Hazardous Sidewalk	25,033.08	83,502.77	108,535.85	100,000.00
	102 0601 400.1516	Alley East of Lyon County State Bank 800 Block	-	62,523.00	62,523.00	2,231.98
FS2101	102-0601-400.1516	Mechanic Parking lots 600-700 Block		4,029.33	4,029.33	758,963.93
	102-0601-400.1516	Sidewalk Imp N side 24th Westridge to Industrial	-	-	-	70,000.00
	102-0601-400.1516	9th Ave Anderson to Burn to Fairgrounds	3,636.00	19,271.16	22,907.16	28,307.22
	102-0601-400.1516	Sidewalk S side 15th Ave Graphic arts to Hatcher			-	55,000.00
AL2101	102-0601-400.1516	Sidewalk S side 15th Industrial to Stanton			-	25,000.00
PK2101		Sidewalk 12th & Burlingame			-	40,500.00
		Sidewalk 24th Ave along Jones Park			-	25,000.00
SK2102	102-0601-400.1516	Handicap curb cuts			-	50,000.00
	102-0601-400.1516	CCLIP 6th Ave Prairie to Neosho	717,953.00	3,159.23	721,112.23	411,000.00
	102-0601-400.1516	2022 Street Rehab	-	8,123.44	8,123.44	850,000.00
	102-0601-400.1516	Road 180 (W edge of Evergy to Road F5)			-	300,000.00
	102-0601-400.1516	Road F Utilities & Easements		-	-	-
	102-0601-400.1516	Weaver Street Resurfacing (6th Ave to US-50 Hwy)			-	-
PV2201	102-0601-400.1516	6th & Prairie intersection Improvments		60,000.00	60,000.00	230,000.00
PV2203	102-0601-400.1516	Misc Street Repairs			-	100,000.00
	102-0601-400.1516	15th Ave Substation barrier wall	15,327.00	481.07	15,808.07	36,000.00
	102-0601-400.0505	Slurry/chip Seal	60,465.00	-	60,465.00	200,000.00
	102-0601-400.0505	Camera (loop projectors) 6th & Rural	86,009.96	47,965.00	133,974.96	90,000.00
	102-0701-400.0505	Master plan design of golf course, range, bldg	-	-	-	12,250.00
	102-0803-400.0505	JAC replace sand in filters			-	20,000.00
PV2202	102-0806-400.0502	Hay Barn 30'40' 5" concrete floor	-	-	-	3,518.00
PV2206	102-0806-400.0502	Parking Lot at Zoo	-	3,379.92	3,379.92	163,560.89
TS2201	102-0806-400.0505	Bus parking at zoo			-	20,000.00
GC1701	102-0806-400.0502	Hoof Stock Sheds			-	50,000.00
	102-0806-400.0502	Trumpeter Swan Exhibit - repairs			-	54,000.00
ZO2101	102-0806-400.0502	Fire Alarm & Smoke Detection at Zoo	25,629.10		25,629.10	26,000.00
ZO2102	102-0901-400.0502	618 Mechanic Roof			-	60,000.00
	102 0901 400 0505	Elevator controls Roof Caps	36,600.00	-	36,600.00	36,600.00
	102-0901-400.0502	Replace Steam Lines & update HVAC			-	50,000.00
	102-0901-400.0502	Civic Fire Alarm Card update 2nd half	35,053.00	23,000.00	58,053.00	60,000.00
ZO2201	102-0901-400.0502	2022 Replace Steam Lines	-	-	-	85,000.00
	102-0901-400.0502	2020 & 21 & 22 ADA Improvements			-	300,000.00
CV2001	102-0901-400.0502	Replace Irrigation system			-	30,000.00
	102-0901-400.0502	Walk-in Cooler in Room 222			-	25,000.00
CV2201	102-0901-400.0502	Replace Windows in Auditorium			-	26,000.00
	102-0901-400.0502	Evelator Controls	53,050.00	53,050.00	106,100.00	175,000.00
	102-0901-400.0502	ADA Improvements Police & Water Dept	0.00	12,757.18	12,757.18	45,288.71
	102-0901-400.0505	Carniage Library Study	1,000.00	9,500.00	10,500.00	7,300.00
	102-0902-400.0505	ADA improvements Library doors & ADA openers			-	120,000.00
	102-0902-400.0505	Replace Irrigation system			-	10,000.00
CV2202	102-0902-400.0502	HVAC updates			-	15,000.00
CV1901	102-1401-400.0505	Runway Extenion 51" Design (KDOT 90%)			-	8,150.00
CV2102	102-1401-400.0505	Wildlife Site Visit & Study (FAA 90%)			-	3,000.00
	102-1401-400.0801	Airport Edge ligting & guidance signs			-	40,987.00
			1,059,756.14	658,955.62	1,718,711.76	6,155,251.15
	Ending Unencumbered Cash balance				3,625,439.89	55,242.64
AR2101		2022 budgeted projects			3,625,439.89	
EXPENDITURES					-	

City of Emporia, Kansas

Library Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Original Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	$0	$0	$0	$0	$0
REVENUE					
Ad Valorem Property Tax	$832,333	$892,992	$890,000	$862,623	$27,377
Back Tax Collection	$14,757	$15,000	$10,000	$17,069	($7,069)
Motor Vehicle Tax	$99,565	$94,818	$39,000	$38,603	$397
Recreational Vehicle Tax	$1,142	$1,038	$500	$383	$117
AdValorem Tax Reduction	($10,017)	($9,500)	($9,300)	($9,297)	($3)
General Fund Contribution		$0			$0
TOTAL RECEIPTS	$937,779	$994,348	$930,200	$909,381	$20,819
EXPENDITURES					
Insurance Refund		$0			$0
Misc Projects		$0			
Appropriation	$937,779	$994,348	$930,200	$909,381	$20,819
TOTAL EXPENDITURES	$937,779	$994,348	$930,200	$909,381	$20,819
Ending Cash Balance	**$0**	**$0**	**$0**	**$0**	**$0**

City of Emporia, Kansas

Convention & Tourism Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	$531,611	$606,062	$606,062	$649,122	$0
REVENUE					
Transient Guest Tax	$634,077	$620,000	$530,000	$552,576	($22,576)
Interest on Investment	$300	$200	$136	$927	($791)
Fence rental	$8,128	$7,000	$4,664	$5,457	($793)
Return of amount over allowed reserve					$0
Repayment of extra funds - Chamber				$50,630	($50,630)
Accounts Receviable - fence rental	$0			$4,987	($4,987)
TOTAL RECEIPTS	$642,506	$627,200	$534,800	$614,578	($79,778)
EXPENDITURES					
CVB Appropriation	$273,750	$365,000	$365,000	$365,000	$0
Trusler Sports Complex		$0			$0
City cost associated with events	$30,000	$30,000	$0	$0	$0
Civic Auditorium improvements	$50,000	$50,000	$50,000	$50,000	$0
Red Rock's Appropriation	$5,625	$7,500	$7,500	$7,500	$0
Main Street Historical District		$0			$0
Emporia Main Street	$37,500	$56,250	$56,250	$56,250	$0
Breckinridge Hotel		$0			$0
Emporia Arts Council Support	$7,500	$10,000	$10,000	$10,000	$0
Emporia Granda	$15,000	$20,000	$20,000	$20,000	$0
Symphony in the Flint Hills		$0			$0
Unbound Bike Event	$25,000	$25,000	$25,000	$15,000	$10,000
DDO	$25,000	$25,000	$25,000	$25,000	$0
Junior World Event		$0			$0
PDGA Professional Disc Golf World	$20,000	$20,000	$20,000	$20,000	$0
Municipal Band Appropriation		$0			$0
ESU Foundation - Welch Staidum Imp		$0			$0
Free for Kansas - Music event	$10,000	$20,000	$20,000	$20,000	$0
Dynamic Discs					$0
Fence Purchase					$0
Miscellaneous	$12,750	$0		$7,795	($7,795)
Special Projects		$609,512	$0		$0
Outstanding PO's	$12,870			$0	
TOTAL EXPENDITURES	$524,995	$1,238,262	$598,750	$596,545	$2,205
Ending Cash Balance	**$649,122**	**($5,000)**	**$542,112**	**$667,155**	**($81,983)**

Transient Guest Tax Receipts	2018	2019	2020	2021	2022
1ST QUARTER-JANUARY	$149,499.38	$172,538.00	$193,559.51	$105,764.76	$184,682.75
2ND QUARTER-APRIL	$127,440.51	$125,683.39	$132,542.30	$135,567.13	$143,987.80
3RD QUARTER-JULY	$213,098.04	$207,494.60	$80,649.41	$192,642.58	$223,905.58
4TH QUARTER-OCTOBER	$200,537.74	$207,822.11	$151,949.08	$200,102.99	
TOTAL	$690,575.67	$713,538.10	$558,700.30	$634,077.46	$552,576.13

City of Emporia, Kansas

Industrial Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	18,767	19,899	19,899	19,923	0
REVENUE					
Ad Valorem Property Tax	999	1,000	950	1,037	(87)
Back Tax Collections	19	21	11	21	(10)
Motor Vehicle Tax	139	114	66	47	19
Ad Valorem Tax Reduction	(12)	(16)	(12)	(11)	(1)
Interest on Investment	11	12	8	33	(25)
Miscellaneous					
TOTAL RECEIPTS	1,156	1,131	1,023	1,128	(105)
EXPENDITURES					
Travel Expense & Miscellaneous	0	1,185	99		99
Other charges	0				0
Contractual Services	0	0			0
Special Projects and Reserve Fund	0	19,845			0
TOTAL EXPENDITURES	0	21,030	99	0	99
Ending Cash Balance	**19,923**	**0**	**20,823**	**21,051**	**(204)**

City of Emporia, Kansas

Industrial Development Sales Tax

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	$442,855	$253,102	$253,102	$247,080	$0
Revenue:					
Sales Tax Receipts	$925,000	$925,000	$616,664	$539,581	$77,083
Interest Income	$231	$250	$168	$187	($19)
Money for Land Purchases	$1,000,000	$0		$0	$0
REG Repayment		$0			$0
Kansas Gas Rebate - REG		$0			$0
RDA returned money					
Total Revenue	$1,925,231	$925,250	$616,832	$539,768	$77,064
Expense:					
Appropriation to the RDA	$350,000	$350,000	$262,500	$262,500	$0
Emporia Enterprises	$25,000	$25,000	$25,000	$25,000	$0
Miscellaneous	$99	$0		$0	$0
Land Purchase for Industr	$200,000	$0	$0	$0	$0
Land Purchase	$1,000,000	$0	$0	$0	$0
Gas Line Bond Pmt		$0			$0
Land Purchase Bond Pmt		$0			$0
Transfer to B&I water proj	$350,000	$350,000	$350,000	$350,000	$0
REG Demolition	$195,906	$0	$0	$0	$0
Water Valves					$0
Special Projects		$453,352	$0	$120,941	($120,941)
Total Expenses	$2,121,005	$1,178,352	$637,500	$758,441	($120,941)
Ending Cash Balance	**$247,080**	**$0**	**$232,434**	**$28,408**	**$198,005**

City of Emporia, Kansas

Special Alcohol Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	73,443	77,967	77,967	89,340	0
REVENUE					
Private Club Liquor Tax	86,358	80,000	40,000	46,105	(6,105)
Interest on Investment	40	25	16	136	(120)
TOTAL RECEIPTS	86,397	80,025	40,016	**46,241**	(6,225)
EXPENDITURES					
Appropriations	70,500	86,750	43,374	46,750	(3,376)
Special Projects		71,242	0		0
TOTAL EXPENDITURES	70,500	157,992	43,374	46,750	(3,376)
Ending Cash Balance	**89,340**	**0**	**74,609**	**88,831**	**(2,849)**

Appropriations	Receive in 2018	Receive in 2019	Receive in 2020	Receive in 2021	Receive in 2022
Cross Winds	$20,000.00	$20,000.00	$20,000.00	$15,000.00	$15,000.00
Corner House	$75,000.00	$55,000.00	$65,000.00	$48,750.00	$65,000.00
Emporia State University	$5,400.00	$5,400.00	$9,000.00	$6,750.00	$6,750.00
Emporia State University		$6,500.00	$0.00	$0.00	
USD #253					
Total	$100,400.00	$86,900.00	$94,000.00	$70,500.00	$86,750.00

Receipts	2018	2019	2020	2021	2022
1ST QUARTER - MARCH	$20,419.16	$26,806.24	$22,675.47	$17,214.78	$23,976.09
2ND QUARTER - JUNE	$26,757.14	$22,937.76	$21,611.91	$18,634.04	$22,129.19
3RD QUARTER - SEPTEM	$21,039.84	$26,000.31	$7,881.01	$25,844.73	
4TH QUARTER - DECEMB	$24,660.05	$26,705.52	$14,069.40	$24,664.21	
TOTAL	$92,876.19	$102,449.83	$66,237.79	$86,357.76	$46,105.28

