



**MEETING OF THE CITY COMMISSION - AGENDA
WEDNESDAY, JANUARY 4, 2023 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) City of Emporia 2023 Legislative Policy Statement.

Presented by: Christina Montgomery, City Attorney

Recommended Action: Approve City of Emporia 2023 Legislative Policy Statement.

2) Highland Street Improvements Project Bid.

Presented by: Jim Ubert, City Engineer

Recommended Action: Award Highland Street Improvements Project Bid.

3) Road F Paving Improvements Easement Acquisitions.

Presented by: Jim Ubert, City Engineer

Recommended Action: Accept Road F Paving Improvements Easement Acquisitions.

4) Pathways to a Healthy Community Pledge.

Presented by: Jim Ubert, City Engineer

Recommended Action: Approve the Pathways to a Healthy Community Pledge.

5) Golf Course Wide Area Mower Replacement.

Presented by: Kevin Hanlin, Director of Public Lands & Facilities

Recommended Action: Approve Golf Course Wide Area Mower Replacement.

COMMUNICATIONS

Presented by Trey Cocking, City Manager.

CONSENT AGENDA

Presented by Trey Cocking, City Manager.

- 1) Commission Meeting Minutes for December 21, 2022.

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

STATE OF THE CITY SPEECH

ADJOURN SINE DIE

BUSINESS MEETING

- 1) Administer Oath of Office.
- 2) Elect Mayor and Vice Mayor
- 3) Approve Surety Bonds for City Manager, City Clerk, and City Treasurer.
- 4) Designate the Emporia Gazette the Official City Paper.
- 5) Designate Financial Institutions.
Appoint Commission Members to RDA, JEDAC, Recreation Commission, Community Foundation Board, William Allen White Community Partnership, Emporia Enterprises, CVAB, Joint City/County Facilities and Services Community Board, Emporia Public Library Board, and Emporia Main Street.
- 6)

RECESS

Recess to Conference Room 1AB for Study Session

STUDY SESSION AGENDA ITEMS

- 1) Update from Empowerment Ministries.
- 2) Comparison of Government Bodies in Kansas.
- 3) Discuss 6th Avenue Banners.

ADJOURNMENT



Commission Action Report

Title: City of Emporia 2023 Legislative Policy Statement

Proposed Agenda Date: January 4, 2023

Presented By: Christina Montgomery, City Attorney

BACKGROUND:

The Emporia City Commission annually adopts its legislative position paper detailing the City's goals from the State Legislature during the upcoming legislative session.

DISCUSSION:

The 2023 proposal includes statements supporting the City's position on Home Rule, Economic Development, Housing, Mental Health, and Water.

FINANCIAL CONSIDERATIONS:

N/A

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Approve City of Emporia 2023 Legislative Policy Statement

ATTACHMENTS:

City of Emporia 2023 Legislative Policy Statement

CITY OF EMPORIA
2023 LEGISLATIVE POLICY STATEMENT

HOME RULE - We believe the governing of public affairs should be as close to the people as possible and that Home Rule is essential to vigorous, effective and responsible local government under our representative system. Home Rule is crucial to the continued ability of locally elected officials to solve problems in ways most appropriate to local needs and conditions. Legislation which affirms the ability to pass local laws on the same subject is strongly supported.

ECONOMIC DEVELOPMENT – We support the Department of Commerce economic development and workforce development incentives including Rural Housing Incentive Districts, the PEAK program and the HPIP program.

HOUSING - The lack of quality, affordable housing in the city and across the state creates an impediment to growth and economic development. We support programs that encourage access to quality housing, including but not limited to, the recommendations of the State Housing Study.

MENTAL HEALTH – We support allocating additional resources for mental health programs. Funds should be allocated for community mental health centers and additional bed space for patients with mental health issues.

WATER – Access to water is paramount for the continued growth and viability of our communities. We support conservation, protection, and development of current and future water supplies to ensure access to clean, safe, and affordable water for all Kansas residents.

APPROVED by the Emporia City Commission, this 4th day of January 2023.

Becky Smith, Mayor

Danny Giefer, Vice-Mayor

Susan Brinkman, City Commissioner

Jamie Sauder, City Commissioner

Erren Harter, City Commissioner



Commission Action Report

Title: Awarding Highland Street Improvements Bid, Project No. PV2104

Proposed Agenda Date: January 4, 2022

Presented By: Jim Ubert, City Engineer

BACKGROUND:

Emporia State University made an investment in Schallenkamp Hall dormitory along Highland Street at 13th Ave. The City applied for and received funding for utility and street/drainage improvements along Highland Street (12th Ave to 16th Ave). The Highland Street improvements are consistent with ESU's Master Plan improvements along Highland Street. The project will include street paving, sanitary sewer, stormsewer, and watermain improvements.

DISCUSSION:

N/A

FINANCIAL CONSIDERATIONS:

The Kansas Department of Commerce Community Development Block Grant will fund up to \$750,000 of the \$1,280,400.92 amount bid for this project. The CDBG contribution can be used towards the soft costs on the project also.

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Award APAC-Shears Kansas Division Inc, the Highland Street Paving Improvements Project base bid amount of \$1,280,400.92.

ATTACHMENTS:

Bid tabulation and letter of recommendation of award.



Bid Summary

Project Name City of Emporia, KS - Highland Street Improvements
 Project Number 22-1213E
 Bid Date and Time Tuesday, December 20, 2022 @ 2:00 p.m.
 Bid Location Engineering Office
 522 Mechanic St.

No.	Bidder	Bid Bond	Addendum No. 1	Base Bid Cost		
1	EOPC			\$1,492,794.00	\$47,795.00	\$1,540,589.00
2	APAC - Kansas	✓	✓	\$1,280,400.92	\$35,596.42	\$1,315,997.34
3						
4						
5						
6						
7						
8						
9						
10						
11						
12						

December 22, 2022

Emporia, KS
522 Mechanic St.
Emporia, KS 66801

RE: Highland Street Improvements
BG #22-1213E
City Emporia #PV2104

Dear Mayor and City Commissioner:

On December 20th, 2022, at 2:00 p.m., One (1) bids and an Engineer's Opinion of Probable Cost (EOPC) were received and read publicly for the above referenced project. All bids submitted contained the signed addendums and bid bond. A summary bid table is shown below, for quick reference, in ascending order based on the base bid. Detailed bid tabulations are attached.

Bidder	BASE BID	ADD ALT #1
APAC KS LLC.	\$1,280,400.92	\$35,596.43
EOPC	\$1,493,994.00	\$47,795.00

Per the bidding documents, the unit price governs and the bids were recalculated. There was one error in the calculations submitted. The error in the bidders submittal was a math error in add alternate #1 resulting in a \$0.01 increase to the total bid price.

After review of all the bids, the lowest responsible bidder is identified as APAC KS LLC out of Emporia, KS. BG Consultants, Inc. and the City has had past project experience with APAC KS LLC. and we believe they are qualified to perform the work. BG Consultants, Inc. recommends the City consider awarding the contract to APAC KS LLC. contingent upon CDBG concurrence for the Base Bid for the sum of \$1,280,400.92 and the Add Alternate #1 if city funding allows. This recommendation is based upon our opinion of the identification of the lowest responsible bidder for the project.

Commissioner Action Items for Consideration

1. Award the contract to APAC KS LLC. contingent upon CDBG concurrence for the Base Bid for the sum of \$1,280,400.92 and Add Alternate #1 if city funding allows.
2. Authorize Mayor and City Attorney to process all Contract Documents and proceed with construction.



BG CONSULTANTS
ENGINEERS • ARCHITECTS • SURVEYORS

As always, our staff will be available for questions pertaining to this project or recommendation.

Sincerely,

Bruce Boettcher, P.E.
Vice President

Attachments

1. Bid Tabulation



Commission Action Report

Title: Road F Paving Improvements Project Easement Acquisitions
Project No. PV1907, KDOT Project No. KA-5281-01

Proposed Agenda Date: January 4, 2023

Presented By: Jim Ubert, City Engineer

BACKGROUND:

The Kansas Department of Transportation conducted a US 50 Access Management Plan Corridor Study in 2015. Road F from US-50 to Road 180 falls within the corridor study and received KDOT funding for the construction of Roadway and Drainage Improvements in 2019.

DISCUSSION:

N/A

FINANCIAL CONSIDERATIONS:

N/A

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Consider accepting the right of way & easements from Emporia Enterprises, Roy's LLC, Estes & Sommers, and Myers families for the proposed paving and drainage improvements project.

ATTACHMENTS:

Easement documents and exhibits.

Exempt per K.S.A. 79-1437e(a)(13)

RIGHT OF WAY

This indenture made this 30th day of September, 2021, by and between **Emporia Enterprises**, of Emporia, Lyon County, Kansas, hereinafter referred to as "Grantor", and the City of Emporia, Lyon County, Kansas, a municipal corporation hereinafter referred to as "Grantee". WITNESSETH:

That the Grantor, in consideration of the sum of one dollar (\$1.00) duly paid, the receipt of which is hereby acknowledged, does by these presents grant and convey unto the Grantee, its successors and assigns, all the Grantor's interest in the following described parcel, lying, being and situated in the County of Lyon and State of Kansas, to wit:

A TRACT IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 19 SOUTH, RANGE 10 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NW¼;

THENCE N.89°26'47"E. (BASIS OF BEARINGS) ON THE NORTH LINE OF SAID NW¼ FOR A DISTANCE OF 40.00 FEET;

THENCE S.01°07'02"E. PARALLEL WITH THE WEST LINE OF SAID NW¼ FOR A DISTANCE OF 40.00 FEET TO THE NORTHWEST CORNER OF LOT 1 IN PARK IV SUBDIVISION, AND THE POINT OF BEGINNING;

THENCE N.89°26'47"E. ON THE NORTH LINE OF SAID LOT 1 FOR A DISTANCE OF 25.00 FEET;

THENCE S.44°09'53"W. FOR A DISTANCE OF 35.18 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1;

THENCE N.01°07'02"W. ON THE WEST LINE OF SAID LOT 1 FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 313 SQUARE FEET.

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

Grantor does hereby covenant, promise and agree with the Grantee, that at the delivery of these presents it is lawfully seized in its own right, or an absolute indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances thereto; the same are free, clear and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatever nature or kind soever; and that Grantor will warrant and forever defend the interest unto the Grantee, its successors and assigns, against the Grantor's successors, and all and every person or persons whomsoever, lawfully claiming or to claim the same by, through or under the Grantor.

IN WITNESS WHEREOF the Grantor has executed this indenture as of the date first above written.

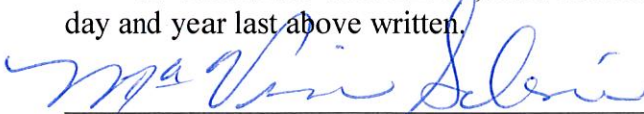
Emporia Enterprises

 PRESIDENT
Jeff Williams, President

STATE OF KANSAS, COUNTY OF LYON, ss:

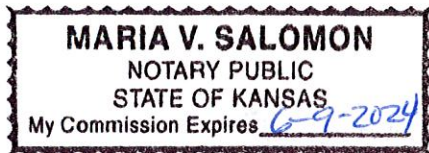
BE IT REMEMBERED, on this 30th day of September, 2021, before me, the undersigned, a notary public in and for the County and State aforesaid, came **Jeff Williams, President of Emporia Enterprises**, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

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


NOTARY PUBLIC

My Commission Expires:

6-9-2024



STATE	PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	56 KA-5281-01	2021	6	81
Emporia Project No. PV1907				

SURVEY ALIGNMENT

ROAD F AND PART OF ROAD 180
FOR THE CITY OF EMPORIA, KANSAS
BEING IN THE NE¼ OF SEC. 11-19S-10E
AND THE NW¼ OF SEC. 12-19S-10E
OF THE 6TH P.M., LYON COUNTY, KANSAS

BENCHMARK DESCRIPTION

- BM#1: Centerline Station 1+11.20, 98.90' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1161.83 (NAVD88)
- BM#2: Centerline Station 6+02.35, 99.78' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1162.79 (NAVD88)
- BM#3: Centerline Station 16+02.49, 101.21' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1157.66 (NAVD88)
- BM#4: Centerline Station 25+88.14, 102.84' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1165.68 (NAVD88)

USGS BENCHMARK DATUM

Described by Coast & Geodetic Survey 1933
At Emporia, Lyon County, on the Atchison,
Topeka and Santa Fe Railway, 160 yards west
of the west end of the station, 200 ft. east
of signal tower 1121, 24.6 feet North of the
north rail of the most northerly passing track,
and 2 ft. Southeast of the southwest corner
of a fence around a light tower. A standard
disk, stamped P 13 1933 and set in the top
of a concrete post projected 6 in. above
ground. Note-A metal witness post was set
1 ft. east of the mark.
NAVD 88 Elev. = 1141.95

PROJECT SURVEY CONTROL

HORIZONTAL CONTROL

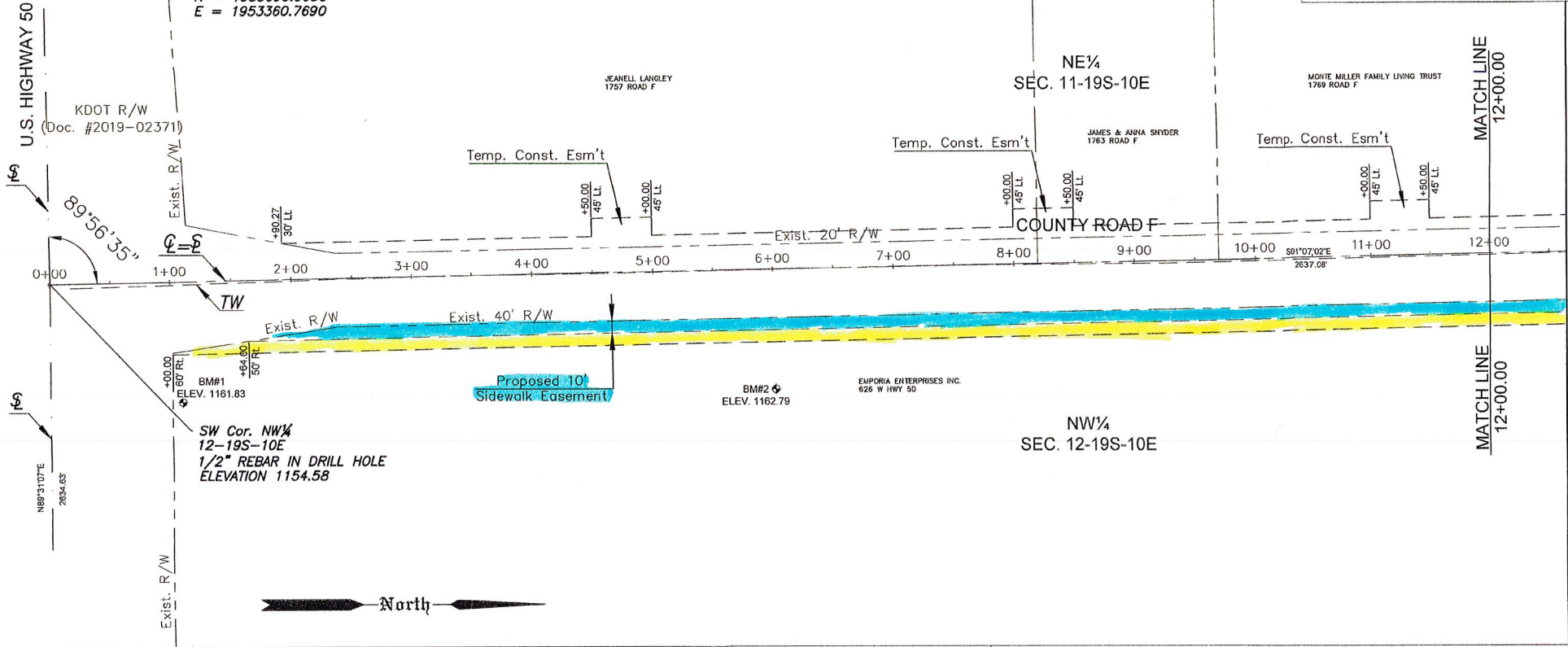
Kansas State Plane, South Zone, based on
Second Order OPUS control point with N:
1958366.142 E: 1954180.438 Z: 1180.13
on North side of Road 180 at field
entrance at top of hill and to the East of
Road F.