City of Emporia, Kansas

Special Park Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	$117,929	$132,234	$132,234	$188,630	$0
REVENUE					
Private Club Liquor Tax	$86,358	$80,000	$40,000	$46,105	($6,105)
Donations& Grants		$0	$0	$0	$0
Lake Kahola Proceeds		$0			$0
Trf of funds from project account	$4,266	$0		$0	$0
Interest on Investment	$77	$40	$24	$232	($208)
TOTAL RECEIPTS	$90,701	$80,040	$40,024	$46,337	($6,313)
EXPENDITURES					
Capital Outlay	$60,513	$82,500	$82,500	$11,990	$70,510
Municipal Band Allocation		$10,000	$10,000	$10,000	$0
Miscellaneous					$0
Commodities		$0		$14,330	($14,330)
Contractual Services	$20,000	$0		$0	$0
Other Charges					$0
Transfer to Project Account					$0
Outstanding PO's	-$60,513			$72,811	
Special Projects		$119,774	$0		$0
TOTAL EXPENDITURES	$20,000	$212,274	$92,500	$109,131	$56,180
Ending Cash Balance	**$188,630**	**$0**	**$79,758**	**$125,835**	**($62,493)**

Receipts	2018	2019	2020	2021	2022
1ST QUARTER - MARCH	$20,419.16	$26,806.24	$22,675.47	$17,214.77	$23,976.10
2ND QUARTER - JUNE	$26,757.13	$22,937.76	$22,611.90	$18,634.04	$22,129.19
3RD QUARTER - SEPTEMBER	$21,039.84	$26,000.31	$7,881.00	$25,844.73	
4TH QUARTER - DECEMBER	$24,660.05	$26,705.53	$14,069.39	$24,664.03	
TOTAL	$92,876.18	$102,449.84	$67,237.76	$86,357.57	$46,105.29

Capital Items	Budget Amount	Purchase Price	
Park	$70,000.00	$0.00	11 Foot Rotary Mower (2012)
	70,000.00	0.00	

City of Emporia, Kansas

Special Street Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	546,748	496,206	496,206	517,459	
REVENUE					
Gasoline Tax	712,575	632,540	490,000	490,724	(724)
Special City-County Tax	85,230	74,826	40,000	38,116	1,885
Damages	9,118	0		17,078	(17,078)
Interest on Investment	341	200	136	772	(636)
Transfer of Funds		0			0
Sale of Salvage	294			33	(33)
Miscellaneous	8,072	0		(3,233)	3,233
TOTAL RECEIPTS	815,630	707,566	530,136	543,490	(13,354)
EXPENDITURES					
Personnel Services	571,835	509,116	333,526	405,036	(71,510)
Vacancy		(9,583)			0
Maintenance & Repair	64,519	86,240	57,496	67,191	(9,695)
Commodities	98,958	120,250	80,160	75,767	4,393
Other Charges	38,711	45,600	37,400	34,488	2,912
Capital Outlay		0		16,667	(16,667)
Transfer of Funds	15,403	0		0	0
Utilities	22,042	30,050	20,032	17,993	2,039
Communications	1,584	2,200	1,464	1,135	329
Training & Travel	2,567	4,300	2,864	7,144	(4,280)
Contractual Services	29,585	37,300	24,864	26,453	(1,589)
Special Projects	0	378,299	0	0	0
Audit Adjustments	3,117			0	0
Outstanding PO's	(3,403)			0	0
TOTAL EXPENDITURES	844,918	1,203,772	557,806	651,874	(94,068)
Net Change in Cash	(29,289)	(496,206)	(27,670)	(108,384)	
Ending Cash Balance	**517,459**	**0**	**468,536**	**409,076**	

Receipts	2018	2019	2020	2021	2022
1st Quarter - Jan Payment	$169,274.62	$168,525.42	$173,837.48	$161,594.64	$167,557.74
2nd Quarter - April Payment	$156,526.16	$161,370.99	$163,486.85	$149,245.64	$157,106.42
Extra Payment- June				$54,671.53	
3rd Quarter - July Payment	$171,880.23	$170,138.12	$140,178.69	$172,643.49	$166,060.14
4th Quarter - Oct Payment	$176,248.57	$177,741.69	$164,712.37	$174,419.30	
Total	$673,929.58	$677,776.22	$642,215.39	$712,574.60	$490,724.30

Capital Item	**Budget Amount**	**Purchase Price**

City of Emporia, Kansas

Drug Forfeiture Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	$68,301	$72,327	$72,327	$69,300	
REVENUE					
Receipts from Drug Forfeitures	$4,115	$5,000	$2,919	$50,584	(47,665)
Interest on Investment	$41	$25	$16	$125	(109)
Miscellaneous					
TOTAL RECEIPTS	$4,156	$5,025	$2,935	$50,710	(47,775)
EXPENDITURES					
Commodities	$26,075	$5,000	$3,336	$46,527	(43,191)
Capital Outlay		$0			-
Communications	$345	$0		$0	-
Other Charges					-
Transfer of funds					
Other Contractual		$0		$3,459	(3,459)
Travel & Training					-
Maintenance & Repair	$0	$0	$0	$11,895	(11,895)
Outstanding PO's	-$23,264			$0	
Special Projects		$72,352	$0		
TOTAL EXPENDITURES	$3,157	$77,352	$3,336	$61,880	(58,544)
Ending Cash Balance	**$69,300**	**$0**	**$71,926**	**$58,130**	

City of Emporia, Kansas

Bond & Interest Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
Beginning Cash Balance	$883,335	$1,328,355	$1,328,355	$1,340,015	$0
REVENUE					
Ad Valorem Property Tax	$1,666,109	$1,787,969	$1,685,000	$1,726,975	(41,975)
Back Tax Collection	$30,394	$40,000	$22,000	$34,547	(12,547)
Special Assessments	$115,984	$78,252	$78,252	$79,440	(1,188)
Motor Vehicle Tax	$207,641	$191,884	$86,000	$78,280	7,720
Ad Valorem Tax Reduction	-$20,142	-$20,000	-$20,000	-$18,612	(1,388)
Interest on Investment	$951	$700	$464	$3,648	(3,184)
Recreation Center - Pool renovation		$0			0
Recreation Center - Office/Locker Remodel		$0			0
Recreation Center - Ball Diamond Improvem	$49,050	$47,700	$47,700	$47,700	0
Recreation Center - Fitness Room	$50,220	$50,960	$50,960	$50,960	0
Industrial Land Payment - Ind Sales Tax		$0			0
Sale of Bonds		$0			0
Gas Line Payment - Ind Sales Tax		$0			0
Hanger Payment - General Fund		$0			0
Miscellaneous		$0		$31	(31)
Transfer of Funds from Project Accounts		$0			0
TOTAL RECEIPTS	$2,100,206	$2,177,465	$1,950,376	$2,002,968	
EXPENDITURES					
Principal	$1,410,000	$1,758,506	$1,758,506	$1,455,000	303,506
Interest Coupons	$233,526	$204,500	$204,500	$204,500	0
Transfer of funds					
Misc projects		$1,542,814	$0		
TOTAL EXPENDITURES	$1,643,526	$3,505,820	$1,963,006	$1,659,500	303,506
Ending Cash Balance	**$1,340,015**	**$0**	**$1,315,725**	**$1,683,483**	

City of Emporia, Kansas

Water Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
BEGINNING CASH	2,620,859	3,246,622	1,676,012	3,246,907	0
REVENUE					
Sale of Water	7,009,923	6,588,000	4,392,000	4,408,356	(16,356)
Service Charge	113,879	100,000	66,664	71,205	(4,541)
Penalties	90,357	85,000	56,664	62,227	(5,563)
Sale of Salvage		0			0
Reimbursed Expense	24,076	2,000	1,336	6,727	(5,391)
Interest on Investment	2,176	1,300	1,096	6,399	(5,303)
Sale of Bonds		0			0
Trf from Industrial Fund	350,000	350,000	350,000	350,000	0
Trf from Project fund	911,242			1,271,594	(1,271,594)
Non Operating Revenue	0	0		0	0
Miscellaneous	1,123	1,350	664	2,668	(2,004)
TOTAL RECEIPTS	8,502,776	7,127,650	4,868,424	6,179,176	(1,310,752)
EXPENDITURES					
Personnel Services	967,937	935,665	610,905	641,344	(30,439)
Vacancy		(20,384)			0
Maintenance & Repair	832,844	644,550	390,112	742,090	(351,978)
Commodities	1,176,555	903,000	868,680	1,014,339	(145,659)
Other Charges	179,576	217,070	141,812	60,873	80,939
Capital Outlay	107,207	555,000	555,000	120,915	434,085
Debt Payment	1,490,051	2,464,403	2,464,403	1,982,786	481,617
Stock	672	5,000	3,336	12,094	(8,758)
Transfer to Project Account	953,933	0		1,275,394	(1,275,394)
Utilities	530,136	502,850	335,232	423,475	(88,243)
Communications	28,434	45,100	30,072	20,190	9,882
Travel & Training	6,287	13,450	8,968	11,186	(2,218)
Contractual Services	475,704	585,700	411,978	565,984	(154,006)
Administrative Fee 16%	1,155,328	1,083,680	722,456	827,664	(105,208)
Excess Carryover		0			
Change in Liabilities	(27,936)	0		(667,324)	667,324
Outstanding PO's	0				
TOTAL EXPENDITURES	7,876,728	7,935,084	6,542,954	7,031,010	(488,056)
NET CHANGE IN CASH	626,048	(807,434)	(1,674,530)	(851,834)	(822,696)
ENDING CASH BALANCE	**3,246,907**	**2,439,188**	**1,482**	**2,395,073**	
Principal Bond Payments	(1,155,000)	(2,005,283)	(2,005,283)	(1,623,622)	
Depreciation	1,399,907	1,365,000	910,000	840,075	
Capitalized Assets	(4,498,277)	(555,000)	0	59,525	
Liabilities					
ADJUSTMENTS	(4,253,370)	(1,195,283)	(1,095,283)	(724,022)	
Base for reserve calculation	6,815,589	7,380,084	5,987,954	5,634,702	
20% reserve amount	1,363,118	1,476,017	1,197,591	1,126,940	
Amount over 20% reserve	1,883,789	963,171	(1,196,109)	1,268,132	

City of Emporia, Kansas

Wastewater Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
BEGINNING CASH	2,616,764	2,302,873	2,010,106	2,351,302	
REVENUE					
Sales/Charges	5,604,381	5,530,808	3,687,200	4,038,660	(351,460)
Extra Strength Surcharge	123,584	75,900	50,592	105,235	(54,643)
Interest on Investment	1,708	1,000	664	4,472	(3,808)
New System taps	1,300	1,000	664	200	827
Loss on sales of assets	0			0	
Trf to projects	349,769	0		0	0
Sale of Bonds					0
Miscellaneous	39,990	1,000	664	87,792	(87,128)
TOTAL RECEIPTS	6,120,732	5,609,708	3,739,784	4,236,360	(496,213)
EXPENDITURES					
Personnel Services	841,257	939,942	614,927	663,471	(48,544)
Vacancy	0	(16,218)		0	0
Maintenance & Repair	444,900	298,250	198,840	663,471	(464,631)
Commodities	220,944	156,000	137,328	279,784	(142,456)
Other Charges	153,916	185,100	148,080	149,042	(962)
Capital Outlay	56,245	480,000	480,000	53,519	426,481
Debt Payment	2,562,638	2,830,993	2,844,814	2,525,432	319,382
Transfer to Project fund	617,004	0	0	78,528	(78,528)
Utilities	549,126	521,500	347,664	391,378	(43,714)
Communications	22,222	28,350	10,904	15,084	(4,180)
Travel & Training	4,069	6,600	4,400	8,550	(4,150)
Contractual Services	302,876	267,450	181,216	329,575	(148,359)
Administrative Fee flat	610,000	610,000	406,664	457,500	(50,836)
Excess Carryover		0	0		
Change in Liabilities	996	0		27,209	(27,209)
Outstanding PO's	0				
TOTAL EXPENDITURES	6,386,194	6,307,967	5,374,837	5,642,542	(267,705)
NET CHANGE IN CASH	(265,462)	(698,259)	(1,635,053)	(1,406,183)	(228,508)
ENDING CASH BALANCE	**2,351,302**	**1,604,614**	**375,053**	**945,119**	
Depreciation	2,014,563	2,035,205	1,356,808	1,216,856	
Principal Bond Payments	(1,981,720)	(1,945,299)	(1,945,299)	(1,945,299)	
Capitalized Assets	(429,599)	(195,000)	0	0	
Change in Liabilities		0			
ADJUSTMENTS	(396,756)	(105,094)	(588,491)	(728,443)	
Base for reserve calculation	5,712,944	5,827,967	4,894,837	5,510,495	
20% Cash Reserve amount	1,142,589	1,165,593	978,967	1,102,099	
Amount over 20% Cash Reserve	1,208,713	439,021	(603,914)	(156,980)	

City of Emporia, Kansas

Solid Waste Fund

as of August 31, 2022

	Preceding Year 2021 (Actual)	2022 Budget	2022 Jan - Aug Budget	2022 YTD Actual	Difference b/w YTD Budget & YTD Actual
BEGINNING CASH	3,853,256	3,428,906	2,441,855	4,002,114	
REVENUE					
Refuse Collection Fees	2,964,876	2,850,000	1,900,000	1,978,205	(78,205)
Loss on Sale of Assets		0			0
Interest on Investments	2,276	1,500	1,000	6,919	(5,919)
Trf from Health Ins - Premiums		0			0
Resale of Recyclables	181,252	70,000	46,664	156,839	(110,175)
Box Container Fees	1,936,847	1,700,713	1,133,808	1,353,366	(219,558)
Landfill Fees	537,818	515,000	343,336	366,681	(23,345)
Transfers		0			0
Miscellaneous	18,999	4,768	336	756	(420)
TOTAL RECEIPTS	5,642,068	5,141,981	3,425,144	3,862,766	(437,622)
EXPENDITURES					
Personnel Services	1,856,088	1,951,426	1,278,528	1,279,717	(1,189)
Vacancy		(37,124)			0
Maintenance & Repair	283,052	268,500	178,992	180,193	(1,201)
Commodities	330,432	279,500	186,360	301,521	(115,161)
Other Charges	59,078	195,230	124,832	81,272	43,560
Capital Outlay	481,908	648,250	648,250	483,316	164,934
Utilities	41,521	49,850	33,224	29,604	3,620
Communications	37,874	41,500	27,664	28,913	(1,249)
Transfer to project		0			0
Travel & Training	1,607	8,750	5,840	3,140	2,700
Contractual Services	1,428,981	1,743,600	1,165,336	1,100,944	64,392
Administrative Fee 16%	870,040	810,514	540,344	666,565	(126,221)
Excess Carryover		0			
Change in Liabilities	102,630	0		(4,336)	4,336
Outstanding PO's	0				
TOTAL EXPENDITURES	5,493,210	5,959,996	4,189,370	4,150,847	38,523
NET CHANGE IN CASH	148,859	(818,015)	(764,226)	(288,081)	(476,145)
ENDING CASH BALANCE	**4,002,114**	**2,610,891**	**1,677,629**	**3,714,033**	

Principal Payments	0	0	0	0
Depreciation	392,526	375,000	250,000	253,635
Capitalized Assets	(467,157)	(618,250)	0	(6,433)
Change in Liabilities		0		
ADJUSTMENTS	(74,630)	(243,250)	250,000	247,202
Base for reserve calculation	5,011,302	5,311,746	3,541,120	3,667,531
20% cash reserve amount	1,002,260	1,062,349	708,224	733,506
Amount over 20% Cash Reserv	2,999,854	1,548,542	969,405	2,980,527

CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of August 31, 2022
EXPENSES FOR GENERAL FUND DEPARTMENTS

	2022 AMENDED BUDGET	2022 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED	General Fund Shared Revenue	Shared Budget	Actual Shared Budget	Department Net
						13,994,304	14,480,447	
COMMISSION/MANAGER/CLERK	4,282,246	825,794.42	3,456,452	19%	19.19%	2,686,142	2,779,455	1,953,661
FINANCE/HUMAN RESOURCES	441,186	229,270.25	211,916	52%	1.98%	276,745	286,358	57,088
INFORMATION SYSTEMS	333,501	228,444.28	105,057	68%	1.49%	209,197	216,464	(11,981)
POLICE PROTECTION	4,353,087	2,578,989.16	1,774,098	59%	19.51%	2,730,579	2,825,435	246,446
ANIMAL CONTROL	207,248	120,150.10	87,098	58%	0.93%	130,001	134,517	14,367
FIRE PROTECTION	2,923,943	1,740,906.54	1,183,036	60%	13.11%	1,834,114	1,897,828	156,922
AMBULANCE SERVICE	3,357,400	1,905,302.11	1,452,098	57%	15.05%	2,106,010	2,179,170	273,868
CODE SERVICES	465,806	331,601.99	134,204	71%	2.09%	292,188	302,338	(29,264)
COMMUNITY DEVELOPMENT	362,938	201,411.75	161,526	55%	1.63%	227,662	235,570	34,159
COURT SERVICES	605,905	348,308.55	257,596	57%	2.72%	380,069	393,272	44,963
ENGINEERING	491,638	270,512.34	221,126	55%	2.20%	308,392	319,105	48,593
STREET MAINTENANCE	0	0.00	0	#DIV/0!	0.00%	0	0	0
SNOW REMOVAL	58,000	34,291.50	23,709	59%	0.26%	36,382	37,646	3,354
GOLF COURSE MAINTENANCE	452,827	351,776.87	101,050	78%	2.03%	284,047	293,914	(57,863)
GOLF SHOP	320,713	240,309.05	80,404	75%	1.44%	201,175	208,164	(32,146)
PARK	1,016,913	561,825.17	455,088	55%	4.56%	637,883	660,042	98,217
AQUATIC CENTER	159,700	48,781.45	110,919	31%	0.72%	100,176	103,656	54,874
ZOO	594,866	428,031.06	166,835	72%	2.67%	373,144	386,107	(41,924)
CIVIC BUILDING OPERATIONS	852,311	438,430.48	413,881	51%	3.82%	534,633	553,205	114,775
LIBRARY MAINTENANCE	70,435	63,215.18	7,220	90%	0.32%	44,182	45,717	(17,498)
GROUNDS MAINTENANCE	101,381	35,951.17	65,430	35%	0.45%	0	65,803	29,852
CONCESSION STAND	78,201	40,696.98	37,504	52%	0.35%	49,053	50,758	10,061
SHOP MAINTENANCE	115,389	28,327.01	87,062	25%	0.52%	72,381	74,895	46,568
STREET LIGHTING	335,000	201,659.80	133,340	60%		0	0	
MISC APPROPRATIONS	92,950	74,241.92	18,708	80%		0	0	
AIRPORT	634,977	551,084	83,893	87%	2.85%	398,305	412,141	(138,943)
PARKING FACILITY	29,100	5,347	23,753	18%	0.13%	18,254	18,888	13,540
TRANSERS	3,548,107	2,292,920	1,255,187	65%		0	0	
CONTINGENCY	-258,532		(258,532)	0%		0	0	0
GENERAL FUND	26,027,236	14,177,581	11,849,655	54%	100.00%	13,930,710	14,480,447	
	22,309,711							

CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of August 31, 2022
EXPENSES FOR WATER FUND DEPARTMENTS

	2022 AMENDED BUDGET	2022 ACTUAL WITH ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
DEBT	2,464,403	359,165	2,105,238	15%
ADMINISTRATION	3,461,067	1,004,666	2,456,401	29%
WATER MAINTENANCE	1,379,672	2,461,986	(1,082,314)	178%
WATER PLANT	3,434,942	3,136,402	298,540	91%
WATER STOCK	5,000	12,094	(7,094)	242%
	10,745,084	6,974,313	3,770,771	6

Capital Outlay			
Water Distribution	$50,000		Replace 1 Ton truck w Auto Crane (split with Sewer)
Water Distribution	$15,000		1/2 Ton Pickup (2001) Split with Sewer
Water Distribution	$60,000		Replace a 2002 JD 310S Backhoe (Split with Sewer)
Water Plant	$30,000	24,850	4 SCBA Units, Cylinders and face masks
Water Plant	$400,000		Clarifier Upgrade or Water Plant Evaluation
	555,000	24,850	

CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of August 31, 2022
EXPENSES FOR WASTEWATER FUND DEPARTMENTS

	2022 AMENDED BUDGET	2022 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
DEBT	2,830,993	580,133	2,250,860	20%
ADMINISTRATION	1,908,109	654,968	1,253,141	34%
SEWER MAINTENANCE	1,295,037	1,354,857	(59,820)	105%
SEWER PLANT	2,849,033	2,300,781	548,252	81%
	8,883,172	4,890,739	3,992,433	2

Capital Outlay			
Sewer Maintenance	$50,000		Replace 1 Ton truck w Auto Crane (split with Water)
Sewer Maintenance	$80,000	32,612	Replace Lift Station #3
Sewer Maintenance	$60,000		Replace a 2002 JD 310S Backhoe (Split with Water)
Sewer Maintenance	$15,000		1/2 Ton Pickup (2001) Split with Water
Waste Water Plant	$25,000		Replace John Deere Gator (2013)
Waste Water Plant	$50,000		Replace metal siding/roof on storage building
Waste Water Plant	$20,000		John Deere 725 Mower (2004)
	300,000	32,612	

CITY OF EMPORIA
ACTUAL COMPARED TO BUDGET
as of August 31, 2022
EXPENSES FOR SOLID WASTE FUND DEPARTMENTS

	2022 AMENDED BUDGET	2022 W ENCUMBRANCES	DIFFERENCE B/W ACTUAL & BUDGET	PERCENTAGE RECEIVED/ USED
ADMINISTRATION	3,013,208	864,661	2,148,547	29%
COLLECTIONS	2,375,745	1,977,421	398,324	83%
TRANSFER STATION	1,611,435	1,247,400	364,035	77%
RECYCLING CENTER	716,358	312,904	403,454	44%
	7,716,746	4,402,386	3,314,360	2

Capital Outlay			
Collections	$200,000	228,107	Roll-Off Truck replacement (2011)
Collections	$165,000		Grapple Truck with Dump Bed
Recycling Center	$24,250		Skid Mounted Litter Vacuum
Recycling Center	$44,000		1 ton pickup, dual wheels, regular cab (2012)
Transfer Station	$65,000		Design & Preliminary Work for Revisions to tipping box ar
Transfer Station	$150,000		Tandem Axle Dump truck (1992)
	$648,250	228,107	

DATE:	September 9, 2022, 2022
TO:	City Commissioners
FROM:	Janet Harrouff
SUBJECT:	Budget Comparison

The **General Fund** Income Statement for the eight-month period ended August 31, 2022, has been reviewed and the significant budget variations have been explained below.

<u>Revenue:</u>

Ad Valorem Tax: $25,311 higher than YTD budget

Taxes: $271,387 higher than YTD budget
- Sales Tax - $9,601 under August sales tax was not received until September 1
- County Wide sales tax - $4,601 higher August sales tax was not received until September 1
- Franchise tax - $266,467 higher

Licenses & Permits: $150,436 higher than YTD
- Building Permits - $151,847 higher

Charges for Services: $428,654 lower than YTD budget
- Ambulance - $662,062 lower August charges not processed
- Golf - $83,242 higher
- Concessions - $3,678 higher
- Airport Fuel - $142,550 higher

<u>Expense</u>

Personnel Services: $559,306 under YTD budget
- Administration - $114,521 under
- Finance/HR - $52,439 under
- Fire - $48,182 under
- Police – $151,447 under
- Park - $98,268 under

Other Charges: $247,106 under YTD budget
- Insurance - $27,969 lower
- Medical Expense - $20,778 lower
- Inter Department charge - $119,412 lower

Public Education - $9,810 lower
Shop Labor - $37,024 lower
Employee Appreciation - $8,884 lower

Total revenues for the eight-month period ended August 31, 2022, were $457,000 over the YTD budget while expenses were $1,203,481 under the YTD Budget. Therefore, the General Fund experienced operating results of $1,660,482 more favorable than the YTD Budget.

I have reviewed the **Water Fund** Income Statement for the eight-month period ended August 31, 2022. The significant budget variations have been explained below.

<u>Revenue</u>
Sale of Water: $16,356 over YTD budget.

<u>Expense</u>
Maintenance & Repair: $351,978 higher than YTD Budget
Equipment $143,397 higher
Pumping Equipment $20,413 higher
Water Main $141,149 higher
Main to Meter $32,231 higher
Water Meters $25,059 lower

Commodities: $145,659 higher than YTD Budget
Chemicals $124,169 higher
Laboratory Equipment $18,158

Capital Outlay: $434,085 lower than YTD budget due to not all items being purchased yet

Contractual Services: $154,006 higher than YTD budget
Contractual Services $162,985 higher
Profession Services $14,863 higher
New Services $19,673 lower

Total revenues for the eight-month period ended August 31, 2022, were $1,310,752 over the YTD budget while expenses were $488,056 higher the YTD Budget. Therefore, the Water Fund experienced operating results of $822,696 less favorable than the YTD Budget.

I have reviewed the **Wastewater Fund** Income Statement for the eight-month period ended August 31, 2022. The significant budget variations have been explained below.