VERTICAL CONTROL

Being NAVD88 datum based on this same
point as Horizontal.

SW Corner NW 1/4
Sec. 12, 19S, 10E
Found 1/2" Rebar in Drill Hole

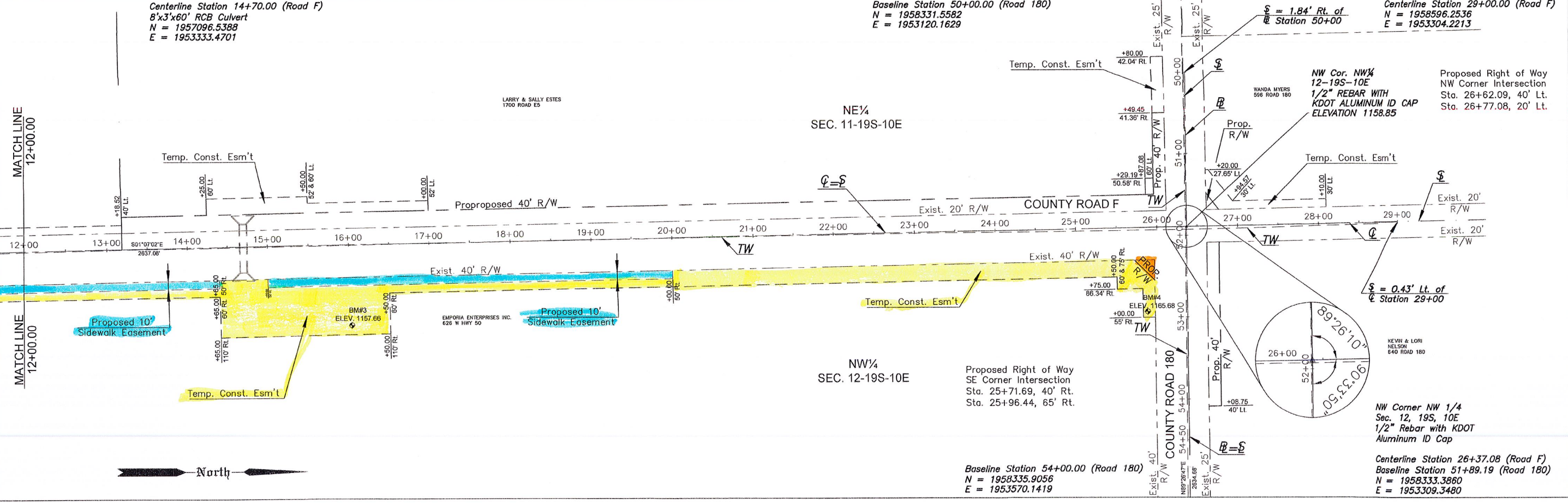
Centerline Station 0+00.00 (Road F)
N = 1955696.9050
E = 1953360.7690



Centerline Station 14+70.00 (Road F)
8'x3'x60' RCB Culvert
N = 1957096.5388
E = 1953333.4701

Baseline Station 50+00.00 (Road 180)
N = 1958331.5582
E = 1953120.1629

Centerline Station 29+00.00 (Road F)
N = 1958596.2536
E = 1953304.2213



ROAD F STA. 0+00-29+00
ROAD 180 STA. 50+00 - 54+50

SURVEY REFERENCE SHEET
LYON COUNTY

EMPORIA
Engineering Department

INDEX OF SHEETS

1. Title Sheet
- 2-3. Typical Sections
4. Foundation Treatment, Compaction & Subgrading Detail Sheet
5. General Notes
6. Survey Reference Sheet
- 7-12. Plan and Profiles
13. Intersection Details
- 14-15. Pavement Details
16. Curb and Gutter Details
17. Alley and Entrance Details
- 18-19. Sidewalk and Steps Details
20. Type 22 Inlet Details (Precast)
21. Reinforced Concrete Manhole Details
22. Type IV End Section Details
23. Safety End Treatment Details
24. Schedule of Inlets and Manholes
25. Precast RCB Details
26. RCB Details (8'x3')
27. RCB Auxiliary Details
28. Wingwall Details
29. Soil Saver Details
- 30-31. Bridge Details
32. Pedestrian Fence Details
33. Monument Box Details
34. Summary of Quantities
35. Summary of Quantities (Surfacing)
- 36-43. Erosion Control and Seeding
- 44-45. Pavement Marking and Sign Plan Sheets
- 46-48. Pavement Marking Details
- 49-58. Sign and Post Details
59. Traffic Control Plan Sheet
- 60-64. Traffic Control Details
65. Traffic Control Summary of Devices
- 66-79. Cross Sections
80. Drainage Map
81. Storm Water Management Plan

STATE OF KANSAS

ACCESS MANAGEMENT CONSTRUCTION PROJECT KDOT PROJECT NO. 56 KA-5281-01

INDUSTRIAL PARK IV ROAD IMPROVEMENTS
ROAD F (FROM US-50 HIGHWAY TO ROAD 180)
CITY OF EMPORIA, KANSAS
LYON COUNTY

STATE	PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	56 KA-5281-01	2021	1	81
Emporia Project No. PV1907				

GRADING
SURFACING (CONCRETE)
SURFACING (ASPHALT)
SIDEWALK IMPROVEMENTS
DITCH GRADING
SEEDING
PAVEMENT MARKING

Note: Access To Adjacent Property Owners
Shall be Maintained During Construction.

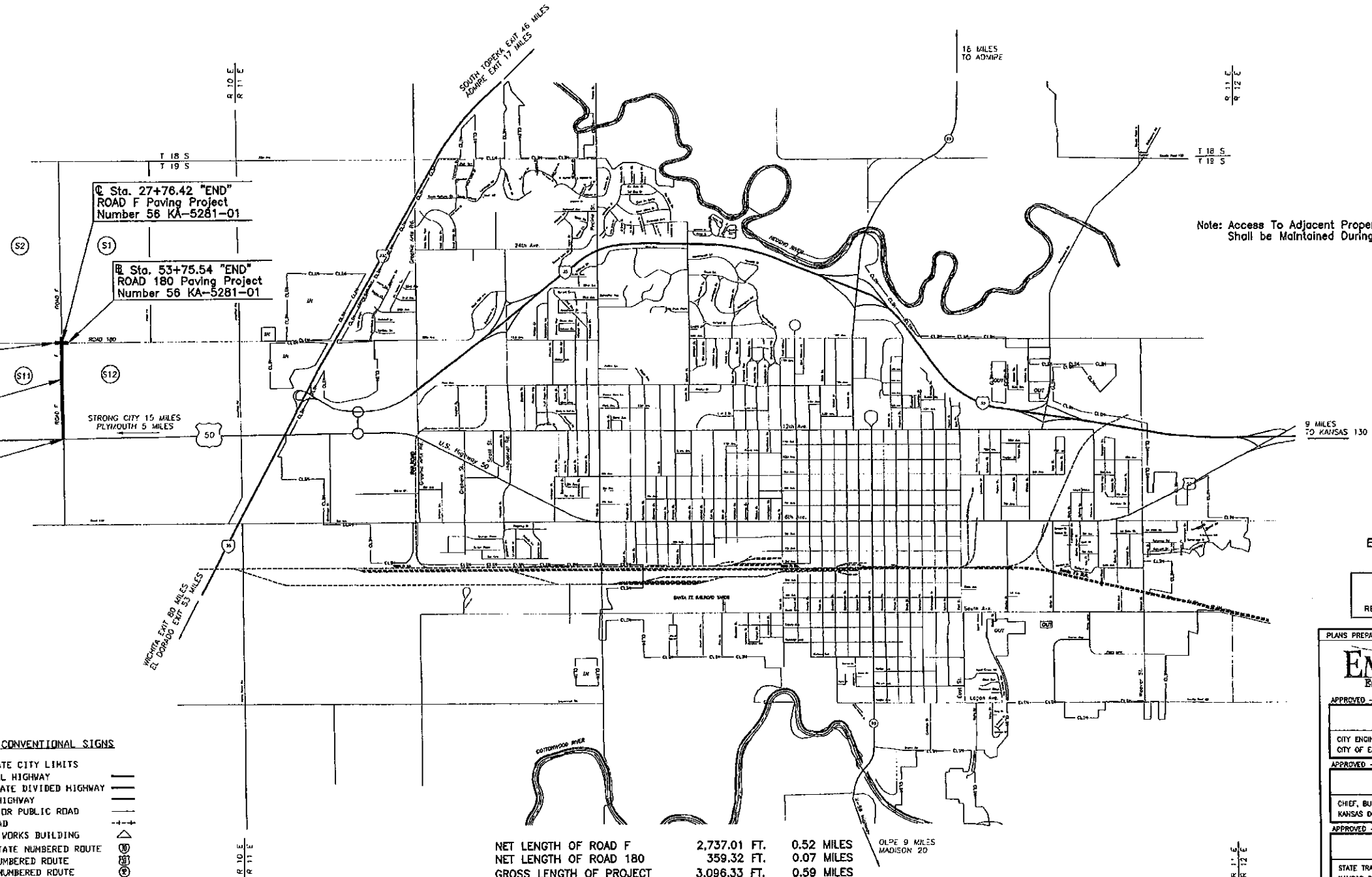


DESIGN DESIGNATION

AADT <500 ROAD F
AADT <500 ROAD 180
AADT 6,700 US-50 (2018)
POSTED SPEED LIMIT Road F (35 MPH)
POSTED SPEED LIMIT Road 180 (35 MPH)
POSTED SPEED LIMIT US-50 Hwy. (65 MPH)

CONVENTIONAL SIGNS

CORPORATE CITY LIMITS
KTA TOLL HIGHWAY
INTERSTATE DIVIDED HIGHWAY
STATE HIGHWAY
STREET OR PUBLIC ROAD
RAILROAD
PUBLIC WORKS BUILDING
INTERSTATE NUMBERED ROUTE
U.S. NUMBERED ROUTE
STATE NUMBERED ROUTE



NET LENGTH OF ROAD F 2,737.01 FT. 0.52 MILES
NET LENGTH OF ROAD 180 359.32 FT. 0.07 MILES
GROSS LENGTH OF PROJECT 3,096.33 FT. 0.59 MILES

NO SCALE
MAP OF
EMPORIA, KS

FINAL PLANS
DO NOT DESTROY
REVISED DATE: 05-17-2021

PLANS PREPARED AND SUBMITTED BY:	
EMPORIA Engineering Department	
APPROVED - DATE	
CITY ENGINEER CITY OF EMPORIA	
APPROVED - DATE	
CHIEF, BUREAU OF LOCAL PROJECTS KANSAS DEPARTMENT OF TRANSPORTATION	
APPROVED - DATE	
STATE TRANSPORTATION ENGINEER KANSAS DEPARTMENT OF TRANSPORTATION	

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PROJECT SURVEY CONTROL

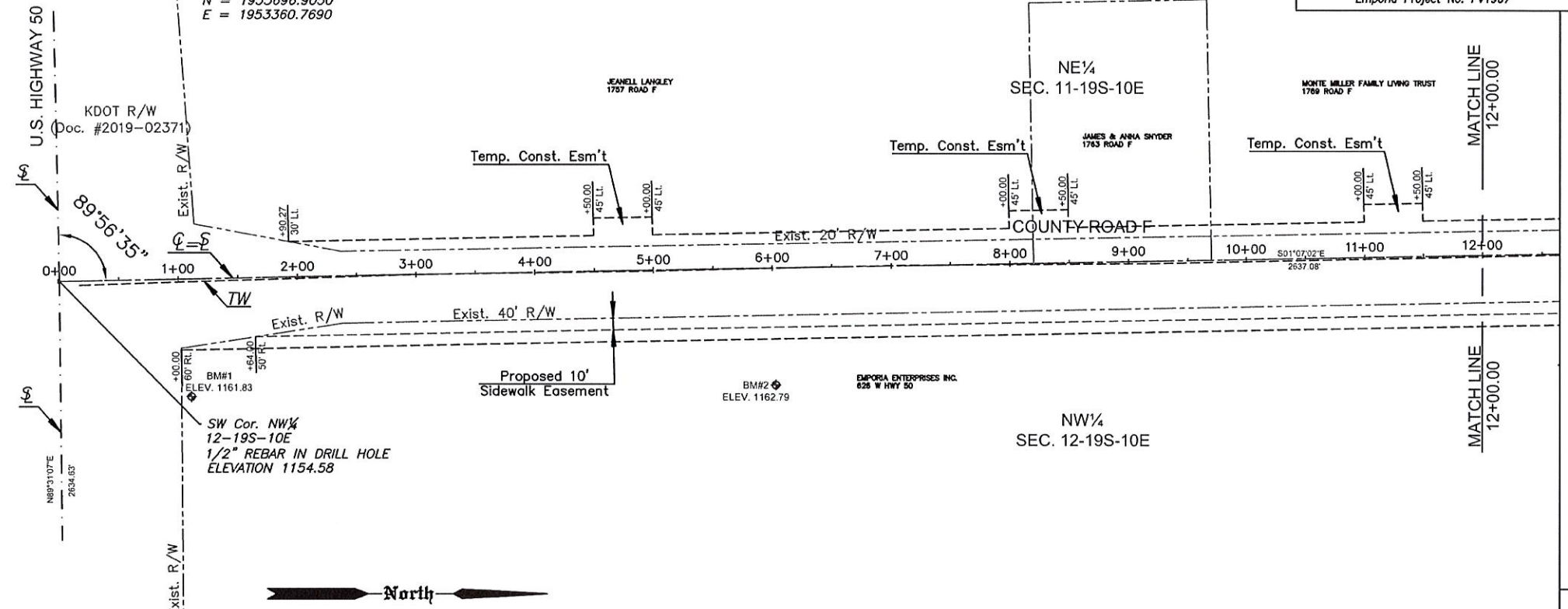
HORIZONTAL CONTROL

Kansas State Plane, South Zone, based on
Second Order OPUS control point with N:
1958366.142 E: 1954180.438 Z: 1180.13
on North side of Road 180 at field
entrance at top of hill and to the East of
Road F.

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Being NAVD88 datum based on this same
point as Horizontal.

SW Corner NW 1/4
Sec. 12, 19S, 10E
Found 1/2" Rebar in Drill Hole
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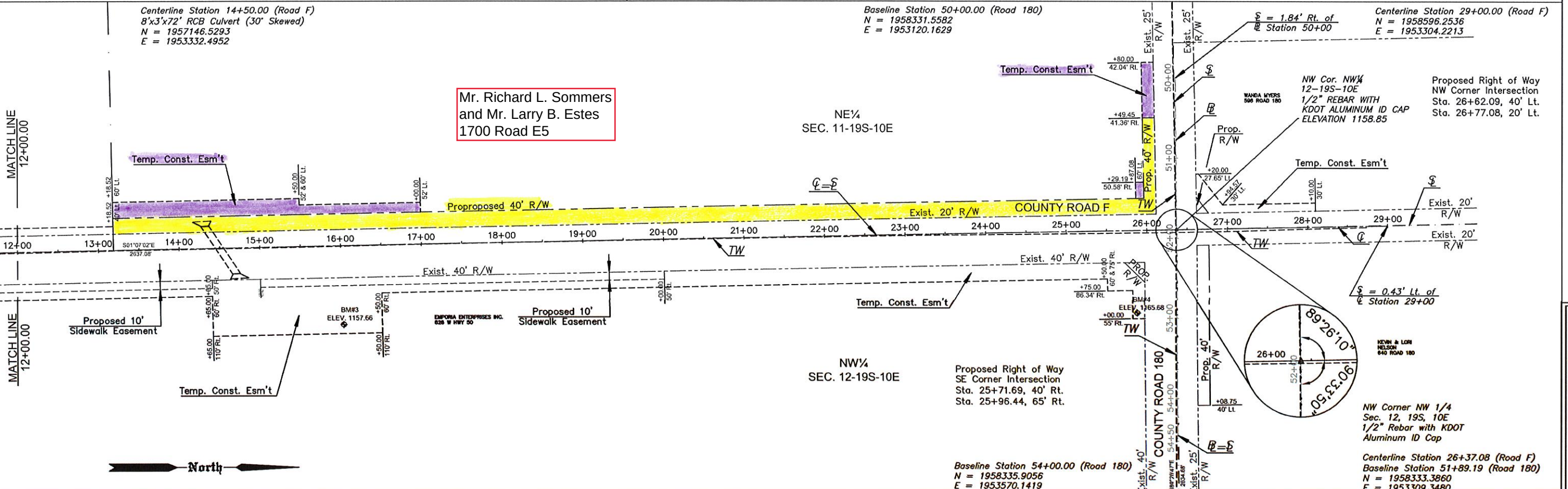


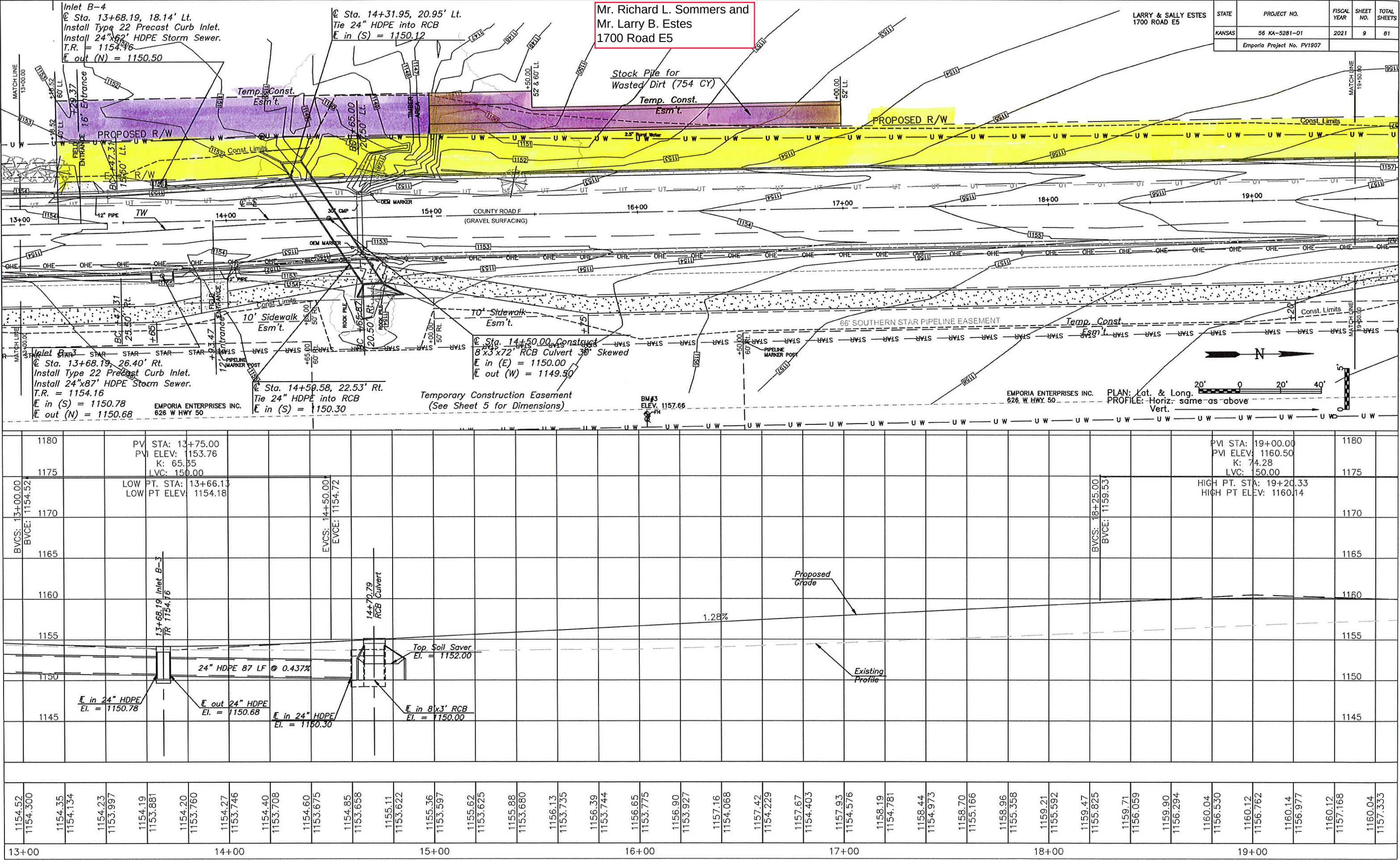
STATE	PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
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Emporia Project No. PV1907				

ROAD F STA. 0+00-29+00
ROAD 180 STA. 50+00 - 54+50

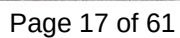
SURVEY REFERENCE SHEET
LYON COUNTY

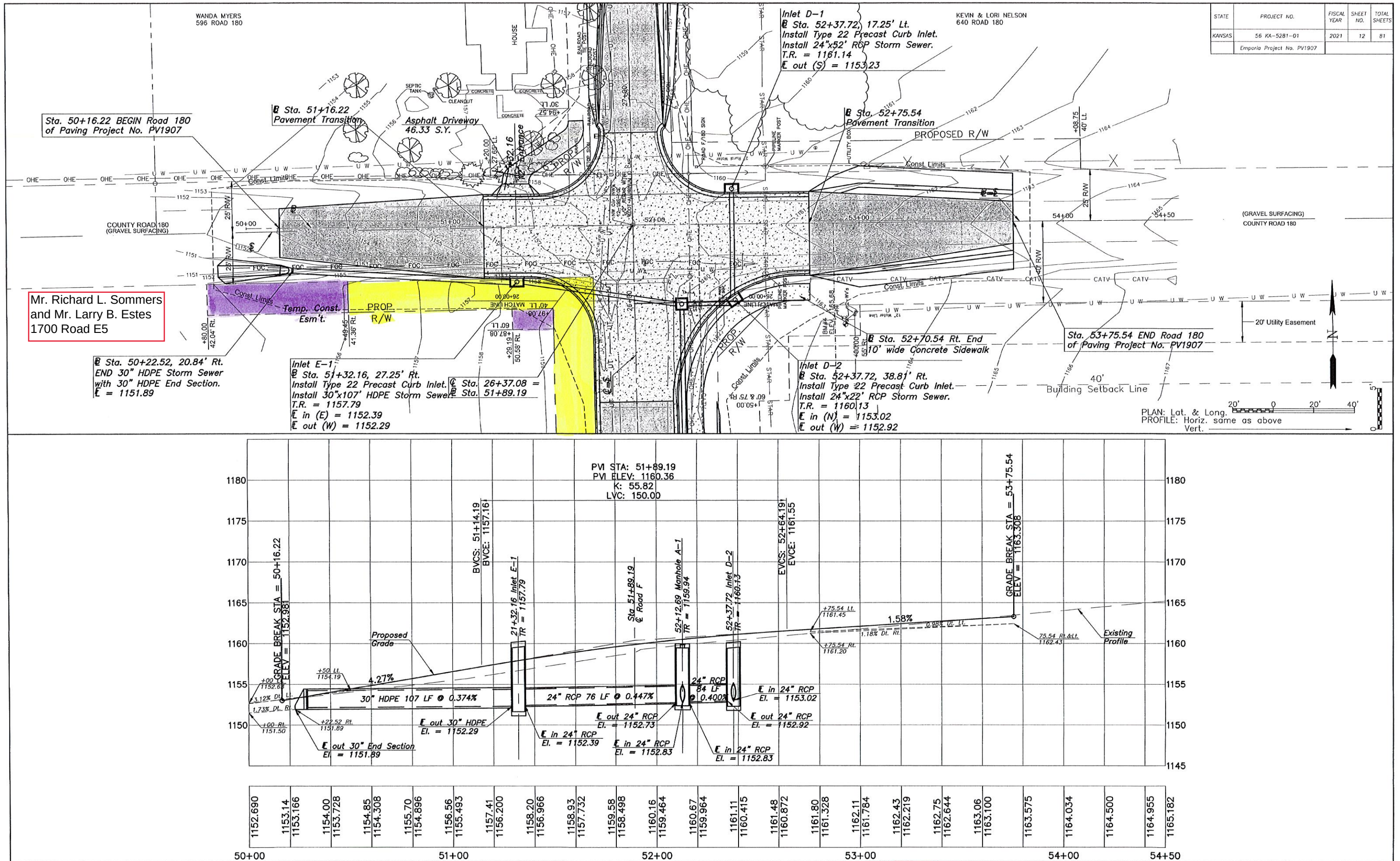
EMPORIA
Engineering Department





STATE	PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	56 KA-5281-01	2021	10	81
	Emporia Project No. PV1907			





Exempt per K.S.A. 79-1437e(a)(13)

RIGHT OF WAY

This indenture made this 21 day of November, 2022, by and between Mr. Larry B Estes and Mr. Richard L. Sommers, of Emporia, Lyon County, Kansas, hereinafter referred to as "Grantor", and the City of Emporia, Lyon County, Kansas, a municipal corporation hereinafter referred to as "Grantee". WITNESSETH:

That the Grantor, in consideration of the sum of one dollar (\$1.00) duly paid, the receipt of which is hereby acknowledged, does by these presents grant and convey unto the Grantee, its successors and assigns, all the Grantor's interest in the following described parcel, lying, being and situated in the County of Lyon and State of Kansas, to wit:

A TRACT IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 19 SOUTH, RANGE 10 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID N½NE¼;
THENCE S.88°54'53"W. (BASIS OF BEARINGS) ON THE SOUTH LINE OF SAID N½NE¼ FOR A DISTANCE OF 20.00 FEET TO THE WEST RIGHT OF WAY LINE OF COUNTY ROAD F, AND THE POINT OF BEGINNING;
THENCE N.01°07'02"W. PARALLEL WITH THE EAST LINE OF SAID N½NE¼ FOR A DISTANCE OF 1293.53 FEET TO A POINT 25.00 FEET SOUTH OF THE NORTH LINE OF SAID N½NE¼;
THENCE S.88°53'24"W. PARALLEL WITH THE NORTH LINE OF SAID N½NE¼ FOR A DISTANCE OF 120.00 FEET;
THENCE S.01°07'02"E. FOR A DISTANCE OF 15.00 FEET;
THENCE N.88°53'24"E. PARALLEL WITH SAID NORTH LINE FOR A DISTANCE OF 100.00 FEET TO A POINT 40.00 FEET WEST OF THE EAST LINE OF SAID N½NE¼; THENCE S.01°07'02"E. PARALLEL WITH THE EAST LINE OF SAID N½NE¼ FOR A DISTANCE OF 1278.52 FEET TO THE SOUTH LINE OF SAID N½NE¼;
THENCE N.88°54'53"E. ON SAID SOUTH LINE FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 0.628 ACRES.

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

Grantor does hereby covenant, promise and agree with the Grantee, that at the delivery of these presents it is lawfully seized in its own right, or an absolute indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances thereto; the same are free, clear and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatever nature or kind soever; and that Grantor

will warrant and forever defend the interest unto the Grantee, its successors and assigns, against the Grantor's successors, and all and every person or persons whomsoever, lawfully claiming or to claim the same by, through or under the Grantor.

IN WITNESS WHEREOF the Grantor has executed this indenture as of the date first above written.

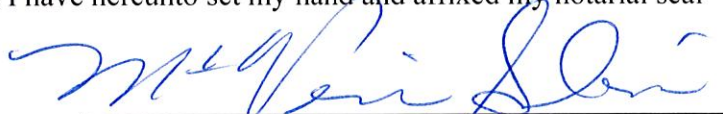
IN WITNESS WHEREOF, The First Party has executed this instrument the day and year first above written.


Mr. Richard L. Sommers

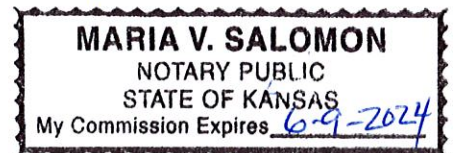
State of Kansas)
) SS:
County of Lyon)

BE IT REMEMBERED, That on this 21st day of November, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Mr. Richard L. Sommers, who is personally known to me to be the same person who executed the above instrument of writing and such person duly acknowledges the execution of the same.

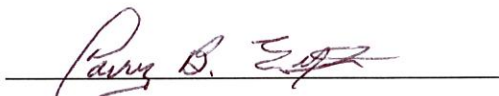
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.


Notary Public

My Commission Expires 6-9-2024



IN WITNESS WHEREOF, The First Party has executed this instrument the day and year first above written.


Mr. Larry B. Estes

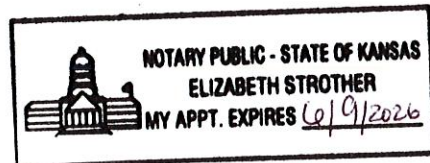
State of Kansas)
) SS:
County of Lyon)

BE IT REMEMBERED, That on this 22 day of November, 2022, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Mr. Larry B. Estes, who is personally known to me to be the same person who executed the above instrument of writing and such person duly acknowledges the execution of the same.