<u>Revenue:</u>
Sewer Charges: $351,460 higher than YTD budget

Extra Strength Surcharge: $54,643 higher than YTD budget

Expenses
Maintenance & Repair: $464,631 higher than YTD budget
Sewer Mains $301,445 higher
Equipment $152,107 higher

Commodities: $142,456 higher than YTD Budget
Materials $27,038 higher
Software $25,808 higher
Chemicals $55,548 higher
Laboratory Equipment $16,230 higher

Capital Outlay: $426,481 lower due to not all capital has been purchased.

Contractual Services: $148,359 higher than YTD Budget
Contractual Services $156,410 higher
Lease Agreement $14,845 lower

Total revenues for the eight-month period ended August 31, 2022, were $496,213 higher the YTD budget while expenses were $267,705 lower the YTD Budget. Therefore, the Wastewater Fund experienced operating results of $228,508 more favorable than the YTD Budget.

I have reviewed the **Solid Waste Fund** Income Statement for the eight-month period ended August 31, 2022. The significant budget variations have been explained below.

Revenue
Collection fees: $78,205 higher than YTD budget

Resale of Recyclables: $110,175 higher than YTD budget

Rolloff: $219,558 higher than YTD budget

Landfill fees: $23,345 higher than YTD budget

Expenses
Commodities $115,161 higher than YTD Budget
Motor Fuel $39,728 less
Other Commodities $52,064 less
Software $11,996 less
Tools $6,376 less

Capital Outlay $164,934 lower than YTD budget due to items not purchased yet

Total revenues for the eight-month period ended August 31, 2022, were $437,622 higher the YTD budget while expenses were $38,523 lower than the YTD Budget. Therefore, the Solid Waste Fund experienced operating results of $476,145 more favorable than the YTD Budget.

COMMUNITY HOUSING BOARD MINUTES

P.O. Box 928, Emporia, KS 66801 620-343-4285

REGULAR MEETING **9:30 A.M. Conference Room 1 A/B** **September 1st, 2022**
MEMBERS PRESENT: Lowery, Cunningham, Hinkle, Morris, and Dean
MEMBERS ABSENT: Ogleby and Salazar
Also present were City staff: Jeff Lynch and Moriah Keen

1) The agenda was approved unanimously.

2) Reviewed minutes from the August 4th, 2022 meeting, approved unanimously.

3) Update on MIH Grant Proposal- Lynch will go to next Wednesday's City Commission meeting to get the official resolution signed by the Mayor. The proposed grant will be $400,000 to address minimum of 14 houses (12 houses for private sector & 2 houses for the Land Bank), $300,000 will go to private sector and $100,000 will go to the Land Bank. For the 12 houses, there will be a 50/50 cost share up to a $25,000 grant pay out. For the Land Bank's two houses there will be no match, we are going to match the $50,000 to acquire and rehab. This will be due at the end of the month. Cunningham was curious about the income guidelines. Lynch said that there is a wide range of income for the MIH (i.e. for one person $36,360-$90,900; for 4 persons $46,740-$116,850). Cunningham is worried about getting 12 unoccupied houses that would be interested in the MIH Grant. Lynch said there are 20 respondents that have expressed interest; however, they all will not qualify. Dean asked who all would be involved with evaluating if the property is habitable again. Lynch said him, building inspectors and the housing board are eligible to evaluate if the property is habitable again. Dean asked what the Housing Board could contribute to make this project successful and moving forward. Lynch said the next step would be to find out how many job openings there are from big companies. Lynch said we could also include letters of support. We already have letters of support from Ignite, from the vice president of ESB, etc. Lynch said if anyone knows anyone that is interested in the program to contact him. He also added that we would have a ranking system when viewing the applicants.

4) Review Rental/Vacant Property Registration Proposal- Lynch wrote the Rental/Vacant Property Registration Proposal that needs to be reviewed by the Housing Board. Lynch mentioned the staff has meet with the City Manager. The City is planning to fill a fulltime position that would manage the proposed Rental/Vacant Property registration. Lynch is currently working on a job description for the position. The housing board is invited to attend the City Commission study session on September 21st around noon in the Conference Room 1A/B. Chair Lowery said that it would be a good idea for the housing board to attend the meeting so that more voices could be heard about this issue. Lynch said he would be willing to assist but

he cannot be the spokesperson. Lynch said that the proposal that the staff have been working on does not involve collecting fees or requiring mandatory inspections. Cunningham said that we did not necessarily want mandatory inspections, just inspections that are requested, with minimum $25 annual registration fees. Lynch said that the individual roles for this new position would be database, tracking, and promoting awareness and education regarding the program. Lynch is unsure if their role would also include inspections. Chair Lowery requested to reference that the proposed rental registration program incorporate provisions already established by the Kansas Landlord/Tenant Act and the Local Housing Code. Chair Lowery stated an argument we could use to convince the City Commission on requiring a $25 fee would be that taxpayers would not have to pay, just the rental property owners. Cunningham added that the $25 annual fee would be able to run the program. Chair Lowery also recommended defining who is responsible for registering. Lynch will revise the proposed Rental Registration Program with the Housing Board comments and suggestions. Cunningham asked could the extra money from the program be turned over to housing.

5) Old Business- There was no old business.

6) New Business- There was no new business.

7) Adjournment: Motion to adjourn by Dean, seconded by Cunningham, passed unanimously.

Next Meeting Scheduled: October 6th, 2022

EMPORIA LAND BANK MINUTES

MEETING TIME: **10:00 A.M.** **September 1st, 2022** **City conference Room 1 A/B**

MEMBERS PRESENT: Lowery, Dean, Morris, Cunningham, and Hinkle
MEMBERS ABSENT: Ogleby and Salazar
Also present were- City staff: Jeff Lynch and Moriah Keen

1) The agenda was approved unanimously.

2) Minutes from the August 4th, 2022 meeting were approved unanimously.

3) Treasurer Report- Chair Lowery said the current Balance shows $67,612.04 and the unencumbered balance shows $59,612.04. Lynch said that there would be a $70 court fee.

4) Consider bids for the sale of 748 W. 4th Ave.- Lynch said that we have two bids. In the future, Lynch wants to add contingencies or development plans to the purchase application. One is for $14,000 and the other one is for $10,000. Lynch said that he believes the intention for the $14,000 offer is to build a shop for personal use. Lynch also added that both of the applicants are up-to-date on their taxes. **Chair Lowery made a motion to accept the offer for $14,000 with the contingencies that the property would be rezoned. Cunningham seconded. Approved 5-0.** Lynch asked the Land Bank if they would like to split or cover the closing cost fee. The Land Bank said to split the closing cost fee. Lynch said that currently people are not living there. However, there is a padlock on the outside of the front door. The Land Bank said to cut off their padlock, put the city's padlock on the house, and add a no trespassing sign.

5) Old Business- There was no old business.

6) New Business- Lynch asked if anyone has in prospects of any houses the Land Bank could acquire. Chair Lowery said 909 E. South Ave. He never sees vehicles at the property and is overgrown. The owners have listed that property as their mailing address.

7) A motion was made for adjournment, seconded, and passed unanimously. Next meeting will be on October 6th, 2022.

Consent Agenda

Proposed Agenda Date: September 21, 2022

Presented By: Trey Cocking, City Manager

ITEMS:

A. Approve the minutes of the September 7, 2022, City Commission Meeting.

B. Ratification and Approval of the Payroll Ordinances for the periods ending September 9, 2022.

C. CDGB Grant Extension.

D. Change Order No. 2 for 6th Avenue Watermain Improvements Project No. WM2101.

RECOMMENDED ACTION:

Approve the Consent Agenda as presented.

COMMISSION MEETING 11:00 A.M. SEPTEMBER 7, 2022

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, September 7, 2022, with Mayor Smith presiding and Commissioners Brinkman, Giefer, Harter and Sauder present. Also present were City Manager Cocking, City Clerk Sull and City Attorney Montgomery.

CITY COMMISSION
(Public Comment)

This is the time for the public to make comments.

The public is invited to make comments at this time. Please limit comments to two (2) minutes each. Hate speech, profanity, and defamation are not allowed. Please state your name and address prior to making comments.

A representative of Emporia State University introduced a group of International Denmark students that were in Emporia for three weeks. She stated the students were in Emporia to learn more about the culture. ESU is hosting the students on campus for two weeks to show them the University, allow them to attend some classes, tour the town, and some of the businesses. The students would spend one week with host families to finish out their visit.

CITY COMMISSION
(Board Appointment)

Building Trades Board:

It was moved by Commissioner Giefer seconded by Commissioner Sauder that Jesse Liggett, Master Electrician, Ron Ewing, Building Contractor and Travis Hitt, Laymen Person, be appointed to the Building Trades Board for terms that expires December 31, 2024. The vote follows: Commissioner Giefer, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

Emporia Human Relations Commission:

It was moved by Commissioner Giefer seconded by Mayor Smith that Elisabeth Johnson be appointed to the Emporia Human Relations

Commission to fill an unexpired term that expires on June 1, 2025. The vote follows: Commissioner Giefer, aye; Mayor Smith, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Commissioner Sauder, aye.

Natural Resources Advisory Board:

Commission Brinkman made a motion to table this appointment, time indefinite, in order to review previous applicants to other boards to fill this position. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

CITY COMMISSION
(Exceeding the Revenue Neutral Rate)
(Public Hearing)
(Resolution Number 3677)

Janet Harrouff, Director of Administrative Services, was recognized and addressed the Governing Body. She stated per Senate Bill 13 and House Bill 2104, a public hearing must be held to allow taxpayers to speak without unreasonable restrictions. A notice of hearing was published in the newspaper on August 27, 2022 and posted on the City's website, concerning the proposed budget and the City levying property tax exceeding the Revenue Neutral Rate. Currently the RNR is 39.47 mills and the City is requesting to exceed the Revenue Neutral Rate. At this time the City is required to hold a public hearing.

Mayor Smith then declared the public hearing opened.

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

Commissioner Harter made a motion to approve Resolution Number 3677, a resolution that will require the levy of a property tax rate exceeding the Revenue Neutral Rate. Commissioner Giefer seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

BUDGET
(Approve 2023 Budget)
(Public Hearing)

Janet Harrouff, Director of Administrative Services, was recognized and addressed the Governing Body. She stated the City of Emporia is required by State law to hold a public hearing for the adoption of the annual budget.

City Manager Cocking stated for property taxes in Emporia approximately 27% percent of tax dollars are allocated to the City of Emporia, the second largest percentage is allocated to Lyon County, and the largest percentage goes to USD #253. He stated for the portion of tax dollars that goes to City of Emporia, 65% goes to General Fund, which mostly is for public safety (Police, Fire and EMS). The remainder goes for Park Department; Administration; Civic Auditorium; Airport and Golf Course. He stated currently there are 15 vacancies in the Police Department, Animal Control and the Fire Department. Additionally, there are 14 vacancies in other areas of the City, for a total of 29 vacancies.

Mayor Smith then declared the public hearing opened.

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

BUDGET
(Adopt 2023 Budget and 5-Year Budget)

Janet Harrouff, Director of Administrative Services, was recognized and addressed the Governing Body. She stated several discussions have been made to put together the 2023 Budget and 5-year budget. She stated three options have been submitted for review. The numbers are exactly the same in each version except for the amount of Ad Valorem property tax in the General Fund. The options are as follows:

1. 42.8 mills Ad Valorem $5,440,502.00 in 2023 with reserve amount of 21.81%.

2. 44.0 mills Ad Valorem $5,675,335.00 in 2023 with reserve amount of 22.98%.

3. 45.0 mills Ad Valorem $5,870,862.00 in 2023 with reserve amount of 23.95%.

She stated each mill is slightly over $200,000.00 which is approximately $11.00 on $100,000.00 of residential property and approximately $25.00 on $100,000.00 for commercial property.

Commissioners Harter and Sauder stated they were in favor of a higher mill levy rate of 45.0 to bring in more revenue. They didn't feel that the rate was too high and this increase will help with the capital improvement projects that have been pushed up to and past the five year budgets due to revenue restrains.

Commissioner Brinkman stated she was in favor of higher mill rate of 44.0 but not maxing out at the 45.0 mills.

Follow further discussion, Commissioner Giefer made a motion increase the mill levy to 43.8 mills for the 2023 Budget. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, nay; Commissioner Sauder, nay; and Mayor Smith, aye. Motion passed 3 - 2 for 43.8 mills.

CITY COMMISSION
(2023 Annual Appropriations)
(Ordinance Number 22-41)

AN ORDINANCE APPROPRIATING THE AMOUNTS SET UP IN EACH FUND IN THE BUDGET FOR THE CALENDAR YEAR 2023, PROVIDING FOR THE PAYMENT OF ALL CLAIMS AND CHARGES AGAINST THE ACCOUNTS PROVIDED FOR THEREIN, to which the City Clerk assigned Ordinance Number 22-41, was presented to the Governing Body for their consideration.

City Manager Cocking stated currently the City of Emporia has been using a bi-monthly accounts payable and a bi-weekly payroll to process checks. The Commission, after the fact, ratifies the appropriation ordinance and the payroll ordinance. He stated across the State of Kansas a number of cities were using this post-facto process and started to adopt annual appropriation ordinances with the adoption of the budget. The annual appropriation ordinances also came in handy with the pandemic and in other cases where governing bodies are unable to generate a quorum. The annual appropriation ordinance allows the Finance Director with the consent of the City Manager and City Clerk to make payments for all claims and charges against the city in a fiscal year. City staff is still required to follow the purchasing policy and bring Capital Improvements items over $10,000.00 to the Commission for approval. He stated staff was recommending the approval of the annual appropriation ordinance for accounts payable and payroll for 2023.

Commissioner Brinkman made a motion to approve Ordinance Number 22-41, an ordinance appropriating the amounts set up in each fund for 2023 for payment of all claims and charges. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

CITY COMMISSION
(Authorization General Obligation Bonds - $3,000,000.00)
(South Arundel Street Sewer Main Project)
(Ordinance Number 22-40)

AN ORDINANCE AMENDING ORDINANCE NO. 19-31 OF THE CITY OF EMPORIA, KANSAS RELATING TO SEWER IMPROVEMENTS (ARUNDEL), to which the City Clerk assigned Ordinance Number 22-40, was presented to the Governing Body for their consideration.

Janet Harrouff, Director of Administrative Services, was recognized and address the Governing Body. She stated no information has been received from FEMA regarding the approval of the mitigation project for the Arundel Street sewer main project. However, the construction bid has been awarded and the contractor is moving forward. She stated to fund the project, a bond authorization of $3,000,000.00 would need to be approved. This ordinance will provide the maximum authority for the issuance of general obligation bonds for this project. Bonds will be issued at a later date once the FEMA funding is determined. She stated this ordinance is for authorization only and not bond issuance.

Following further discussion, Commissioner Harter made a motion to approve Ordinance Number 22-40, an ordinance amending ordinance number 19-31 relating to bond authorization for South Arundel Sewer Main Project. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

ENGINEERING
(Zoo Education Center Parking Lot - Project No. ZO2102)
(Bids)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated this parking lot is at the David Traylor Zoo Education Center. The parking lot improvements project will expand access and available parking for patrons. The current parking options for the zoo are limited, with most options being parallel parking or gravel lot. He stated a total of four bid were received for this project, three for a concrete option and one for an asphalt option. The bids are as follows:

BID TABULATION DAVID TRAYLOR ZOO EDUCATION PARKING LOT

Bidder Name	**Concrete Bid**	**Asphalt Bid**
Burlington Construction	***$127,864.70***	***$ No Bid***
S.R. Coffman Construction	$152,062.60	$ No Bid
Vogts Parga Construction	$156,877.40	$ No Bid
APAC-Kansas Shears Division	$ No Bid	$160,880.51
Engineer's Estimate	$167,216.00	$109,656.00

He stated this parking lot is the city's contribution part of the ongoing OASIS Campaign. The contractor has an open construction early start date by September 26, 2022 to March 13, 2023, with a 35 work days schedule. Funding for this project will be paid for from the Multi-Year Fund. He stated staff is recommending awarding the project to Burlington Construction for their low concrete bid of $127,864.70.

Commissioner Brinkman made a motion to award the bid for the David Traylor Zoo Education Center Parking Lot Project No. ZO2102 to Burlington Construction for their concrete bid of $127,864.70. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

Consent Agenda

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

a. Consider minutes of the Regular Meeting held on August 17, 2022.

b. Consider ratification of Payroll Ordinances for the period ending on August 26, 2022.

c. Approve Change Order for Airport Runway Lighting, Signs, PAPI, and Wind Cone Project.

d. Approve Change Order No. 1 for 12th Avenue Waterline Improvements Project No. WM2001.

e. Set Bid Date and Time for Banking Services Bid

f. Approve Ordinance Number 22-42 Authorizing My Town Media Event Beer Garden on September 23, 2022.

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

CITY COMMISSION
(City Manager's Report)

This is a verbal report that announces upcoming events, recognizes employees for outstanding contribution and provides the public information that may be of a general interest. The following information was presented at the meeting:

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

Tentative Agenda for September 21, 2022, 11:00 a.m.

- Accreditation for the David Traylor Zoo.
- Consider Approve of the Minor Plat for Kwik Shop Addition.
- Authorize the Sale of General Obligation Bonds.
- Approve Ordinance for Bond Authorization for Flint Hills Crossing Improvements, Water, Sewer and Street.

Study Session:

- Lot & Ilk present Logo Designs.
- Discuss new Water Meters.
- Discuss Implementation of Rental Registrations and Revisions to Current Vacant Property Ordinance.
- Discuss Purchasing Policy.

CITY COMMISSION
(Public Comment)

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

EXECUTIVE SESSION

Commissioner Sauder made a motion to adjourn into Executive Session to discuss a matter of attorney-client privilege, from 11:45 a.m. to 12:05 p.m., in the City Commission Meeting Room. Commissioner Harter seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

Upon reconvening the meeting in Regular Session at 12:05 p.m., this same date, in the City Commission Meeting Room, Commissioner Brinkman made a motion to continue the Executive Session discussion from 12:05 p.m. to 12:25 p.m. Commissioner Giefer seconded the motion. The vote follow: Commissioner Brinkman, aye; Commissioner Giefer aye; and Mayor Smith, aye; Commissioner Harter and Sauder were not present at the vote.

Upon reconvening the meeting in Regular Session at 12:25 p.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had discussed a matter of attorney-client privilege and no action was taken.

Commissioner Giefer made a motion to recess the meeting to 12:30 p.m., in City Conference Room 1AB. Commissioner Harter seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; and Mayor Smith, aye. Commissioner Sauder was not present at the vote.

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

Becky Smith, Mayor

ATTEST:

Kerry Sull, City Clerk

EMPORIA
City of Emporia
Civic Building/ 521 Market St. / P.O. Box 928/ Emporia, KS 66801 620-343-4285

Ms. Linda Hunsicker
CDBG Specialist.
Kansas Department of Commerce
1000 SW Jackson, Suite 100
Topeka, KS 66612

September 21, 2022

RE: Contract Amendment, CDBG Grant 20-HR-001

Dear Ms. Hunsicker,

The above referenced housing rehabilitation grant has assisted ten low to moderate income households to improve their homes the CDBG program standards. At this point in time we are in the process of completing final details and inspections.

Therefore, please consider our request for an additional 90 days of time to complete our project and all of the closeout details required.

Sincerely,

Becky Smith
Mayor, City of Emporia

Commission Action Report

Title: Consider authorizing the Mayor to execute a contract amendment request for the current CDBG housing rehabilitation grant.

Proposed Agenda Date: September 21, 2022

Presented By: Jeff Lynch, Community Development Coordinator

BACKGROUND:

The $300,000 grant was approved on 1/17/2020 by the Kansas Department of Commerce CDBG Program with a scheduled completion date of 3/14/2022. An extension was granted thru 9/14/2022.

DISCUSSION:

The grant got off to a slow start with the onset of the pandemic, which limited access to homes and overall participation from applicants and contractors for the first 12 months. The request is for an additional 90 days (3 months) of time for final completion, inspections and grant closeout.

FINANCIAL CONSIDERATIONS:

The effect of the extension will have no impact on the City's financial and in-kind commitment to the grant project.

OTHER CONSIDERATIONS:

RECOMMENDED ACTION:

Approval

ATTACHMENTS:

Two (2) original Contract Amendment forms and cover letter to be signed by the Mayor

INSTRUCTIONS: SUBMIT TO COMMERCE TWO ORIGINALLY SIGNED COPIES WITH COVER LETTER CONTAINING REASON(S) FOR REQUEST.

CONTRACT AMENDMENT/REQUEST #____

Grantee Name: City of Emporia   Grant #: 20-HR-001

Address, City, **Zip**: 104 E. 5th Ave., Emporia, KS 66801

Date of Request: 9/21/2022

Contract Award Date: 1/17/2020

Current Completion Date: 9/14/2022

Check as Applicable:

Time Extension [X]

Budget Amendment [ ]

If requesting time extension, indicate amount of time needed to complete the project and give explanation below. Additional 3 months needed. New completion date 12/14/2022

For budget change(s), enter each line item -- **regardless of whether budget item changed or not.** If approved, this new project budget will supersede any previous budget(s).

No.	Activity Item	Existing Grant Budget	Revised Grant Budget	% Change
2a	Housing Rehabilitation	253,000	253,000	0
2b	LSWP/Cleaning for Clearance	17,600	17,600	0
2c	HQS Inspections	14,000	14,000	0
2d	LBP Assessments	11,200	11,200	0
2e	LBP Clearance Testing	4,200	4,200	0
	TOTALS	300,000	300,000	0

Explanation of Request (attach additional sheets, if needed):

More time needed for final completion and closeout.

The amendment shall become effective on September 21, 2022. All other terms and conditions of the contract or any amendments thereto, shall remain unchanged. IN WITNESS WHEREOF, the parties hereto execute this agreement.

Authorized Signature – Chief Elected Official

Becky Smith, Mayor

Typed Name and Title

9/21/2022

Date

Kansas Department of Commerce

CDBG Program

Date

INSTRUCTIONS: SUBMIT TO COMMERCE TWO ORIGINALLY SIGNED COPIES WITH COVER LETTER CONTAINING REASON(S) FOR REQUEST.

CONTRACT AMENDMENT/REQUEST #____

Grantee Name: City of Emporia — Grant #: 20-HR-001

Address, City, Zip: 104 E. 5th Ave., Emporia, KS 66801

Date of Request: 9/21/2022

Contract Award Date: 1/17/2020

Current Completion Date: 9/14/2022

Check as Applicable:

Time Extension ☒

Budget Amendment ☐

If requesting time extension, indicate amount of time needed to complete the project and give explanation below. Additional 3 months needed. New completion date 12/14/2022

For budget change(s), enter each line item -- **regardless of whether budget item changed or not.** If approved, this new project budget will supersede any previous budget(s).

No.	Activity Item	Existing Grant Budget	Revised Grant Budget	% Change
2a	Housing Rehabilitation	253,000	253,000	0
2b	LSWP/Cleaning for Clearance	17,600	17,600	0
2c	HQS Inspections	14,000	14,000	0
2d	LBP Assessments	11,200	11,200	0
2e	LBP Clearance Testing	4,200	4,200	0
	TOTALS	300,000	300,000	0

Explanation of Request (attach additional sheets, if needed):

More time needed for final completion and closeout.

The amendment shall become effective on September 21, 2022. All other terms and conditions of the contract or any amendments thereto, shall remain unchanged. IN WITNESS WHEREOF, the parties hereto execute this agreement.

____
Authorized Signature – Chief Elected Official

Becky Smith, Mayor
Typed Name and Title

9/21/2022
Date

Kansas Department of Commerce

____
CDBG Program

____
Date

Commission Action Report

Title: Change Order No. 2 for 6th Avenue Watermain Improvements, Project No. WM2101 No. 2 (Final)

Proposed Agenda Date: September 21, 2022

Presented By: James Ubert, City Engineer

BACKGROUND:

The 6th Ave Waterline Improvements Project will improve the watermain between Woodland St and Lincoln St along 6th Ave (US Hwy 50) which has a recent history of line breaks, ahead of our KDOT FY2023 CCLIP paving project.

The project is funded by the City's Kansas Department of Health and Environment's SRF Loan.

DISCUSSION:

FINANCIAL CONSIDERATIONS:

There were field changes to the project scope that added $51,075.60 and deducted -$62,370.80 for a net project deduct of -$11,295.20 to the contract. Change Order No. 1 was a no cost change order. The contract therefore is reduced from $886,529.00 to $875,233.80 as a result of Change Order No. 2.

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Staff recommends the City Commission approve Change Order No. 2 (final) for 6th Ave Watermain Improvements Project WM2101, KPWSLF#2968.

ATTACHMENTS:

Change Order No. 2 (final) and blurbs.

6^{TH} Ave Waterline Improvements (Woodland to Lincoln)
PROJECT NO. WM2101
EXPLANATION FOR CHANGE ORDER 2

During construction of the 6^{th} Ave Waterline Improvements (Woodland to Lincoln), PROJECT NO. WM2101, changes and adjustment of quantities were made with additional changes deleted and added to the project. This change order results in a decrease of the contract in the amount of $11,295.20.

<u>Quantities Added to the contract:</u>

1. 8” Waterline (In Place) –
   This change was required in order to make the connection to the existing waterline on Sherman Street. The connection point shown on the plans at STA 80+00 was inaccurate, which caused this additional length of pipe to be added. The increase in the item 8” Waterline (In Place) was 26.0 L.F., with a unit price of $66.00 for a total amount added to contract of $1,716.00.