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

Elizabeth Strother
Notary Public

My Commission Expires 6/9/2026



INDEX OF SHEETS

1. Title Sheet
- 2-3. Typical Sections
4. Foundation Treatment, Compaction & Subgrading Detail Sheet
5. General Notes
6. Survey Reference Sheet
- 7-12. Plan and Profiles
13. Intersection Details
- 14-15. Pavement Details
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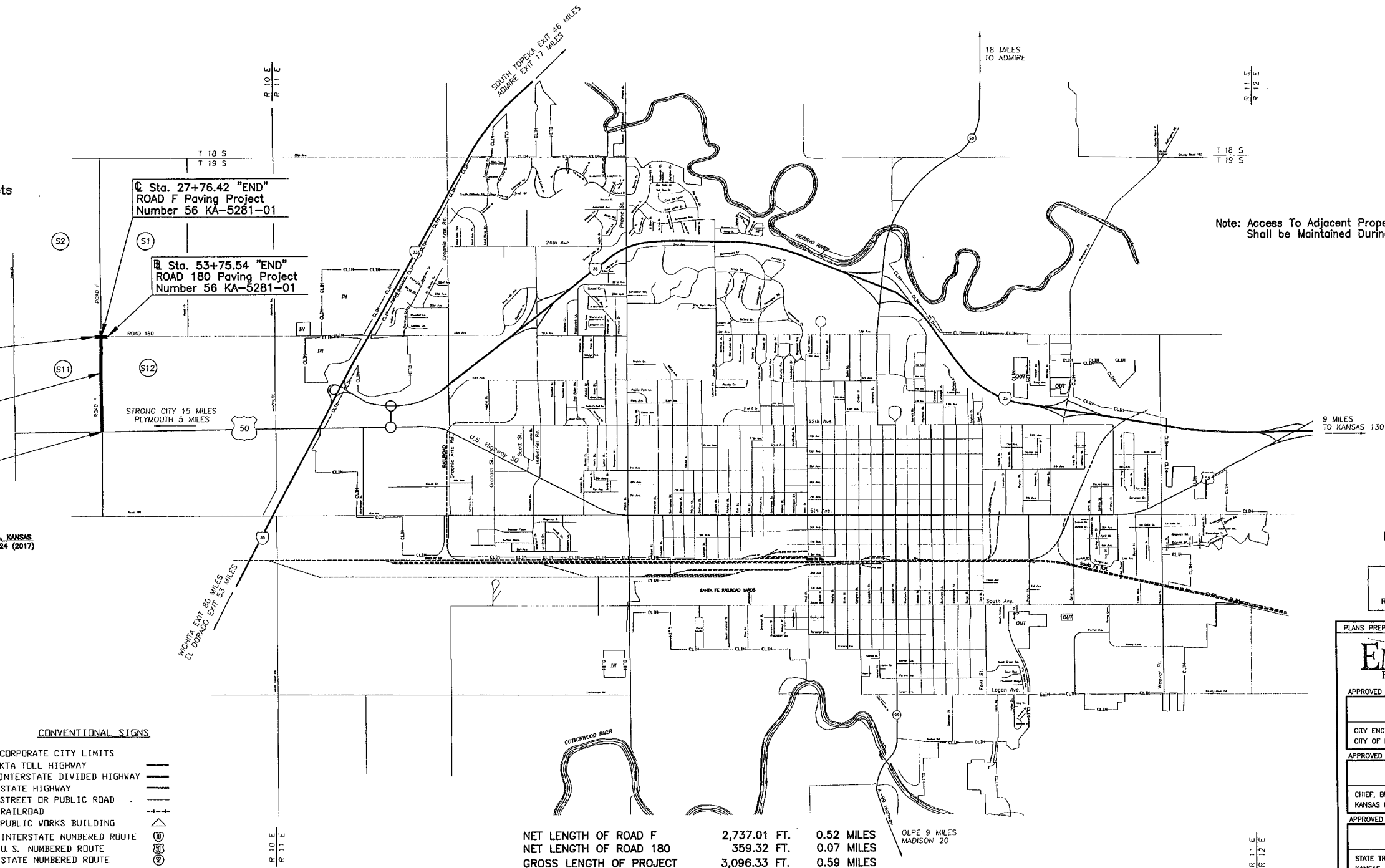
STATE OF KANSAS

ACCESS MANAGEMENT CONSTRUCTION PROJECT KDOT PROJECT NO. 56 KA-5281-01

INDUSTRIAL PARK IV ROAD IMPROVEMENTS
ROAD F (FROM US-50 HIGHWAY TO ROAD 180)
CITY OF EMPORIA, KANSAS
LYON COUNTY

GRADING
SURFACING (CONCRETE)
SURFACING (ASPHALT)
SIDEWALK IMPROVEMENTS
DITCH GRADING
SEEDING
PAVEMENT MARKING

STATE	PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	56 KA-5281-01	2021	i	81
Emporia Project No. PV1907				



Note: Access To Adjacent Property Owners
Shall be Maintained During Construction.

NO SCALE
MAP OF
EMPORIA, KS

FINAL PLANS
DO NOT DESTROY
REVISED DATE: 05-17-2021

DESIGN DESIGNATION

AADT <500 ROAD F
AADT <500 ROAD 180
AADT 6,700 US-50 (2018)
POSTED SPEED LIMIT Road F (35 MPH)
POSTED SPEED LIMIT Road 180 (35 MPH)
POSTED SPEED LIMIT US-50 Hwy. (65 MPH)

CONVENTIONAL SIGNS

CORPORATE CITY LIMITS
KTA TOLL HIGHWAY
INTERSTATE DIVIDED HIGHWAY
STATE HIGHWAY
STREET OR PUBLIC ROAD
RAILROAD
PUBLIC WORKS BUILDING
INTERSTATE NUMBERED ROUTE
U. S. NUMBERED ROUTE
STATE NUMBERED ROUTE

NET LENGTH OF ROAD F 2,737.01 FT. 0.52 MILES
NET LENGTH OF ROAD 180 359.32 FT. 0.07 MILES
GROSS LENGTH OF PROJECT 3,096.33 FT. 0.59 MILES

STATE	PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	56 KA-5281-01	2021	6	81
Emporia Project No. PV1907				

SURVEY ALIGNMENT

ROAD F AND PART OF ROAD 180
FOR THE CITY OF EMPORIA, KANSAS
BEING IN THE NE¼ OF SEC. 11-19S-10E
AND THE NW¼ OF SEC. 12-19S-10E
OF THE 6TH P.M., LYON COUNTY, KANSAS

BENCHMARK DESCRIPTION

BM#1: Centerline Station 1+11.20, 98.90' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1161.83 (NAVD88)

BM#2: Centerline Station 6+02.35, 99.78' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1162.79 (NAVD88)

BM#3: Centerline Station 16+02.49, 101.21' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1157.66 (NAVD88)

BM#4: Centerline Station 25+88.14, 102.84' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1165.68 (NAVD88)

USGS BENCHMARK DATUM

Described by Coast & Geodetic Survey 1933
At Emporia, Lyon County, on the Atchison,
Topeka and Santa Fe Railway, 160 yards west
of the west end of the station, 200 ft. east
of signal tower 1121, 24.6 feet North of the
north rail of the most northerly passing track,
and 2 ft. Southeast of the southwest corner
of a fence around a light tower. A standard
disk, stamped P 13 1933 and set in the top
of a concrete post projected 6 in. above
ground. Note-A metal witness post was set
1 ft. east of the mark.
NAVD 88 Elev. = 1141.95

PROJECT SURVEY CONTROL

HORIZONTAL CONTROL

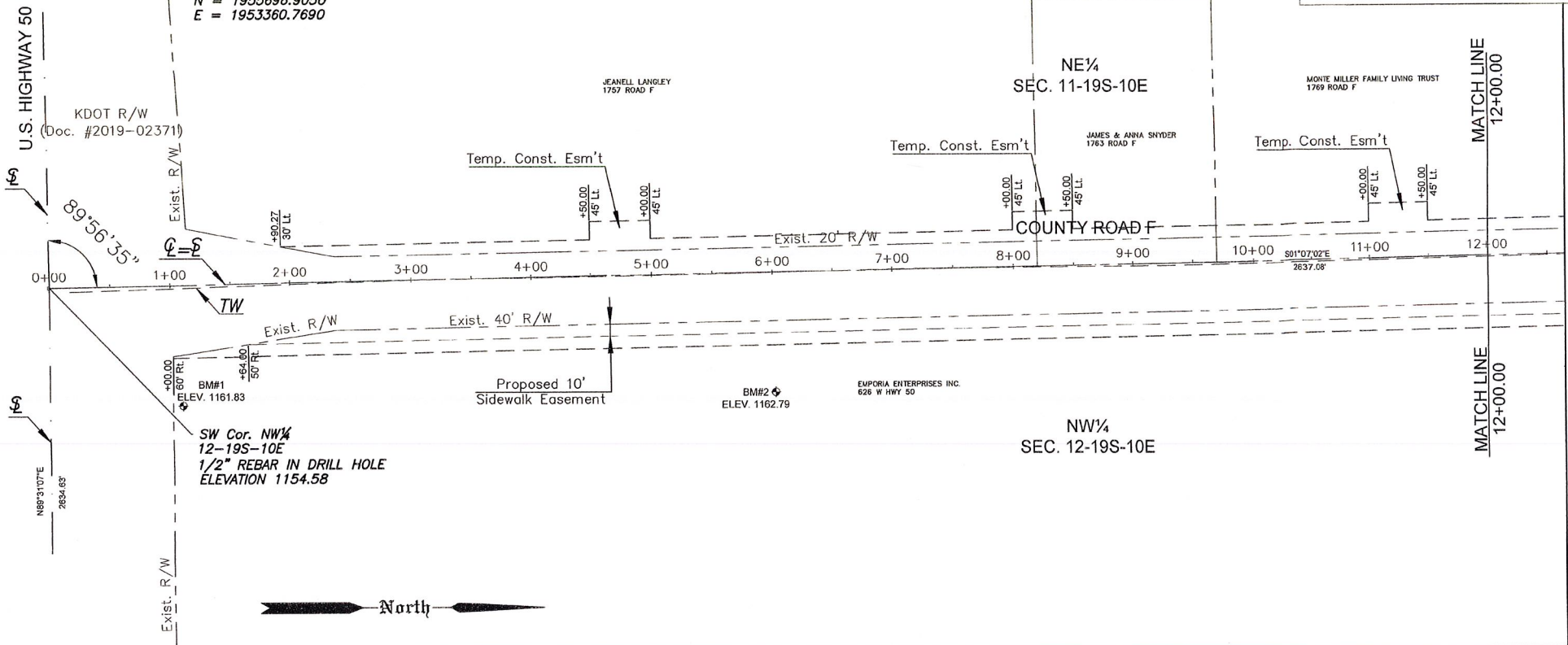
Kansas State Plane, South Zone, based on
Second Order OPUS control point with N:
1958366.142 E: 1954180.438 Z: 1180.13
on North side of Road 180 at field
entrance at top of hill and to the East of
Road F.

VERTICAL CONTROL

Being NAVD88 datum based on this same
point as Horizontal.

SW Corner NW 1/4
Sec. 12, 19S, 10E
Found 1/2" Rebar in Drill Hole

Centerline Station 0+00.00 (Road F)
N = 1955696.9050
E = 1953360.7690

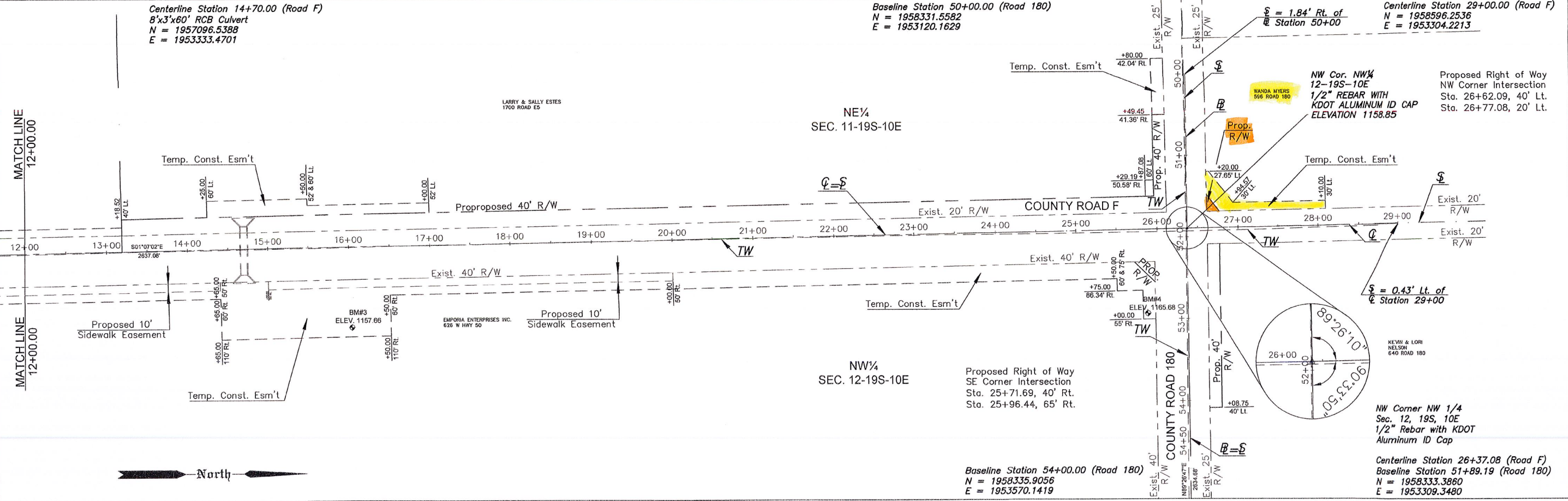


ROAD F STA. 0+00-29+00
ROAD 180 STA. 50+00 - 54+50

Centerline Station 14+70.00 (Road F)
8'x3'x60' RCB Culvert
N = 1957096.5388
E = 1953333.4701

Baseline Station 50+00.00 (Road 180)
N = 1958331.5582
E = 1953120.1629

Centerline Station 29+00.00 (Road F)
N = 1958596.2536
E = 1953304.2213



SURVEY REFERENCE SHEET
LYON COUNTY

EMPORIA
Engineering Department

WANDA MYERS
596 ROAD 180

KEVIN & LORI NELSON
640 ROAD 180

STATE	PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	56 KA-5281-01	2021	12	81
Emporia Project No. PV1907				

Sta. 50+16.22 BEGIN Road 180
of Paving Project No. PV1907

Sta. 51+16.22
Pavement Transition

Asphalt Driveway
46.33 S.Y.