2. 8” Waterline (Carrier Pipe) (Bore) –
   This change was required due to the existing storm sewer boxes shown on the plans at STA 15+59 and STA 24+60 were larger and deeper than planned. This required additional length of 8” carrier pipe to get beyond the outer edges of the storm boxes. The additional 8” Waterline (Carrier Pipe) (Bore) increased the original contract quantity by 13 L.F. with a unit price of $190.00 for a total amount added to the contract of $2,470.00.

3. 16” Steel Casing –
   The additional steel casing was required to hold the additional length of 8” carrier pipe due to the existing storm boxes shown on the plans at STA 15+59 and STA 24+60 being larger than planned. Due to the size of the existing storm boxes the additional 30 L.F. of 16” steel casing was required at a unit price of $397 for an increase to the contract of $11,910.00.

4. Remove and Replace Surfacing (Concrete) (6”) –
   This change was required in order to replace surfacing near and around water meter lids that were relocated when they were replaced during this project. These lids are in areas of existing concrete or asphalt surfacing, mainly at business locations. The increase of 1 S.Y. to item Remove and Replace Surfacing (Concrete) (6”) has a unit price of $155.00 per S.Y., which increased the amount of the original contract by $155.00.

5. Garfield, DQ, & Funston waterline repairs –
   This change was required for 4 separate waterline repairs on the existing City water distribution system along the project & performed by the contractor for underground utilities. The contractor was already on site with personnel and equipment and could therefore best respond to the breaks in the shortest amount of time. The time of labor and equipment for the 4 repairs = $13,000.

6. Install gooseneck/offsets & pair of 45 degree bend fittings –
   These items were not on the plans to construct around differing site conditions in the field as the waterline crossed the AT&T ductbank in along the south curbline for tie in back to the side street existing water mains. The increase was $1,000 for 5 Each = $5,000

7. Install 2 – 8” gate valves and boxes near RCB –
   These items were added to the project and not in the plans for isolation of the water distribution system for future repair (if/when needed) under the RCB storm sewer. The labor and equipment cost is $500.00 for 2 Each = $1,000.

8. Flowable Fill –

   This item was for the actual amount of flowable fill constructed in the field. There was an overrun of 40.5 CY at $91.00 per CY = $3,685.50.

9. Remove & replace Surfacing (Concrete Pavement) (AE)(9") –

   Actual pavement section averaged 50% thicker than the plans and bid documents indicated. This is an increased cost of 1277.8 SY at $9.50 per SY = $12,139.10.

<u>Quantities Deleted from the contract:</u>

1. 1" HDPE Service Line (In Place) –

   This change represents an underrun of 39 L.F. This item decreased due to field measurements being less than plan quantity for 1" HDPE in place on Sherman Street at STA 80+02. This has a unit price of $45.00 per L.F. The total amount deducted from the original contract is -$1,755.00.

2. 1" HDPE Service Line (Bored) –

   Due to the method of construction and decisions made in the field, the full amount of bored 1" HDPE Service Line was not required on this project leaving 71 L.F. unused, at the original contract amount of $55.00, which decreased the final dollar amount by -$3,905.00.

3. Remove and Replace Surfacing (Concrete Pavement) (AE) (9") –

   Due to the method of construction and field measurements made, there is an underrun of quantity for this line item which resulted in a decrease of 143.2 S.Y. at a unit price of $129.00 for a deduction to the original contract of -$18,472.80

4. Remove and Replace Surfacing (Curb and Gutter) –

   Due to the method of construction and field measurements made, this change represents an underrun of planned quantity. This resulted in a decrease to the line-item Remove and Replace Surfacing (Curb and Gutter) by 36 L.F. at a unit price of $72.00 for a deduction to the original contract of -$2,592.00

5. Remove and Replace Surfacing (Concrete Sidewalk) –

   This change represents an underrun of 14.1 S.Y. due to the method of construction and field conditions encountered. This line-item has a unit price of $60.00 for a deduction to the original contract of -$846.00.

6. Liquidated Damages Days Charged ($1200.00) –

   This change was required due to the contractor not meeting the June 17, 2022 deadline for substantial completion as outlined in Article 4 of the original contract. This change is calculated based on working days available and does not include Sunday's or legal Holidays. This change applied 17 working days at a unit price of $1200.00 per day, resulting in a decrease to the original contract of -$20,400.00.

7. Liquidated Damages Days Charged ($2400.00) –

   This change was required due to the contractor not meeting the July 22, 2022 deadline for final completion as outlined in Article 4 of the original contract. This change is calculated based on working days available and does not include Sunday's or legal Holidays. This change applied 6 working days at a unit price of $2400.00 per day, resulting in a decrease to the original contract of -$14,400.00

CHANGE ORDER NO. 2 (FINAL)

ON CONTRACT WITH MIDDLECREEK CORPORATION FOR THE CONSTRUCTION OF 6TH AVE WATERLINE IMPROVEMENTS (WOODLAND TO LINCOLN) PROJECT NO. WM2101, KDHE PROJECT NO. KPWSLF 2968

August 10, 2022

This change in plans, made in accordance with the provisions of Article 11 - Changes to the Contract under the above Contract, provides for a change in the contract total due to estimated quantities being different than the actual quantities used in the construction of the 6th Ave Waterline Improvements (Woodland to Lincoln), Project No. WM2101, KDHE Project No. 2968

QUANTITY	UNIT	ITEM & UNIT PRICE IN WORDS	UNIT PRICE	AMOUNT
6TH AVE WATERLINE IMPROVEMENTS QUANTITIES ADDED:				
26	L.F.	8" Waterline (In Place) @ Sixty Six Dollars and zero cents (Unit Price in Words)	$66.00	$1,716.00
13	L.F.	8" Waterline (Carrier Pipe) (Bore) @ One Hundred Ninety Dollars and zero cents (Unit Price in Words)	$190.00	$2,470.00
30	L.F.	16" Steel Casing @ Three Hundred Ninety Seven Dollars and zero cents (Unit Price in Words)	$397.00	$11,910.00
1	S.Y.	Remove and Replace Surfacing (Concrete) (6") @ One Hundred Fifty Five Dollars and zero cents (Unit Price in Words)	$155.00	$155.00
1	L.S.	Garfield, DQ, & Funston waterline repairs @ Thirteen Thousand Dollars and zero cents (Unit Price in Words)	$13,000.00	$13,000.00
5	E.A.	Install gooseneck offsets & pair 45 deg. Bends @ One Hundred Fifty Five Dollars and zero cents (Unit Price in Words)	$1,000.00	$5,000.00
2	E.A.	Install 2 - 8" valves under RCB (not in plans) @ One Hundred Fifty Five Dollars and zero cents (Unit Price in Words)	$500.00	$1,000.00
40.5	C.Y.	Flowable Fill @ One Hundred Fifty Five Dollars and zero cents (Unit Price in Words)	$91.00	$3,685.50
1277.8	S.Y.	Remove & Replace Surfacing (Concrete Pavement) (AE)(9") @ Nine Dollars and Fifty cents (Unit Price in Words)	$9.50	$12,139.10
		QUANTITIES OF CHANGE ORDER NO. 2 (FINAL) ADDED TO PROJECT:		**$51,075.60**

QUANTITY	UNIT	ITEM & UNIT PRICE IN WORDS	UNIT PRICE	AMOUNT
6TH AVE WATERLINE IMPROVEMENTS QUANTITIES DELETED:				
39	L.F.	1" HDPE Service Line (In Place) @ Forty Five Dollars and zero cents	$45.00	-$1,755.00

(Unit Price in Words)

71	L.F.	1" HDPE Service Line (Bored) @ Fifty Five Dollars and zero cents (Unit Price in Words)	$55.00	-$3,905.00
143.2	S.Y.	Remove and Replace Surfacing (Concrete Pavement)(AE)(9") @ One Hundred Twenty Nine Dollars and zero cents (Unit Price in Words)	$129.00	-$18,472.80
36	L.F.	Remove and Repalce Surfacing (Curb and Gutter) @ Seventy Two Dollars and zero cents (Unit Price in Words)	$72.00	-$2,592.00
14.1	S.Y.	Remove and Replace Surfacing (Concrete Sidewalk) @ Sixty Dollars and zero cents (Unit Price in Words)	$60.00	-$846.00
17	EA	Liquidated Damages Days Charged at @ One Thousand Two Hundred Dollars and zero cents (Unit Price in Words)	$1,200.00	-$20,400.00
6	EA	Liquidated Damages Days Charged at @ Two Thousand Four Hundred Dollars and zero cents (Unit Price in Words)	$2,400.00	-$14,400.00

QUANITIES OF CHANGE ORDER NO. 2 (FINAL) DELETED FROM PROJECT: **($62,370.80)**

TOTAL CHANGE ORDER NO. 2 (FINAL) DELETED TO PROJECT: **($11,295.20)**

CONTRACTOR: MIDDLECREEK CORPORATION

BY: Frank Quinlan
OWNER or AUTHORIZED REPRESENTATIVE

APPROVED BY: **THE CITY OF EMPORIA, KS**

BY:____________________
MAYOR

Date:____________

Attest: ________________
CITY CLERK

Commission Action Report

Title: Informational Items

Proposed Agenda Date: September 21, 2022

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 accomplishments of the organization.

DISCUSSION: At the time this Agenda was prepared, the following items were in the works for the tentative Agendas of the October 5, 2022 meetings.

Commission Meeting:

- Proclamation for Domestic Violence Awareness Month.
- Approve Uniform Offense Code.
- Approve RFQ for Elevated Tank Maintenance.
- Approve RFQ for Water Meter System.
- Award Banking Services Bid.
- Approve Contract for Software Consultant Client First.
- Consider Approval of Minor Plat for Kwik Shop Addition.
-

Study Session:

- Review Fireline Policy.
- Discuss Ordinance Cross Connection/Online Backflow Management System.
- Discuss the Revision of the Human Relations Commission Ordinance.

FINANCIAL CONSIDERATIONS:
N/A
OTHER CONSIDERATIONS:
N/A
RECOMMENDED ACTION:
N/A
ATTACHMENTS:
N/A

Commission Action Report

Title: Executive Session

Proposed Agenda Date: September 21, 2022

BACKGROUND:
The City Commission requests An Executive Session for Consultation with An Attorney for The Public Body or Agency Which Would Be Deemed Privileged in the Attorney-Client Relationship. K.S.A. 75-4319(B)(2) Is the Authority for This Recess into Executive Session.

DISCUSSION:
N/A

FINANCIAL CONSIDERATIONS:
N/A

OTHER CONSIDERATIONS:
N/A

RECOMMENDED ACTION:
Recess into executive session for consultation with the City Attorney for 10 minutes regarding an attorney-client privilege matter and stating at which time the open meeting will resume.

ATTACHMENTS:
N/A

Commission Action Report

Title: Executive Session

Proposed Agenda Date: September 21, 2022

BACKGROUND:
The City Commission requests an Executive Session to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships for potential economic development projects. K.S.A. 75-4319(B)(4) is the authority for this recess into Executive Session.

DISCUSSION:
N/A

FINANCIAL CONSIDERATIONS:
N/A

OTHER CONSIDERATIONS:
N/A

RECOMMENDED ACTION:
Recess into Executive Session to discuss proprietary information of third parties for potential economic development projects for 10 minutes, inviting Special Projects Manager Jim Witt, and stating at which time the open meeting will resume.

ATTACHMENTS:
N/A

EMPORIA
City of Emporia

Commission Action Report

Title: Advanced Metering Infrastructure Request for Qualifications

Proposed Agenda Date: September 21, 2022

Presented By: Dean Grant, Director of Public Works

BACKGROUND:

In 2010, the city purchased an Automated Meter Reading (AMR) system, also known as a Drive-By Meter Reading system, to aid Water Services staff in acquiring monthly water meter readings. The current system, meters, and transmitters were installed by a contractor over a three-year period as a part of the project.

The residential meters were installed first, and then the contract was cancelled before meters were installed in many of the businesses and industries. Because of that, many of the commercial and industrial accounts never had newer, more accurate meters installed.

The system was sold with a 10 year life. The transmitters are being replaced at a rate of approximately 25 per week, and the meters are being replaced at a rate of about 10 per week. So, with the system out of warranty it is getting costly to replace the major components of the system, and when components are under warranty, we have had difficulty dealing with the supplier since we were moved to a distributor account.

The purchase and installation of an Advanced Metering Infrastructure (AMI) system was budgeted and adopted in the 2022 CIP budget. An AMI system will allow meter readings to be sent to the Water Services office, and give staff access to real-time meter usage data without leaving the office. Also, the customers will have access to the same meter data as city staff through a customer portal.

DISCUSSION:

Staff would like to issue a Request for Qualifications for the purchase an Advanced Metering Infrastructure (AMI) system and contract the installation of the system.

FINANCIAL CONSIDERATIONS:

The estimated cost for an AMI system, meters, infrastructure, installation, and software is approximately $2,500,000.00. The cost would be bonded and split between the Water and Sewer

Funds. Due to the increased meter accuracy, some of the costs of the system could be offset by increased water revenues.

OTHER CONSIDERATIONS:

RECOMMENDED ACTION:

Enter Recommended Action for Item

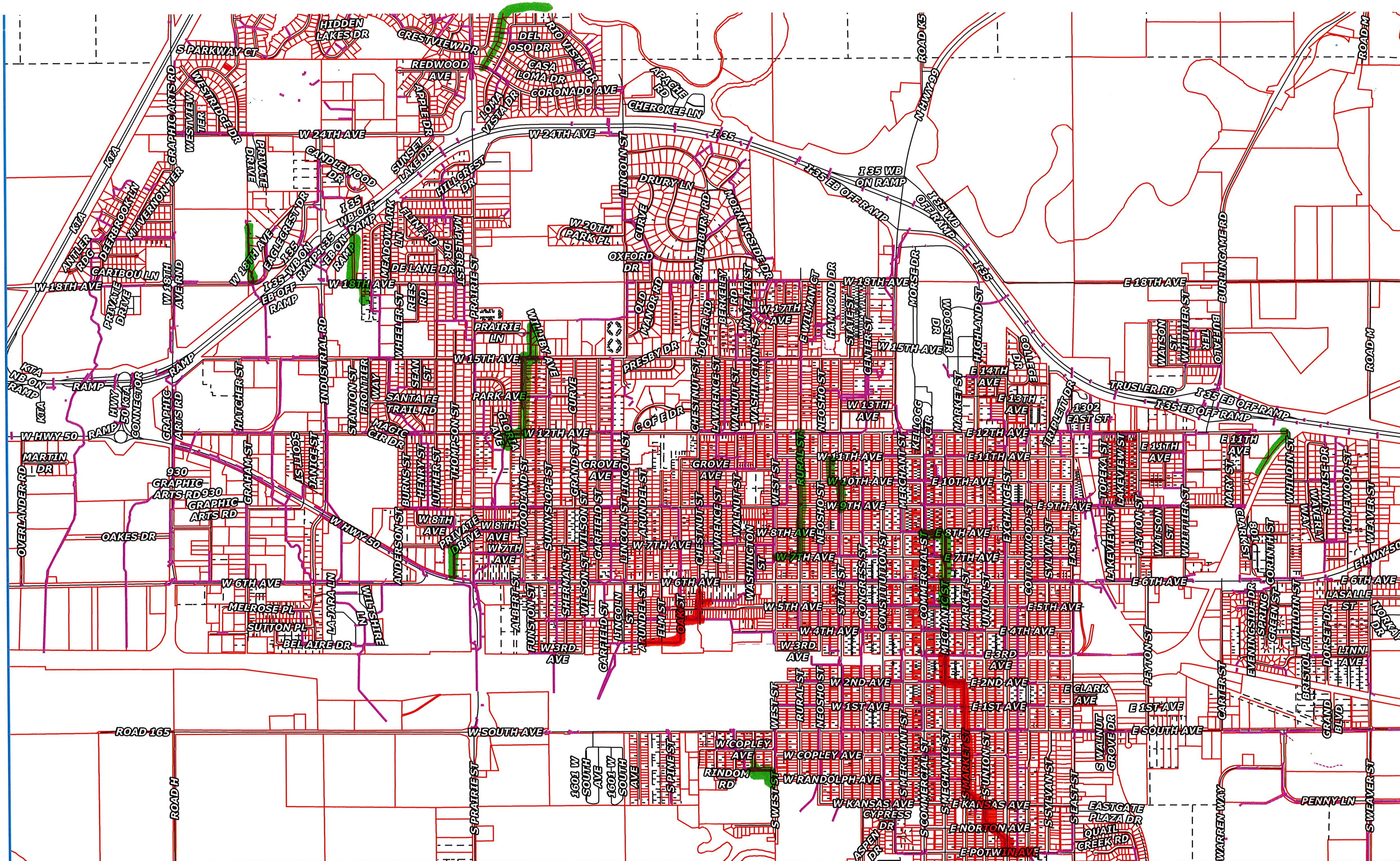
ATTACHMENTS:

Enter List of Attachments or N/A

KANSAS CITIES OF THE FIRST CLASS					
STORM WATER UTILITY					SEPT. 2022
City	**2021 Population**	**FEE**	**Fee per ERU**	**Sq. Ft.**	**Flat Fee (res/comm)**
Atchison	10,247	*YES			$15.75
Coffeyville	9,169	YES			$7.00/$15.00
Derby	25,145	YES	$3.00		See notes
Dodge City	26,687	YES	$1.45		
Emporia	24,502	NO			$4.94
Fort Scott	7,648	YES			
Garden City	26,003	YES	$7.00		$7.00
Hutchinson	40,209	YES	$4.75		$4.75
Junction City	21,862	YES			$5.00
Kansas City	152,727	YES			$6.00/$14.00
Lawrence	98,448	YES	$7.06		
Leavenworth	35,934	YES			
Leawood	34,669	YES			
Lenexa	56,156	YES			
Liberal	18,821	YES			$2.00
Manhattan	54,944	YES	$7.55		
Newton	18,744	NO			
Olathe	141,665	YES	$5.89		
Overland Park	197,381	YES			
Parsons	9,463	YES			$3.50
Pittsburg	19,968	YES	$3.98		
Prairie Village	22,315	YES		$0.04	
Salina	46,274	NO			
Shawnee	66,298	YES			
Topeka	124,558	YES			
Wichita	391,731	YES	$2.00		
NPDES Phase I Community					
NPDES Phase II Community - all others					
* Atchison has a CSO/Stormwater Fee					

PROPOSED STORM WATER UTILITY PROJECTS

18th Avenue & Holiday Drive *(Flint Hills Mall – Interstate)*	
Detention/Channel/Storm Sewer Improvements	$ 600,000
Williby Avenue *(12th Ave. – Williby Cul-de-sac)*	
Detention/Channel/Storm Sewer Improvements	$ 1,500,000
8th Avenue & Commercial Street *(8th Ave. – 5th Ave.)*	
Storm Sewer Improvements	$ 4,500,000
12th Avenue & Whilden *(12th Avenue to 600' South)*	
Drainage pipe and channel improvements	$ 75,000
Randolph Avenue & Washington St. *(Washington – West St.)*	
Storm sewer and overland flow improvements	$ 300,000
Drainage channel west of Prairie *(US-50 – 7th Ave.)*	
Ditch clearing and install concrete channel	$ 250,000
18th Avenue drainage channel *(W. 18th Avenue – EHS Pond)*	
Ditch clearing and install concrete channel	$ 400,000
Becker Addition drainage channel *(Coronado – De Recho Ct.)*	
Channel improvements	$ 2,750,000
4th Avenue & Arundel to 5th Avenue & Oak *(1,100 Lin. Ft.)*	
102" segmented clay block pipe lining	$ 1,350,000
5th Avenue & Oak to 500 block of Chestnut St. *(650 Lin. Ft.)*	
60" segmented clay block pipe lining	$ 675,000
Potwin Avenue & Cottonwood St. to 3rd Avenue & Mechanic St. *(4,300 Lin. Ft.)*	
90" segmented clay block pipe lining	$ 5,500,000
Rural Street & State Street *(7th Ave. – 12th Ave.)*	
Replace existing storm sewer pipes and inlets	$ 750,000
GRAND TOTAL:	**$18,650,000**



THE CITY OF EMPORIA

Aerial Map/Layout

N

1 " = 1,500 '

Study Session Report

Title: Uniform Public Offense Code

Proposed Agenda Date: September 21, 2022

Presented By: Christina Montgomery, City Attorney

BACKGROUND:

City staff brought the *Uniform Public Offense Code for Kansas Cities* (UPOC) to the City Commission for initial discussion in March of this year. The UPOC is an annual publication of the Kansas League of Municipalities containing offense codes that can be prosecuted by Kansas municipal courts. The City has used the similar publication *Standard Traffic Ordinance for Kansas Cities* (STO) for a number of years. These LKM publications provide paper booklets that can be kept in each patrol vehicle as well as an electronic version that may be posted online on the City's website and downloaded to individual computers. Staff appreciates the yearly updates and ease of use of the STO booklets and anticipates similar benefits with the UPOC.

DISCUSSION:

City staff has prepared a list of offenses within the UPOC not currently included in Emporia City Code, including provisions that staff recommends not adopting into City Code due to higher levels of investigation, reporting, and supervision requirements that Emporia Municipal Court is not currently equipped to successfully navigate. Adoption of the UPOC may be done by simple ordinance. The adopting ordinance may specify any provisions to be omitted from the UPOC that the City does not wish to adopt. Any offenses omitted from the UPOC will continue to fall under State law jurisdiction for prosecution through Lyon County District Court.

FINANCIAL CONSIDERATIONS:

Booklet purchase price: $665. Update to Jayhawk court software: $5,000. Update to Spillman police software TBD.

ATTACHMENTS:

A list of UPOC offenses not currently in City Code is attached. UPOC booklets are available in the City Attorney's office and may be provided to Commissioners upon request.

List of UPOC Offenses Not Currently in Emporia City Code

Sec. 3.2.1. Sexual Battery.
Sec. 3.4. Unlawful Interference with an Emergency Medical Services Attendant.
Sec. 3.8. Violation of Protection from Abuse Order.
Sec. 3.8.1. Violation of a Protective Order.
Sec. 3.9. Criminal False Communication.
Sec. 3.10. Hazing.
Sec. 3.11. Unlawful Administration of a Substance.
Sec. 3.13. Stalking.
Sec. 4.5.1. Unlawful use of a Communication Facility.
Sec. 5.1.2. Unlawful Possession of a Visual Depiction of a Child.
Sec. 5.1.3. Unlawful Transmission of a Visual Depiction of a Child.
Sec. 5.5. Watercraft; Lifesaving Devices Required.
Sec. 6.15. Damaging Sewers.
Sec. 6.18. Motor Vehicle Dealers; Selling Motor Vehicles Without a License.
Sec. 6.19. Equity Skimming.
Sec. 6.20. Unlawful Acts Concerning Computers.
Sec. 6.21. Taking Wildlife Without Permission on Land Posted "By Written Permission Only."
Sec. 6.23. Unlawful Use of a Recording Device.
Sec. 6.23.1. Unlawful Use of Recordings
Sec. 6.24. Commercial Fossil Hunting.
Sec. 6.25. Counterfeiting.
Sec. 7.14. Electioneering.
Sec. 7.15. Intimidation of a Witness or Victim.
Sec. 7A.4. Misuse of Public Funds.
Sec. 9.9.3. Unlawful Distribution of Controlled Substances.
Sec. 9.9.4. Unlawful Possession of Controlled Substances.
Sec. 9.9.5 Unlawful Possession of a Simulated Substance.
Sec. 9.11. Unlawful Public Demonstration at a Funeral.
Sec. 10.1. Criminal Use of Weapons.
Sec. 10.1.1. Criminal Carrying of a Weapon.
Sec. 10.5. Unlawful Discharge of a Firearm.
Sec. 10.6. Air Gun, Air Rifle, Bow and Arrow, Slingshot, BB Gun or Paintball Gun.
Sec. 10.8. Unlawful Aiding, Abetting.
Sec. 10.9. Carrying Concealed Explosives.
Sec. 10.10. Endangerment.
Sec. 10.14. Operation of a Motorboat or Sailboat.
Sec. 10.19. Sale of Medicines and Drugs Through Vending Machines.
Sec. 10.22. Alcohol Without Liquid Machine.
Sec. 10.23. Trafficking in Counterfeit Drugs.
Sec. 10.27. Illegal Operation of an Amusement Ride.
Sec. 10.28. Endangering the Food Supply.
Sec. 10-30 Operating an Aircraft Under the Influence

Sec. 10-30.1 Same, Preliminary Breath Test
Sec. 10.30.2. Same; Definitions
Sec. 11.2. Promoting Obscenity to Minors.
Sec. 11.3. Commercialization of Wildlife.
Sec. 11.7. Material Harmful to Minors.
Sec. 11.12. Cockfighting.
Sec. 11.13. Unlawful Possession of Dog Fighting Paraphernalia; Unlawful Attendance of Dog Fighting.
Sec. 11.14. Illegal Animal Ownership.