Inlet D-1
Sta. 52+37.72, 17.25' Lt.
Install Type 22 Precast Curb Inlet.
Install 24"x52' RCP Storm Sewer.
T.R. = 1161.14
E out (S) = 1153.23

Sta. 52+75.54
Pavement Transition

(GRAVEL SURFACING)
COUNTY ROAD 180

20' Utility Easement

Sta. 53+75.54 END Road 180
of Paving Project No. PV1907

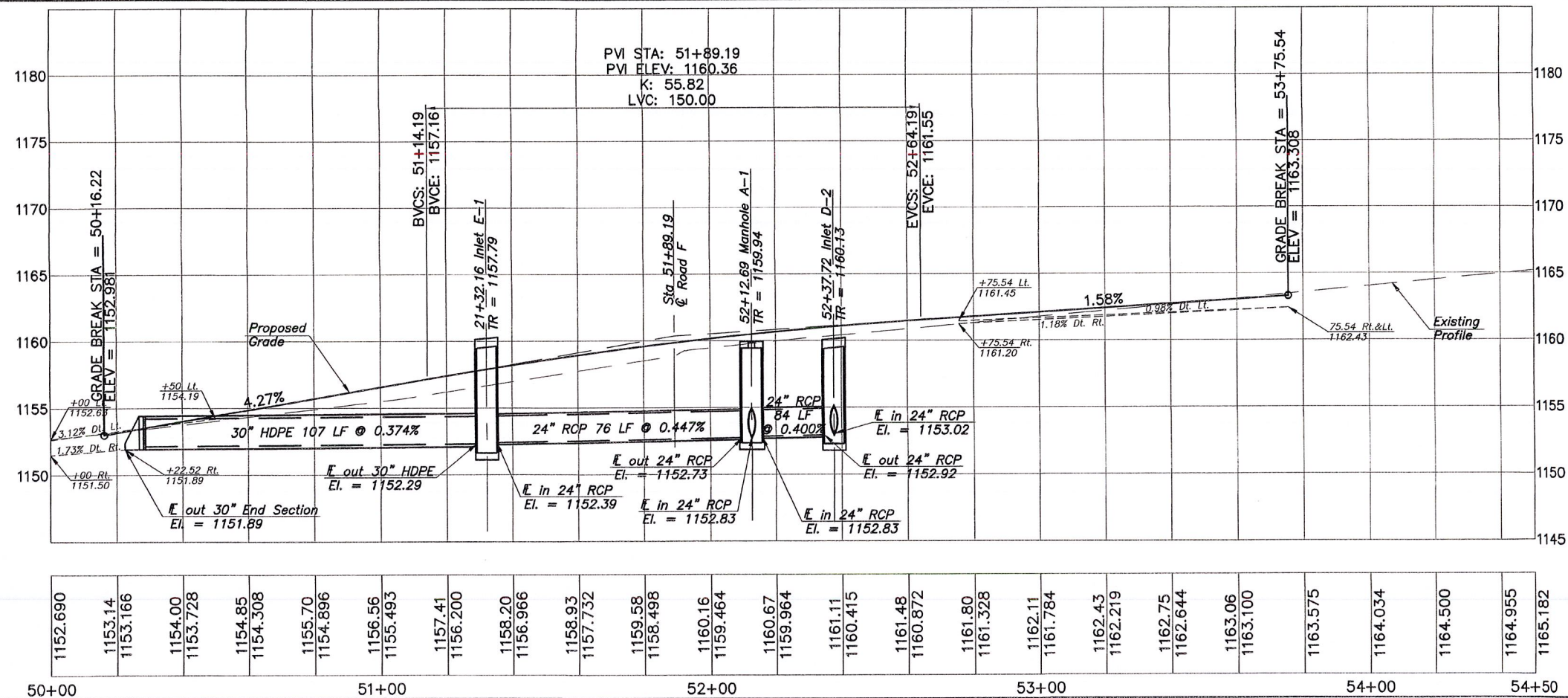
Sta. 50+22.52, 20.84' Rt.
END 30" HDPE Storm Sewer
with 30" HDPE End Section.
E = 1151.89

Inlet E-1
Sta. 51+32.16, 27.25' Rt.
Install Type 22 Precast Curb Inlet.
Install 30"x107' HDPE Storm Sewer.
T.R. = 1157.79
E in (E) = 1152.39
E out (W) = 1152.29

Sta. 26+37.08 =
Sta. 51+89.19

Inlet D-2
Sta. 52+37.72, 38.81' Rt.
Install Type 22 Precast Curb Inlet.
Install 24"x22' RCP Storm Sewer.
T.R. = 1160.13
E in (N) = 1153.02
E out (W) = 1152.92

PLAN: Lot. & Long.
PROFILE: Horiz. same as above
Vert.



Exempt per K.S.A. 79-1437e(a)(13)

RIGHT OF WAY

This indenture made this 16 day of November, 2021, by and between Wanda R. Myers, of Emporia, Lyon County, Kansas, hereinafter referred to as "Grantor", and the City of Emporia, Lyon County, Kansas, a municipal corporation hereinafter referred to as "Grantee". WITNESSETH:

That the Grantor, in consideration of the sum of one dollar (\$1.00) duly paid, the receipt of which is hereby acknowledged, does by these presents grant and convey unto the Grantee, its successors and assigns, all the Grantor's interest in the following described parcel, lying, being and situated in the County of Lyon and State of Kansas, to wit:

A TRACT IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 19 SOUTH, RANGE 10 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE $\frac{1}{4}$;
THENCE S.88°53'24"W. (BASIS OF BEARINGS) ON THE SOUTH LINE OF SAID SE $\frac{1}{4}$ FOR A DISTANCE OF 20.00 FEET;
THENCE N.01°12'39"W. PARALLEL WITH THE EAST LINE OF SAID SE $\frac{1}{4}$ FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING N.01°12'39"W. PARALLEL WITH THE EAST LINE OF SAID SE $\frac{1}{4}$ FOR A DISTANCE OF 15.00 FEET;
THENCE S.51°59'02"W. FOR A DISTANCE OF 24.98 FEET TO A POINT 25.00 FEET NORTH OF THE SOUTH LINE OF SAID SE $\frac{1}{4}$;
THENCE N.88°53'24"E. PARALLEL WITH THE SOUTH LINE OF SAID SE $\frac{1}{4}$ FOR A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 150 SQUARE FEET.

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

Grantor does hereby covenant, promise and agree with the Grantee, that at the delivery of these presents it is lawfully seized in its own right, or an absolute indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances thereto; the same are free, clear and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatever nature or kind soever; and that Grantor will warrant and forever defend the interest unto the Grantee, its successors and assigns, against the Grantor's successors, and all and every person or persons whomsoever, lawfully claiming or to claim the same by, through or under the Grantor.

IN WITNESS WHEREOF the Grantor has executed this indenture as of the date first above written.

Wanda R. Myers
Signature

Wanda R. Myers

Name Typed

STATE OF KANSAS, COUNTY OF LYON, ss:

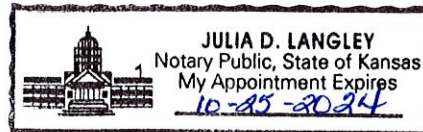
BE IT REMEMBERED, on this _____ day of _____, 2021, before me, the undersigned, a notary public in and for the County and State aforesaid, came Wanda R. Myers, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

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

Julia D. Langley
NOTARY PUBLIC

My Commission Expires:

10-25-2024

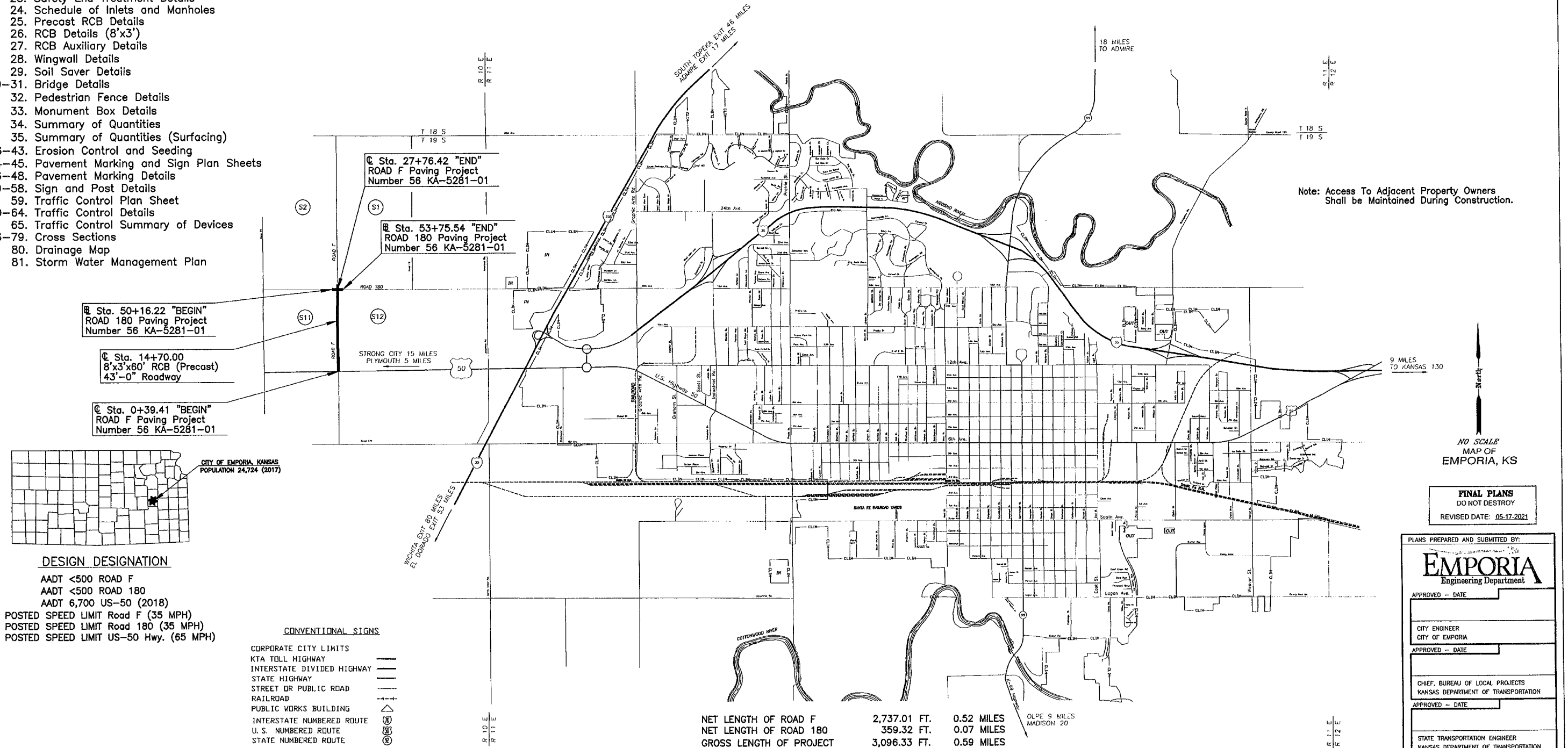


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ACCESS MANAGEMENT CONSTRUCTION PROJECT
KDOT PROJECT NO. 56 KA-5281-01

INDUSTRIAL PARK IV ROAD IMPROVEMENTS
ROAD F (FROM US-50 HIGHWAY TO ROAD 180)
CITY OF EMPORIA, KANSAS
LYON COUNTY

GRADING
SURFACING (CONCRETE)
SURFACING (ASPHALT)
SIDEWALK IMPROVEMENTS
DITCH GRADING
SEEDING
PAVEMENT MARKING



SURVEY ALIGNMENT

ROAD F AND PART OF ROAD 180
FOR THE CITY OF EMPORIA, KANSAS
BEING IN THE NE¼ OF SEC. 11-19S-10E
AND THE NW¼ OF SEC. 12-19S-10E
OF THE 6TH P.M., LYON COUNTY, KANSAS

BENCHMARK DESCRIPTION

BM#1: Centerline Station 1+11.20, 98.90' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1161.83 (NAVD88)

BM#2: Centerline Station 6+02.35, 99.78' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1162.79 (NAVD88)

BM#3: Centerline Station 16+02.49, 101.21' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1157.66 (NAVD88)

BM#4: Centerline Station 25+88.14, 102.84' Right
BOLT IN TOP RING BETWEEN "E" AND "L" IN "MUELLER"
ELEV.=1165.68 (NAVD88)

USGS BENCHMARK DATUM

Described by Coast & Geodetic Survey 1933
At Emporia, Lyon County, on the Atchison,
Topeka and Santa Fe Railway, 160 yards west
of the west end of the station, 200 ft. east
of signal tower 1121, 24.6 feet North of the
north rail of the most northerly passing track,
and 2 ft. Southeast of the southwest corner
of a fence around a light tower. A standard
disk, stamped P 13 1933 and set in the top
of a concrete post projected 6 in. above
ground. Note-A metal witness post was set
1 ft. east of the mark.
NAVD 88 Elev. = 1141.95

PROJECT SURVEY CONTROL

HORIZONTAL CONTROL

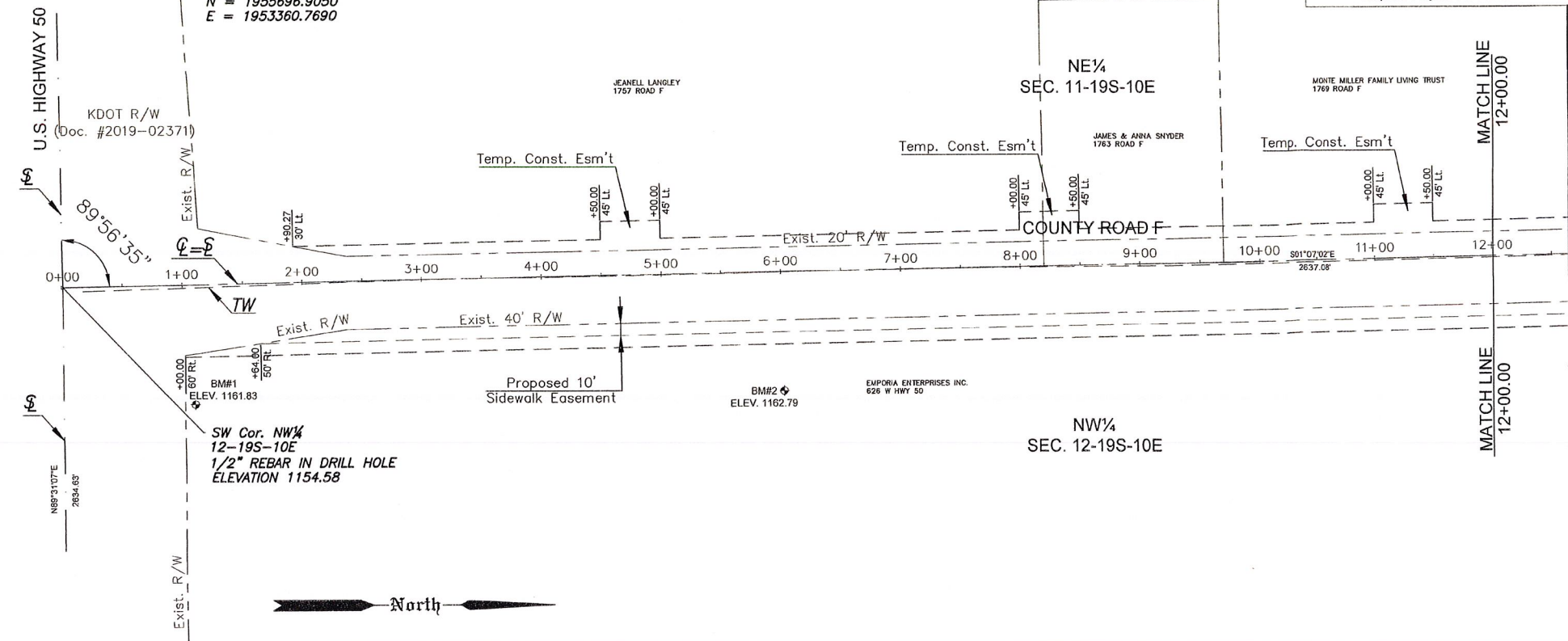
Kansas State Plane, South Zone, based on
Second Order OPUS control point with N:
1958366.142 E: 1954180.438 Z: 1180.13
on North side of Road 180 at field
entrance at top of hill and to the East of
Road F.

VERTICAL CONTROL

Being NAVD88 datum based on this same
point as Horizontal.

SW Corner NW 1/4
Sec. 12, 19S, 10E
Found 1/2" Rebar in Drill Hole

Centerline Station 0+00.00 (Road F)
N = 1955696.9050
E = 1953360.7690



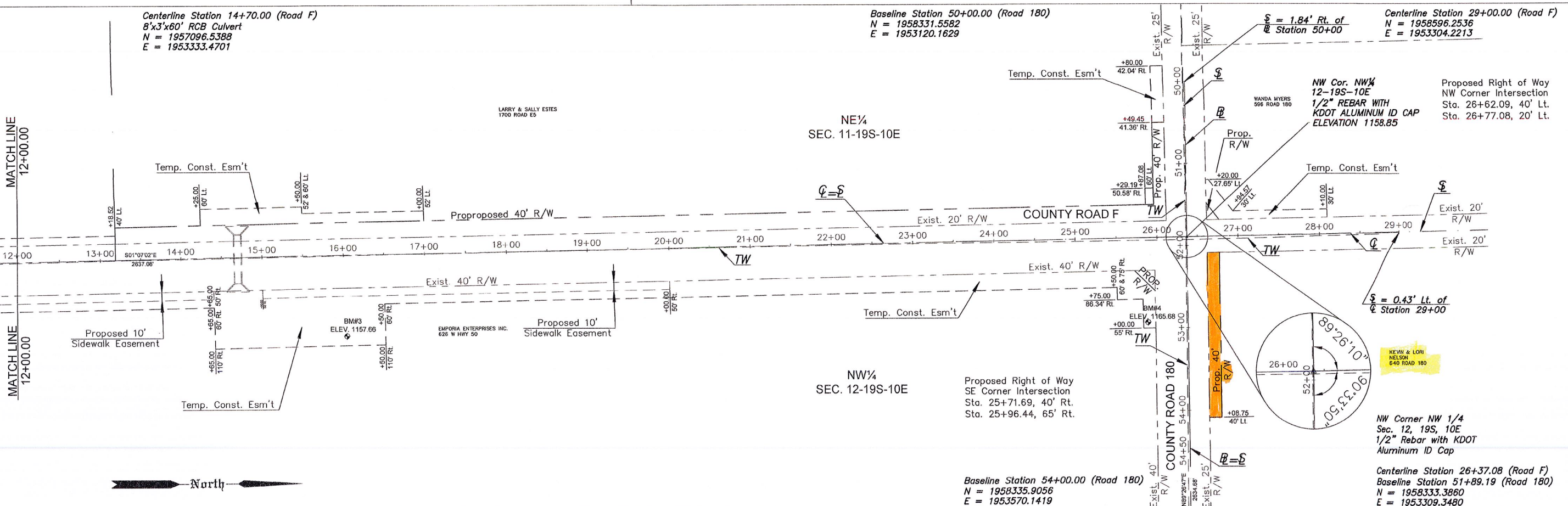
STATE	PROJECT NO.	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
KANSAS	56 KA-5281-01	2021	6	81

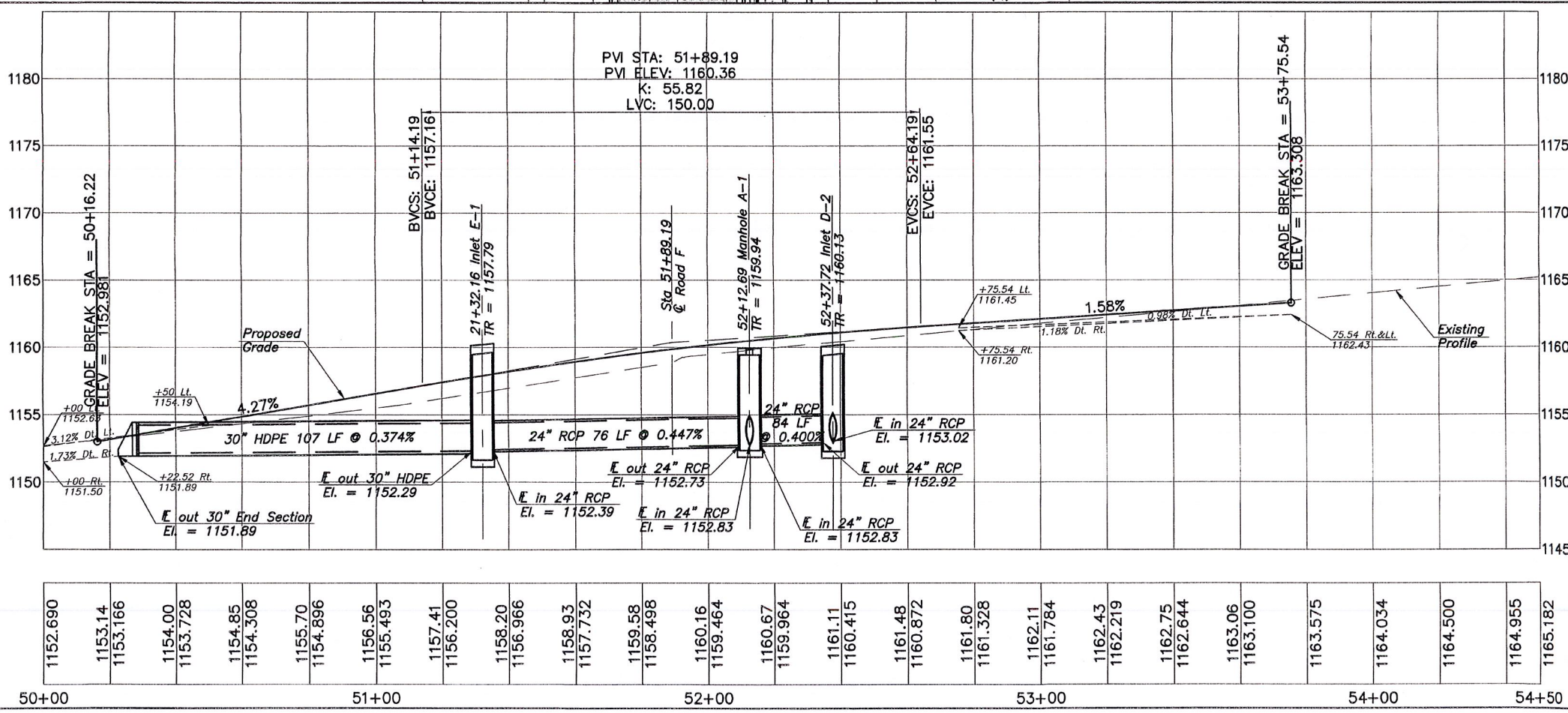
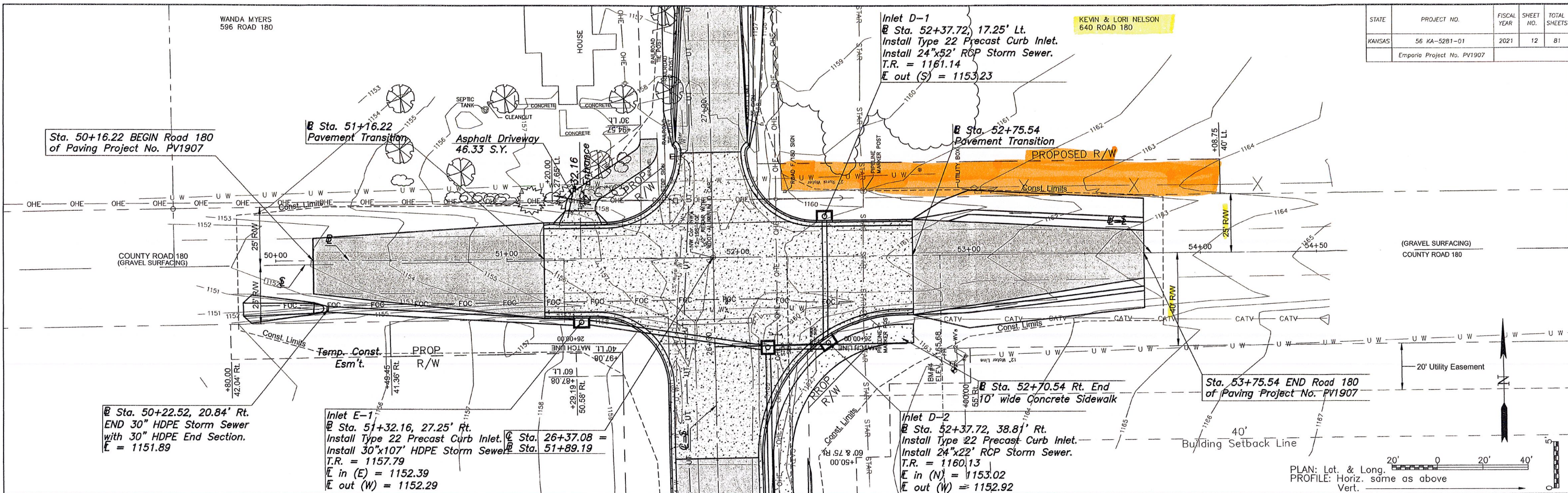
Emporia Project No. PV1907

ROAD F STA. 0+00-29+00
ROAD 180 STA. 50+00 - 54+50

SURVEY REFERENCE SHEET
LYON COUNTY

EMPORIA
Engineering Department





1152.690	1153.14	1153.166	1154.00	1153.728	1154.85	1154.308	1155.70	1154.896	1156.56	1155.493	1157.41	1156.200	1158.20	1156.966	1158.93	1157.732	1159.58	1158.498	1160.16	1159.464	1160.67	1159.964	1161.11	1160.415	1161.48	1160.872	1161.80	1161.328	1162.11	1161.784	1162.43	1162.219	1162.75	1162.644	1163.06	1163.100	1163.575	1164.034	1164.500	1164.955	1165.182
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Exempt per K.S.A. 79-1437e(a)(13)

RIGHT OF WAY

This indenture made this 21st day of December, 2022, by and between Roy's LLC, of Emporia, Lyon County, Kansas, hereinafter referred to as "Grantor", and the City of Emporia, Lyon County, Kansas, a municipal corporation hereinafter referred to as "Grantee". WITNESSETH:

That the Grantor, in consideration of the sum of one dollar (\$1.00) duly paid, the receipt of which is hereby acknowledged, does by these presents grant and convey unto the Grantee, its successors and assigns, all the Grantor's interest in the following described parcel, lying, being and situated in the County of Lyon and State of Kansas, to wit:

A TRACT IN THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 10 EAST OF THE 6TH P.M., LYON COUNTY, KANSAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

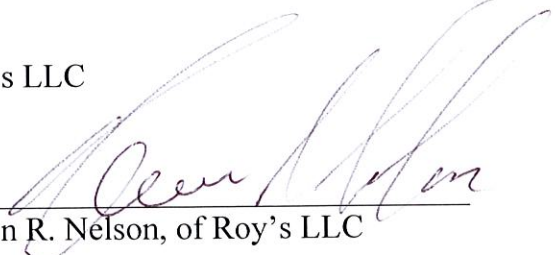
COMMENCING AT THE SOUTHWEST CORNER OF SAID SW $\frac{1}{4}$;
THENCE N89°26'47"E. (BASIS OF BEARINGS) ON THE SOUTH LINE OF SAID SW $\frac{1}{4}$ FOR A DISTANCE OF 20.00 FEET;
THENCE N01°12'39"W. PARALLEL WITH THE WEST LINE OF SAID SW $\frac{1}{4}$ FOR A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING;
THENCE N89°26'47"E. ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD 180 FOR A DISTANCE OF 200.00 FEET;
THENCE N01°12'39"W. FOR A DISTANCE OF 15.00 FEET;
THENCE S89°26'47"W. PARALLEL WITH THE SOUTH LINE OF SAID SW $\frac{1}{4}$ FOR A DISTANCE OF 200.00 FEET TO THE EAST RIGHT OF WAY LINE OF COUNTY ROAD F; THENCE S01°12'39"E. ON SAID EAST RIGHT OF WAY LINE FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.
CONTAINING 3,000 SQUARE FEET.

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

Grantor does hereby covenant, promise and agree with the Grantee, that at the delivery of these presents it is lawfully seized in its own right, or an absolute indefeasible estate of inheritance in fee simple, of and in all and singular the above granted and described premises, with the appurtenances thereto; the same are free, clear and discharged and unencumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments and encumbrances, of whatever nature or kind soever; and that Grantor will warrant and forever defend the interest unto the Grantee, its successors and assigns, against the Grantor's successors, and all and every person or persons whomsoever, lawfully claiming or to claim the same by, through or under the Grantor.

IN WITNESS WHEREOF the Grantor has executed this indenture as of the date first above written.

Roy's LLC


Kevin R. Nelson, of Roy's LLC

STATE OF KANSAS, COUNTY OF LYON, ss:

BE IT REMEMBERED, on this 22nd day of December, 20 22, before me, the undersigned, a notary public in and for the County and State aforesaid, came Kevin R. Nelson, of Roy's LLC, such person(s) being personally known to me to be the same person(s) who executed the within instrument of writing and duly acknowledge the execution of the same.

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


NOTARY PUBLIC

My Commission Expires:

11-03-2026





Commission Action Report

Title: Pathways to a Healthy Community Pledge

Proposed Agenda Date: January 4, 2022

Presented By: Jim Ubert, City Engineer

BACKGROUND:

Daphne Mertens with Healthier Lyon County has secured \$100,000 in funding through the Pathways to a Healthy Kansas Grant Program (in Partnership with Blue Cross & Blue Shield). The Pathways to a Healthy Kansas Grant Program requires that the attached pledge and minimum requirements to participate and receive funding be agreed to & signed by the City.

DISCUSSION:

N/A

FINANCIAL CONSIDERATIONS:

The City received funding in 2022 from the KS Department of Transportation's (KDOT) Transportation Alternatives Program for two (2) multi-use concrete path projects along 12th Avenue & Burlingame Rd and along 24th Avenue from Lincoln St to Prairie St. The City's estimated share of those projects is about \$125,000, of which \$100,000 can be paid from the Pathways to a Healthy Kansas Grant Program funds.

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Approve the Pathways to a Healthy Community Pledge for Multimodal Transportation and Recreational Trails Package with Healthier Lyon County and authorize the Mayor or City Manager to sign the pledge.

ATTACHMENTS:

Pathways to a Healthy Community Pledge for the Multimodal Transportation and Recreational Trails Package.

Pathways to a Healthy Community Pledge Multimodal Transportation and Recreational Trails Package

City of Emporia (partner name) hereby affirms our commitment to taking on new opportunities that provide greater access to healthy living options for our community members benefiting from our work. We are aware our involvement helps to establish strong community norms for healthier living and are willing to learn more about making healthy environment and healthy policy changes to help community members live longer and better quality lives. We will accept information and assistance from Healthier Lyon County through *Pathways to a Healthy Kansas (Pathways)*, a Blue Cross and Blue Shield of Kansas (BCBSKS) initiative, to implement healthy recommendations, including the minimum requirements listed below.

Healthier Lyon County shall provide:

- Education on what is deemed healthy and assistance with overall implementation;
- Publicity including, but not limited to, social media posts, press releases or local media stories, and recognition on the BCBSKS *Pathways* website (bcbsks.com/Pathways) and coalition website highlighting changes made related to this initiative;
- Materials to promote our involvement in the *Pathways to a Healthy Kansas* initiative to the community; and
- Opportunities for shared expertise and interaction with peers.

City of Emporia (partner name) acknowledges that we play an integral role in creating a multimodal transportation system that allows community members to walk and bike and that our position provides us with a significant opportunity to assist members of our community in leading healthier lives. We are committed to taking steps toward providing the healthiest possible environment in our community.

We pledge to implement at least one of the tracks listed below.