List of UPOC Offenses City Staff Does Not Recommend Adopting

Sec. 3.2.1. Sexual Battery.
Sec. 3.8. Violation of Protection from Abuse Order.
Sec. 3.8.1. Violation of a Protective Order.
Sec. 5.1.2. Unlawful Possession of a Visual Depiction of a Child.
Sec. 5.1.3. Unlawful Transmission of a Visual Depiction of a Child.
Sec. 7.15. Intimidation of a Witness or Victim.
Sec. 9.9.3. Unlawful Distribution of Controlled Substances.
Sec. 9.9.4. Unlawful Possession of Controlled Substances.
Sec. 9.9.5 Unlawful Possession of a Simulated Substance.
Sec. 10.23. Trafficking in Counterfeit Drugs.
Sec. 11.2. Promoting Obscenity to Minors.

Application Form

118 E. 6th Street, Emporia, Kansas
1905 Carnegie Library

Applications Due July 25, 2022 at noon to the City Manager's Office.

Tours will be available at 10 AM on June 7th and on June 9th.

DATE OF APPLICATION

0 6 / 0 6 / 2 2

APPLICANT INFORMATION

Owner's Name(s) (Firm/Individual)	Cassie and Jason Heffron, Reality Check Emporia LLC		
Address	1537 Road 190	**City, State, Zip**	Emporia
Contact Person	Jason Heffron	**Phone Number**	620-794-6765
Email	jaheffr@gmail.com		

List of properties owned by the applicant(s) in Lyon County (Attach additional pages if necessary.)

723 Commercial-Xan-A-Do Salon and Day Spa
1537 Road 190

Do you have any outstanding code violations or have a history of code violations within the last three (3) years on any property either within or outside the city limits of Emporia?

Yes [ ] **No** [X] **If yes, explain:**

Are you currently delinquent on any taxes or other fees on any property either inside or outside the city limits of Emporia?

Yes [ ] **No** [X] **If yes, explain:**

PROPOSED PURCHASE DETAILS

Proposed Ownership

Individual(s) [ ] **Business** [X] **Non-Profit** [ ] **If other, please specify**

Proposed Use of Property

Residential [ ] **Commercial** [X] **Rental** [ ] **Owner-Occupied** [ ] **Yard Extension Only** [ ]

Other, please explain

Proposed Purchase Price $10,000.00

Proposed offers over, under, and at list price will be considered.

THANK YOU FOR APPLYING
Contact Kevin Hanlin at (620) 343-4294
for additional information.

Application Form

118 E. 6th Street, Emporia, Kansas
1905 Carnegie Library

Applications Due July 25, 2022 at noon to the City Manager's Office.

Tours will be available at 10 AM on June 7th and on June 9th.

PROJECT INFORMATION

Intended Use of Property: Location Based Virtual Reality Cooperative Entertainment Venue, Themed Escape Rooms, and Table Top Role Playing Game area(s).

Does the proposed project comply with current zoning regulations?

Yes X **No** [ ]

Is the sale contingent on a zoning change?

Yes [ ] **No** X

Please, attach evidence of project financing such as a letter or credit or bank pre-approval letter. Attach a site plan and any related construction plans as required, as well as a scope of work.

Will you seek any tax abatements or tax increment financing?

Yes [ ] **No** X **If yes, explain:**

Project Estimated Start Date: TBD

Project Estimated Completion Date: TBD

Additional Details

In a report published in March of this year, the BG Consultants Firm states the Carnegie library is a "keystone community building" that is on the national register of historic places, we wish to honor that designation by preserving and showcasing it to clients of all ages by repurposing the building to provide entertainment to a varying multitude of interests. I believe the construction and updating or remodels coupled with the architecture and historical significance of the building provide a great canvas for opportunity . With the size, configuration, and proximity of the Carnegie building to establishments like the civic auditorium, the Emporia Library, and the downtown area we stand to draw a wide range of customers more than likely benefiting nearby businesses as well as providing a safe and creative environment for community youth.

THANK YOU FOR APPLYING
Contact Kevin Hanlin at (620) 343-4294
for additional information.

1a

EMPORIA
City of Emporia

Application

118 E. 6th Ave., Emporia, Kansas
1905 Carnegie Library

Applications Due July 25, 2022 at noon to the City Manager's Office.

Tours will be available on June 7th at 10 AM and on June 9th at 2 PM.

DATE OF APPLICATION

07/15/22

APPLICANT INFORMATION

Owner's Name(s) (Firm/Individual) City of Emporia/Emporia Public Library

Address 110 East 6th **City, State, Zip** Emporia, KS 66801

Contact Person Robin Newell **Phone Number** 620-340-6464

Email newellr@emporialibrary.org

List of properties owned by the applicant(s) in Lyon County (Attach additional pages if necessary.)

None (city owned)

Do you have any outstanding code violations or have a history of code violations within the last three (3) years on any property either within or outside the city limits of Emporia?

Yes **No** X **If yes, explain:**

Are you currently delinquent on any taxes or other fees on any property either inside or outside the city limits of Emporia?

Yes **No** X **If yes, explain:**

PROPOSED PURCHASE DETAILS

Proposed Ownership

Individual(s) **Business** **Non-Profit** **If other, please specify** City of Emporia

Proposed Use of Property

Residential **Commercial** **Rental** **Owner-Occupied** **Yard Extension Only**

Other, please explain Parking Lot (City/library)

Proposed Purchase Price — no purchase

Proposed offers over, under, and at list price will be considered.

THANK YOU

#6

EMPORIA
City of Emporia

Application

118 E. 6th Street, Emporia, Kansas
1905 Carnegie Library

Applications Due July 25, 2022 at noon to the City Manager's Office.

Tours will be available at 10 AM on June 7th and on June 9th.

PROJECT INFORMATION

Intended Use of Property Remove the Carnegie Library structure, pave for parking

Does the proposed project comply with current zoning regulations?

Yes X **No**

Is the sale contingent on a zoning change?

Yes **No** X

Please, attach evidence of project financing such as a letter or credit or bank pre-approval letter. Attach a site plan and any related construction plans as required, as well as a scope of work. TBD

Will you seek any tax abatements or tax increment financing?

Yes **No** X **If yes, explain:**

Project Estimated Start Date TBD

Project Estimated Completion Date TBD

Additional Details

THANK YOU

2a

EMPORIA
City of Emporia

Application

118 E. 6th Ave., Emporia, Kansas
1905 Carnegie Library

Applications Due July 25, 2022 at noon to the City Manager's Office.

Tours will be available on June 7th at 10 AM and on June 9th at 2 PM.

DATE OF APPLICATION

07/15/22

APPLICANT INFORMATION

Owner's Name(s) (Firm/Individual) City of Emporia/Emporia Public Library

Address 110 East 6th **City, State, Zip** Emporia, KS 66801

Contact Person Robin Newell **Phone Number** 620-340-6464

Email newellr@emporiapubliclibrary

List of properties owned by the applicant(s) in Lyon County (Attach additional pages if necessary.)

None (City of Emporia)

Do you have any outstanding code violations or have a history of code violations within the last three (3) years on any property either within or outside the city limits of Emporia?

Yes **No** X **If yes, explain:**

Are you currently delinquent on any taxes or other fees on any property either inside or outside the city limits of Emporia?

Yes **No** X **If yes, explain:**

PROPOSED PURCHASE DETAILS

Proposed Ownership

Individual(s) **Business** **Non-Profit** **If other, please specify** city of Emporia

Proposed Use of Property

Residential **Commercial** **Rental** **Owner-Occupied** **Yard Extension Only**

Other, please explain Meeting Space/Library Administrative offices

Proposed Purchase Price —— no purchase

Proposed offers over, under, and at list price will be considered.

THANK YOU

EMPORIA
City of Emporia

Application

118 E. 6th Street, Emporia, Kansas
1905 Carnegie Library

PAGE 2

Applications Due July 25, 2022 at noon to the City Manager's Office.

Tours will be available at 10 AM on June 7th and on June 9th.

PROJECT INFORMATION

Intended Use of Property Public meeting space / Library Administration offices

Does the proposed project comply with current zoning regulations?

Yes X **No**

Is the sale contingent on a zoning change?

Yes **No** X

Please, attach evidence of project financing such as a letter or credit or bank pre-approval letter. Attach a site plan and any related construction plans as required, as well as a scope of work. TBD

Will you seek any tax abatements or tax increment financing?

Yes **No** X **If yes, explain:**

Project Estimated Start Date TBD

Project Estimated Completion Date TBD

Additional Details

Join the Carnegie Library structure to the present library structure through second floor walkway. Install out side elevator on east side of Carnegie Library for basement level access

THANK YOU

3a

EMPORIA
City of Emporia

Application

118 E. 6th Ave., Emporia, Kansas
1905 Carnegie Library

Applications Due July 25, 2022 at noon to the City Manager's Office.

DATE OF APPLICATION

Tours will be available on June 7th at 10 AM and on June 9th at 2 PM.

07/15/22

APPLICANT INFORMATION

Owner's Name(s) (Firm/Individual) City of Emporia / Emporia Public Library

Address 110 East Sixth **City, State, Zip** Emporia, KS 66801

Contact Person Robin Newell **Phone Number** 620-340-6464

Email newellr@emporialibrary.org

List of properties owned by the applicant(s) in Lyon County (Attach additional pages if necessary.)

None (City of Emporia)

Do you have any outstanding code violations or have a history of code violations within the last three (3) years on any property either within or outside the city limits of Emporia?

Yes **No** X **If yes, explain:**

Are you currently delinquent on any taxes or other fees on any property either inside or outside the city limits of Emporia?

Yes **No** X **If yes, explain:**

PROPOSED PURCHASE DETAILS

Proposed Ownership

Individual(s) **Business** **Non-Profit** **If other, please specify** City of Emporia

Proposed Use of Property

Residential **Commercial** **Rental** **Owner-Occupied** **Yard Extension Only**

Other, please explain Library Extension

Proposed Purchase Price —

Proposed offers over, under, and at list price will be considered.

THANK YOU

EMPORIA
City of Emporia

Application

118 E. 6th Street, Emporia, Kansas
1905 Carnegie Library

PAGE 2

Applications Due July 25, 2022 at noon to the City Manager's Office.

Tours will be available at 10 AM on June 7th and on June 9th.

PROJECT INFORMATION

Intended Use of Property Remove the Carnegie Library, Build new Library addition that is attached to present building

Does the proposed project comply with current zoning regulations?

Yes X **No**

Is the sale contingent on a zoning change?

Yes **No** X

Please, attach evidence of project financing such as a letter or credit or bank pre-approval letter. Attach a site plan and any related construction plans as required, as well as a scope of work. TBD

Will you seek any tax abatements or tax increment financing?

Yes **No** X **If yes, explain:**

Project Estimated Start Date TBD

Project Estimated Completion Date TBD

Additional Details

THANK YOU

4a

EMPORIA
City of Emporia

Application

118 E. 6th Ave., Emporia, Kansas
1905 Carnegie Library

Applications Due July 25, 2022 at noon to the City Manager's Office.

DATE OF APPLICATION

Tours will be available on June 7th at 10 AM and on June 9th at 2 PM.

07/15/22

APPLICANT INFORMATION

Owner's Name(s) (Firm/Individual) City of Emporia / Emporia Public Library

Address 110 East 6th **City, State, Zip** Emporia, KS 66801

Contact Person Robin Newell **Phone Number** 620-340-6464

Email newellr@emporialibrary.org

List of properties owned by the applicant(s) in Lyon County (Attach additional pages if necessary.)

None (City of Emporia)

Do you have any outstanding code violations or have a history of code violations within the last three (3) years on any property either within or outside the city limits of Emporia?

Yes **No** X **If yes, explain:**

Are you currently delinquent on any taxes or other fees on any property either inside or outside the city limits of Emporia?

Yes **No** X **If yes, explain:**

PROPOSED PURCHASE DETAILS

Proposed Ownership

Individual(s) **Business** **Non-Profit** **If other, please specify** City of Emporia

Proposed Use of Property

Residential **Commercial** **Rental** **Owner-Occupied** **Yard Extension Only**

Other, please explain Library Expansion

Proposed Purchase Price —

Proposed offers over, under, and at list price will be considered.

THANK YOU

EMPORIA
City of Emporia

Application

118 E. 6th Street, Emporia, Kansas
1905 Carnegie Library

PAGE 2

Applications Due July 25, 2022 at noon to the City Manager's Office.

Tours will be available at 10 AM on June 7th and on June 9th.

PROJECT INFORMATION

Intended Use of Property Library Expansion

Does the proposed project comply with current zoning regulations?

Yes X **No**

Is the sale contingent on a zoning change?

Yes **No** X

Please, attach evidence of project financing such as a letter or credit or bank pre-approval letter. Attach a site plan and any related construction plans as required, as well as a scope of work. TBD

Will you seek any tax abatements or tax increment financing?

Yes **No** X **If yes, explain:**

Project Estimated Start Date TBD

Project Estimated Completion Date TBD

Additional Details

Remove the Carnegie building and the building at 618 Mechanic, build library admin offices on Carnegie property, build library expansion on 618 Mechanic property to include children's destination library / public auditorium

THANK YOU