Minimum Package Requirements: **Multimodal Transportation** or Recreational Trail Infrastructure

- Work with the coalition to assess current conditions and policies related to this effort to inform work on package. **HLC worked with MUPP 2021-2021**
- Determine whether the project is **multimodal** or recreation by working with Mary Marrow, in order to identify what state and federal funding and project implications are tied to the local project. **Daphne worked with Mary and the City applied for a KDOT TA grant**
- Contact appropriate state agency based on assessment with Mary Marrow (Kansas Department of Transportation pedestrian and bicycle coordinator and/or Kansas Department of Wildlife and Parks) to coordinate local efforts with state efforts and funding supports. **On behalf of MUPP Daphne worked with Jenny Kramer at KDOT, City applied for and received KDOT TA Grant**

MOU will be drafted by HLC and provided for review by City Manager and City Attorney. This will serve as our policy.

- Work with the coalition to determine how the project impacts populations of focus (Populations of focus may include racial and ethnic minorities, including persons of Black, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander races and persons of Hispanic ethnicity; rural/urban residents; children; pregnant women; persons who are LGBTQIA+; older adults; persons with chronic illnesses; persons with housing instability or who are homeless; immigrant populations; displaced persons; persons with limited English proficiency; persons with low literacy; persons with low income; persons with disabilities; and others).
- Pass a governmental policy that:
 - Links *Pathways* dollars to the multimodal project or trails project;
 - Activates the project within two (2) years or less of passing the policy;
 - Ensures the multimodal or trail system addresses inequities in the access of populations of focus to recreational and transportation systems to increase physical activity;
 - Links to transportation, recreation, healthy food retail outlets, and other community facilities where possible;
 - Includes plan to promote multimodal transportation or trail usage and signage to increase visibility and use of multimodal infrastructure and connection to community facilities;
 - If a project or policy, or portion thereof, does not include access to bicyclists or pedestrians due to cost, environmental consideration, or other reasons, a written justification is included as it relates to the implementation of the policy or a specific project; and
 - Agreement to maintain new or improved local facilities, such as sidewalks, signage, trails, and bike racks, paid for with *Pathways* funds for 10 years after construction.
- Explore a comprehensive commercial tobacco and vape free policy for the trail and any indoor spaces associated with the trail, such as restrooms, trailhead facilities, or shelters.
- Share all policies with the coalition and BCBSKS to build a portfolio of best practices.

Projects are in areas where the majority of Pops. of focus are found, particularly Burlingame Road project

Minimum Package Requirements: Active Transportation and Recreation Advisory Board

- Work with the coalition to assess current conditions and policies related to this effort to inform work on package.
- Pass or strengthen written policy in the form of resolutions and/or resolutions that:
 - Establish or strengthens a government appointed Active Transportation and Recreation Advisory Board within one year, with at least 10 meetings per year;
 - Includes representatives from urban and rural communities;
 - Focuses on increasing physical activity as part of core mission and linking community members with health food outlets, low-income housing, educational institutions, health care locations, and other community facilities when possible;
 - Commitment to use data to prioritize how projects/policies benefit populations of focus may include racial and ethnic minorities, including persons of Black, American Indian or Alaska Native, Asian, Native Hawaiian or Other Pacific Islander races and persons of all ethnicity; rural/urban residents; children; pregnant women; persons who are LGBTQIA+; older adults; persons with chronic illnesses; persons with housing instability or who are homeless; migrant populations; displaced persons; persons with limited English proficiency; persons with low literacy; persons with low income; persons with disabilities; and others);
 - If a project or policy, or portion thereof, pursued by the Active Transportation and Recreation Advisory Board does not include access to bicyclists or pedestrians due to cost or environmental consideration, or other reasons, a written justification is required;
 - Works with the Food and Farm Committee where one exists; and
 - Includes members representing diverse sectors and diverse community members.
- Pass a healthy food meeting policy using evidence-based nutrition standards provided by the BCBSKS *Pathways* technical assistance team.
- Share all policies with the coalition and BCBSKS to build a portfolio of best practices.

In return for this pledge, we will become eligible for implementation grant funds to accomplish the minimum requirements listed above. We understand that to receive an Implementation Grant an implementation plan and budget must be submitted to BCBSKS with the grant application.

We have identified a ***primary point of contact*** to participate in this initiative.

_____ Partner contact	_____ Title
_____ Phone number	_____ Email
_____ Print Partner Name	_____ Partner Organization
_____ Signature	_____ Date

Please sign, retain one copy for your records and return to:

Healthier Lyon County

Coalition contact name: Daphne Reed Mertens

Coalition phone & fax: 620-437-6096

Coalition email: dmertens@crosswindsks.org



Commission Action Report

Title: Golf Course Wide Area Mower Replacement
Proposed Agenda Date: January 4, 2023
Presented By: Kevin Hanlin, Director of Public Lands & Facilities

BACKGROUND:

In the 2022 CIP, the Special Parks fund has \$81,550.00 allocated for the purchase of a Wide Area Rough Mower for the Golf Course.

Bid Packets were sent to four vendors. On November 15, 2022, the following bid proposals for a Wide Area Rough Mower at the golf course were received.

1. Prairieland Partners: John Deere 1600 Turbo Terrain Cut Commercial Mower (128" cut) was bid at \$67,859.33.
2. Van-Wall Equipment: John Deere 1600 Turbo Terrain Cut Commercial Mower (128" cut) was bid at \$72,650.00.
3. Professional Turf Products: Toro Groundsmaster 4000-D (132" cut) was bid at \$93,108.37
4. Kansas Golf and Turf (Jacobsen): No bid was returned.

The bid from Prairieland Partners came in \$13,690.67 under the budgeted amount. For this reason, we recommend that the bid be awarded to Prairieland Partners for the purchase of a John Deere 1600 Turbo Terrain Cut Commercial Mower in the amount of \$67,859.33.

DISCUSSION:

This mower will replace a 1996 John Deere F1145. Total hours on the exceed 5,000. This unit was bought new. This unit will be sold through Purple Wave.

FINANCIAL CONSIDERATIONS:

Paid from Special Parks Fund in the amount of \$67,859.33.

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Award bid to Prairieland Partners in the amount of \$67,859.33.

ATTACHMENTS:

Bids from Prairieland Partners, Van-Wall Equipment, and Professional Turf Products.



JOHN DEERE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company
2000 John Deere Run
Cary, NC 27513
FED ID: 36-2382580
UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

PrairieLand Partners, LLC
1744 Road F
Emporia, KS 66801
620-342-5000
plpjd@plpjd.com

Quote Summary

Prepared For:
City Of Emporia
KS

Delivering Dealer:
PrairieLand Partners, LLC
Kelly Maxfield
1744 Road F
Emporia, KS 66801
Phone: 620-342-5000
kmaxfield@plpjd.com

Quote ID: 27786825
Created On: 15 November 2022
Last Modified On: 15 November 2022
Expiration Date: 27 January 2023

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 1600 Turbo TerrainCut Commercial Wide-Area Mower with 2-Post Folding ROPS	\$ 88,129.00	\$ 67,859.33 X	1 =	\$ 67,859.33
Contract: KS NASPO Ground Mtn 51000E (PG K7 CG 22)				
Price Effective Date: November 14, 2022				

Equipment Total	\$ 67,859.33
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* Includes Fees and Non-contract items

Quote Summary

Equipment Total	\$ 67,859.33
Trade In	
SubTotal	\$ 67,859.33
Est. Service Agreement Tax	\$ 0.00
Total	\$ 67,859.33
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 67,859.33

Salesperson : X _____

Accepted By : X _____

Confidential



JOHN DEERE

Quote Summary

Prepared For:

EMPORIA GOLF COURSE
1133 S HIGHWAY 99
EMPORIA, KS 66801
Business: 620-343-5610

Prepared By:

Terrill Elliot
Van-Wall Equipment, Inc.
9650 Dice Lane
Lenexa, KS 66215
Phone: 913-397-6009
terry.elliott@vanwall.com

Quote Id: 27757165

Created On: 08 November 2022

Last Modified On: 10 November 2022

Expiration Date: 30 December 2022

Equipment Summary	Suggested List	Selling Price	Qty	Extended
JOHN DEERE 1600 Turbo TerrainCut Commercial Wide-Area Mower with 2-Post Folding ROPS	\$ 96,079.32	\$ 72,650.00 X	1 =	\$ 72,650.00

Equipment Total	\$ 72,650.00
------------------------	---------------------

Quote Summary

Equipment Total \$ 72,650.00

SubTotal \$ 72,650.00

Est. Service Agreement Tax \$ 0.00

Total \$ 72,650.00

Down Payment (0.00)

Rental Applied (0.00)

Balance Due \$ 72,650.00

Salesperson : X _____

Accepted By : X _____

Confidential



Professional Turf Products, L.P.

10935 Eicher Dr.
Lenexa, Kansas 66219
Derek Harrison
(316) 250-2902
harrisd@proturf.com



Count on it.



Ship To	Emporia Municipal Golf Course	Date:	11/7/2022
Bill To		Tax Rate	
Contact	Kelley Storch	Destination	
Address	1133 S. Highway 99, Emporia, KS 66801-7548	Trade-In	
		Finance	
Phone	(316) 342 7666	Account Type	Contract
Email	kstorch@emporia-kansas.gov	QMS: ID	Q119380
Comments:	All pricing includes setup & delivery. Quoted with Sourcewell ID# 137227		

Proposal

Qty	Model #	Description		Extended
1	30609	Groundsmaster 4000-D (T4)	\$	92,689.83
1	44967	MVP Kit 1000 Hour	\$	418.53
		Groundsmaster 4000-D (T4)	\$	93,108.37

SubTotal	\$	93,108.37
Destination		Included
Tax (Estimated)	\$	-
TOTAL	\$	93,108.37

Comments:

For all New Equipment, Demo units may be available for up to 20% savings.
For all New Equipment, Refurbished units may be available for up to 40% savings.
Due to unexpected issues with much of our supply chain, we are experiencing longer lead times than we have seen in the past. We are doing everything we can to get products to you as quickly as possible.

Terms & Conditions:

1. Prices & Finance Rates are subject to change at any time.
2. Due to the volatility of inflation, rising transportation costs, and supply shortages, some orders may incur additional cost increases that beyond the control of PTP and the vendors we represent. These pricing adjustments may be made from the time the order is entered equipment delivery. Any adjustments will be communicated to customers with orders in the system with a new sale price as they occur.
3. Order cancellations are subject to fees up to 10% of the original order value.
4. Equipment delivery time is estimated once credit is approved & documents are executed & is contingent on Manufacturer availability.
5. Payments by Credit Card are subject to convenience fee.

COMMISSION MEETING

11:00 A.M.

DECEMBER 21, 2022

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, December 21, 2022, with Mayor Smith presiding and Commissioners Brinkman, Giefer and Harter present. Commissioner Sauder was absent. 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 stated your name and address prior to making comments. No comments were made at this time.

**BUDGET
(2022 Budget Amendments)
(Public Hearing)
(Ordinance Number 22-50)**

AN ORDINANCE AMENDING THE 2022 BUDGET, to which the City Clerk assigned Ordinance Number 22-50, was presented to the Governing Body for their consideration.

Janet Harrouff, Director of Administrative Services, was recognized and addressed the Governing Body. She stated a public hearing will need to be conducted to amend the 2022 Budget to increase spending authority and an ordinance authorizing the increases. A notice was published 10 days prior to the public hearing as required by State Statute. The 2022 Budget amendments are as follows:

Library Fund - received more Ad Valorem Taxes which were paid to the library.

Bond and Interest Fund - had bond proceeds flow through the fund to the projects.

Water Fund - received bond proceeds, incurred higher maintenance costs due to major water main breaks and electricity costs are higher.

Waste Water Fund - received bond proceeds and incurred higher maintenance costs due to sewer main repairs.

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 Giefer made a motion to approve Ordinance Number 22-50, an ordinance amending the 2022 Budget to increase spending authority in the Library Fund, Bond and Interest Fund, Water Fund, and Waste Water Fund. Commissioner Harter seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Kansas Department of Commerce)
(Small Cities Community Development Block Grant Program)
(Commercial Rehabilitation for Building Located at 517 Merchant St.)
(Resolution Number 3688)
(Resolution Number 3689)**

Garrett Nordstrom, CDBG Grant Administrator, was recognized and addressed the Governing Body. He stated a public hearing was held to allow for comments before an application is submitted for a Community Development Block Grant (CDBG). The next steps in the application process is to authorize staff to submit the application by approving the resolution authorizing the Mayor to sign and execute all necessary documents and approve the resolution that declares the building at 517 Merchant Street as a blighted structure under the Kansas Urban Renewal Law and that it has the following conditions of blight, decay or environmental contamination.

Commissioner Harter made a motion to approve Resolution Number 3688, a resolution authorizing the submission of the grant application to the Kansas Department of Commerce Community Development for a Commercial Building Rehabilitation Grant and Resolution Number 3689, a resolution declaring a building blighted. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

**EMPORIA PUBLIC LIBRARY
(Maintenance Agreement for 2023)**

Kevin Hanlin, Director of Public Lands and Facilities, was recognized and addressed the Governing Body. He stated the City of Emporia and the Emporia Public Library Board annually renew a cleaning and maintenance services agreement which sets the terms for employees from the City Building Maintenance Department to provide services for the Emporia Public Library. The contract is substantially similar to the previous agreement with a fee increase of 3% and agreed upon by city and library staff. He stated the Emporia Public Library Board has approved the agreement subject to approval by the City Commission. He stated staff is recommending approval of the contract in the amount of \$41,958.81 for 2023.

Commissioner Brinkman made a motion to approve the Maintenance Agreement with the Emporia Public Library in the amount of \$41,958.81 for 2023. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

**EMPORIA PUBLIC LIBRARY
(Replacement of Entrance Doors)
(Bids)**

Kevin Hanlin, Director of Public Lands and Facilities, was recognized and addressed the Governing Body. He stated the existing entry doors on the East and South sides of Library need to be replaced. Both doors are aluminum storefronts and original to the building's construction in 1978. Work has been done over the years to replace and caulk areas to prevent leaks. The glass in the structure has separated and water is in between the glass. Other issues include fatigued aluminum structures creating issues with door operation and hardware for the doors is not readily available. He stated bids were received as follows:

Contractor	Bid Amount
Manko Window Systems, Inc.	\$119,925.00
Manhattan, KS	

AAA Glass Service Emporia, KS	\$129,818.00
City Glass & Mirror, Inc. Topeka, KS	\$155,837.00

He stated Pauline Stacchini, Director of the Emporia Public Library, discussed the project with the Library Board and they were in support of the estimates received. He stated this would be a spring project with the work completed before May 2023. He stated staff was recommending the low bid for \$119,925.00 from Manko Window Systems, Inc. This item was budgeted in the Multi-Year Fund.

Commissioner Giefer made a motion to award the bid to Manko for \$119,925.00 for the 2023 Emporia Public Library Entrance Replacement. Commissioner Harter seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; and Mayor Smith, aye.

PLANNING AND DEVELOPMENT

(MAPC Excerpts of Regular Meeting Held 11-15-22)

**(Application No. 2022-11 - Request from Arturo Vazquez-Flores)
(Rezone Property at 748 W. 4th Ave. from R-1 to I-1)**

The Planning Commission met in a regular session on Tuesday, November 15, 2022, with Chair Thomas presiding. Members Bucklinger, Weaver, Colson, and Barnes were present, Commissioner Duncan was absent
City staff: Justin Givens was present.

Chair Thomas called the meeting to order, five members were present.

Consider an Application PC 2022-11, a Request for Rezoning from R-1 Low Density Residential to I-1 Light Industrial.

Chair Thomas asked if proper notice had been given. **Givens** confirmed that proper notice was provided to the newspaper and the property owners within 200ft of the property.

Chair Thomas asked if any Commissioners needed to recuse themselves or report any ex-parte communications. No

commissioners needed to recuse themselves due to a conflict of interest and no ex parte communications were reported.

Givens provided the staff report:

Application #: PC 2022-11

Applicants: Arturo Vazquez-Flores / Emporia Land Bank

Requested Action: Consider a Request to Rezone a Tract of Land from R-1 Low-Density Residential to I-1 Light Industrial.

Purpose: The applicants desire the change in zoning to facilitate the sale of the property, and the construction of a private garage/storage building.

Address: 748 W 4th Ave.,

Legal description: Lots 5 & 6 In Hobb's Subdivision

Lot Size: 16,490 sq. ft.

Existing Zoning: R-1 Low Density Residential

Future Zoning in ELC Comp. Plan: Single-Family Detached

Surrounding Zoning:

North - R-1 Low Density Residential

East - R-1 Low Density Residential / R-3 High Density Residential

South - I-2 Heavy Industrial

West - I-2 Heavy Industrial

Surrounding Actual Uses:

North - Single-Family Homes

East - Single-Family Homes

South - Storage & Warehouse

West - Concrete Plant

Analysis: The applicant is requesting the rezoning in order to build a new garage/storage building on the property. The applicant has inquired about other existing buildings, but for various reasons has determined that a new building on this property would better suit his needs.

The applicant has meet with city staff to discuss the building and site development requirements to build a building such as this, and understands that the building must be built to a specific code and development standard the same as any other industrial building developed within the City.

Considerations: 26-108. Factors to be Considered in a Rezoning:

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

1. Whether the change in classification would be consistent with the intent and purpose of these regulations; **The change in classification would be consistent with the intent of the zoning regulations. The I-1 Light-Industrial classification is intended to allow for low intensity industrial uses such as the proposed garage/storage building.**
2. The character and condition of the surrounding neighborhood and its effect on the proposed change; **The property abuts industrial property on two sides and is isolated from other properties by an alley. Required screening on the north and east side of the property will help in minimizing any negative effects that the proposed development would have on the surrounding neighborhood.**
3. Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions; **Staff has seen an uptick in requests for properties such as this. Properties that would be suitable for private style garages/storage buildings are limited, and since in many cases, an owner's residence is limited in the size that an accessory structure can be built, staff feels that these types of requests will continue to rise.**
4. The current zoning and uses of nearby properties, and the effect on existing nearby land uses upon such a change in classification; **The area is a mix of industrial and residential, but with required screening, and the separation from adjacent properties, any negative effect on these properties would be minimal. Regulations would require that all activities be conducted entirely inside the building, and any outdoor storage would need to be screened from public view.**
5. Whether every use that would be permitted on the property as reclassified would be compatible with the uses permitted on

other property in the immediate vicinity; Staff would recommend that the uses be limited to storage/warehousing and motor vehicle repair. Uses such as these require that all activities be limited to the interior of the building, and that any outside storage will be required to be screened from neighboring properties. This will minimize any negative effect that may arise.

6. The suitability of the applicant's property for the uses to which it has been restricted; This property has had a dilapidated structure on it for some time, and the Emporia Land Bank was able to purchase it. Based on the location, there was limited interest in the property as a new residential building site. To maximize the property's use, the owners and applicants have requested the zoning change to facilitate a development that would blend into existing uses, and act as a buffer between the heavier industrial uses and residential homes.

7. The length of time the subject property has remained vacant or undeveloped as zoned; provided, the use of land for agricultural purposes shall be considered as allowing the land to be vacant or undeveloped; The original structure was built in 1887, and was beyond repair. It was identified by the Emporia Land Bank as a potential infill site, but due to the adjacent industrial properties, limited interest was expressed in rebuilding on the site.

8. Whether adequate sewer and water facilities, and all other needed public services, including transportation, exist or can be provided to serve the uses that would be permitted on the property if it were reclassified; All public facilities are at the site, and are of adequate size to serve the development.

9. The general amount of vacant land that currently has the same zoning classification proposed for the subject property, particularly in the vicinity of the subject property, and any special circumstances that make a substantial part of such vacant land available or not available for development; Vacant I-1 property that would be suitable for a smaller development such as this is extremely limited, but is something that staff has had several requests for. The demand does outweigh the supply of properties of this type.

10. The recommendations of professional staff; Based on current information, staff would recommend the approval of the rezoning, as the proposed use and district would be suitable

for the area, and not have a negative impact on existing properties.

11. Whether the proposed amendment would be in conformance to and further enhance the implementation of the City's Comprehensive Plan; **A property such as this would be a perfect property for zoning change to an Industrial Flex Parcel Type, as it would provide a transition from heavy industrial uses to the neighboring residential property. This type of rezoning would help to promote economic development, in that the building will be built to an industrial standard, and could easily be used as a future business.**

12. Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed upon the applicant by not upgrading the value of the property by such reclassification; and, **The intended uses of the current zoning of the property R-1 Low-Density Residential will make the property difficult to develop. The change in classification would maximize the value of the property, while not having a detrimental impact on the public health, safety, and general welfare of the area.**

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

Neighborhood Communications: At the time of writing this report, staff has had no contact with any adjacent neighbors.

Recommendation: Staff recommends the Planning Commission forward a recommendation to approve the vacation to the Governing Body based upon a finding that the request is consistent with the future land use map and guidelines for consideration on rezoning.

Commissioner **Bucklinger** asked about the development standards for industrial zoning and if they would be applicable to this rezoning. **Givens** confirmed that the project would be built to industrial development standards.

Commissioner **Colson** asked about setbacks in the industrial district, specifically the north setback. **Givens** confirmed the required setbacks for the property of 15 feet on the east side, 20 feet on the north side, and an adjusted front yard setback of 15 feet.

The Public Hearing was opened.

Arturo Vazquez-Flores (Applicant) **Vazquez-Flores** stated that he is wanting to build a building to be able to work on, and store cars. He stated that he had looked at other commercial

and industrial property for sale, but there was nothing within his budget, or that meet his needs. He stated that he understood that the building would need to be built to industrial standards, and meet the city's development codes.

The Public Hearing was closed.

Commissioner **Barnes** made a motion to recommend approval of Application PC 2022-11 based staff recommendations and limiting the uses for the property to motor vehicle repair and storage/warehousing. Commissioner **Bucklinger** seconded. No further discussion. **Approved 4-1 (Colson).**

Justin Givens, Planning and Zoning Administrator, was recognized and addressed the Governing Body. He stated this was a request from Arturo Vazquez-Flores/Emporia Land Bank to rezone property located at 748 W. 4th Avenue from R-1 Low-Density Residential to I-1 Light Industrial. He stated the applicant is requesting the rezoning in order to build a new garage/storage building on the property. He stated the intended uses are limited to motor vehicle repair and storage/warehousing only. Any additional future uses for the property would require further action by the Planning Commission. At their November 15, 2022 regular meeting, the Planning Commission vote 4 - 1 to recommend approval of the rezoning of the property with limited used for the property to motor vehicle repair and storage/warehousing.

PLANNING AND DEVELOPMENT

**(Application No. 2022-11 - Request of Arturo Vazquez-Flores)
(Rezone Property located at 748 W. 4th Ave. From R-1 to I-1)
(Ordinance Number 22-51)**

AN ORDINANCE REZONING LAND IN THE CITY OF EMPORIA, KANSAS FROM R-1, LOW DENSITY RESIDENTIAL DISTRICT TO I-1 LIGHT INDUSTRIAL ZONING DISTRICT AND AMENDING THE DISTRICT ZONING MAP TO CONFORM WITH SIAD ZONING, to which the City Clerk assigned Ordinance Number 22-51, was presented to the Governing Body for their consideration.

Commissioner Brinkman made a motion to approve Ordinance Number 22-51, an ordinance rezoning the property located at 748 W. 4th Avenue from R-1 Low-Density Residential to I-1 Light Industrial Zoning. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Engineering Construction Agreement)
(BG Consultants, Inc.)
(Kretsinger Subdivision)**

Jim Witt, Special Projects Manager, was recognized and addressed the Governing Body. He stated this contract is to provide engineering services for the final design of public improvements to serve the Kretsinger subdivision. Improvements include streets, alleys, water and sewer lines, drainage and a sewer lift station. Once completed and a cost estimate developed, based on final plan, the Commission will have additional information to move forward. He stated the completed date for the contract is June 1, 2023. The proposed development plan submitted during the RHID application process indicated the construction of 1,200 square foot homes with an estimated price of \$225,000. He stated BG Consultants, Inc. has been the engineering firm involved from the beginning of this subdivision and it would save time and money to continue with the same firm. He stated staff is recommending BG Consultants, Inc. for engineering services in the amount of \$252,800 for the Kretsinger Subdivision. This is budgeted from the Industrial Fund.

Commissioner Brinkman made a motion to approve the Engineering Agreement for Kretsinger Subdivision to BG Consultants, Inc. for \$252,800. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Create Homeless Task Force)
(Resolution Number 3686)**

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated there has been recently discussion on the growing issue of unhoused individuals in our community. The Commission previously recommended establishment of a taskforce to study this issue and make recommendations. She stated this proposed resolution establishes a Taskforce on Homelessness charged with developing recommendations to address the homelessness in the City, including, but not limited to:

1. Identifying existing needs of unhoused and at-risk individuals within the community.
2. Analyzing existing resources to address homelessness and providing recommendations for closing gaps in services,
3. Proposing additional strategies to provide temporary and permanent housing solutions for unhoused individuals in the community, and
4. Providing recommendations for legislative action.

She stated the Commission will appoint one City Commissioner to serve as the Commission Liaison. Each Commissioner shall appoint one representative to the taskforce. The City Manager shall appoint appropriate staff to assist the taskforce.

Commissioner Harter made a motion to approve Resolution Number 3686, a resolution establishing a taskforce on homelessness and to appoint Commissioner Brinkman to serve as the Commission Liaison. Commissioner Giefer seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Engineering Construction Agreement)
(Kaw Valley Engineering)
(Mahtropolis Subdivision)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated Mahtropolis Housing Development will create 27 single-family houses along Mahanopoly Avenue and Riley Avenue. Engineering services for the Mahtropolis Housing Development will include sanitary sewer, watermain, street and storm sewer. Kaw Valley was chosen by the developer from the beginning and staff is recommending the same engineering firm as to not duplicate work and fees that have already been performed. He stated Kaw Valley Engineering has proposed an agreement in the amount of \$57,761.53 for preliminary Engineering services only. He stated staff is recommending approval of the agreement.

Commissioner Brinkman made a motion to approve Kaw Valley Engineering Agreement in the amount of \$57,761.53 for Mahtropolis Housing

Development. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

ACCOUNTING
(Consultants Contract for Selecting ERP Software)
(Utility Billing Software)
(Bids)

Janet Harrouff, Director of Administrative Services, was recognized and addressed the Governing Body. She stated the current software has been utilized since 2010. Over the years the response to service requests has become inadequate or nonexistent. The interface is antiquated and is creating productivity issues. She stated by utilizing a consultant, a complete review of the City's need for new software can be determined as well as opportunities to streamline and reduce manual processes. The consultant can assist the City in developing and RFP to solicit bids for the best software that meets the needs of the City. Once a new ERP has been selected, the consultant can assist the City in negotiating a price and ensure implementation is on schedule. She stated the RFP was submitted to four (4) companies and two (2) proposals were received as follows:

ERP Advisors Group	\$116,850.00
Client First Technology Consulting	\$ 74,790.00

She stated the cost will be split between General, Water, Sewer, and Solid Waste Funds and staff is recommending approval of the bid with Client First Technology Consulting in the amount of \$74,790.00 as the consultant to assist with selecting ERP software.

Commissioner Harter made a motion to approve the bid to Client First Technology Consulting in the amount of \$74,790.00 to assist with selecting ERP software. Commissioner Giefer seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; and Mayor Smith, aye.

**CITY MANAGER'S REPORTS
(Financials & Building Permits)**

This is the time for the City Manager to make comments and reports to the public. The following is general information for the month of November 2022 for the community:

1. Monthly Local Retail Sales Tax Receipts Update

	2021	2022	Increase of \$169,161.73 for the month, and
	\$371,392.98	\$540,554.71	Overall increase of 14.40% from year 2021
YTD	\$4,855,072.45	\$5,554,118.90	

2. City Share from County Tax

	2021	2022	Increase of \$27,985.55 for the month, and
	\$249,520.62	\$ 277,506.17	Overall increase of 12.18% from year 2021
YTD	\$2,529,977.24	\$2,838,126.57	

3. Building Permits issued from 11/1/2022 to 11/30/2022 for new construction, remodeling, repairs and demolition.

Total number of building permits issued through Code Services:	85
Total of valuations associated with those building permits:	\$1,220,443.00
Total number of dollars collected for Building Permit Fees:	\$ 10,124.00
Construct - single family dwellings	1
Demo - single family dwellings	0
Flint Hills Mall CID for November 2022	\$ 21,052.76
Year to Date Total	\$ 209,405.46

Consent Agenda

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

- Approve the minutes of the Regular Meeting held on December 7, 2022, and December 12, 2022.
- Ratification and approval of Payroll Ordinance for the period ending December 2, 2022.
- Approve City of Emporia Boundary Resolution Number 3687.
- Approve Funston Street Paving Improvement Change Order No. 2.
- Approve KDOT CCLIP SP FY2024 Resurfacing Project Agreement, Project 50-56 U-2146-01.
- Approve 2022 Street Rehabilitation Change Order No 1 and 2.

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

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

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

At the time this Agenda was prepared, the following items were in the works for the tentative Agendas of the January 4, 2023 meetings.

- Update from Empowerment Ministries.
- Legislative Policy.
- Approve wide area mower for Golf Course.
- Award Highland Street Reconstruction Project.
- State of the City Speech
- Adjourn Sine Die
- Business Meeting
 - Administer Oath of Office
 - Elect Mayor and Vice Mayor
 - Approve Surety Bonds for City Manger, City Clerk and City Treasurer
 - Designate the Emporia Gazette as the Official City Paper.
 - Designate Financial Institutions.
 - Appoint Commissioner Members to RDA, JEDAC, Recreation Commission, Community Foundation Board, William Allen White Community Partnership, Emporia Enterprises, Visit Emporia, Joint City/County Facilities and Services Community Board.

Study Session:

Discuss Implement of Rental registration and revisions of the current vacant property ordinance.

Discuss the Revision of the Human Relations Commission Ordinance.

Request from Land Bank for Urban Side Park Property.

**CITY COMMISSION
(Public Comment)**

This is the time for the Mayor and City Commissioner to make comments and reports to the public.

No comments were made at this time.

EXECUTIVE SESSION

Commissioner Brinkman made a motion to adjourn into Executive Session to discuss proprietary information of a third party relating to potential economic development project and invite Chuck Scott, RDA President and Jim Witt, Special Projects Manager, from 11:28 a.m. to 11:48 a.m., in the City Commission Meeting Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

Upon reconveying the meeting in Regular Session, at 11:48 a.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had discussed proprietary information of a third party relating to potential economic development projects and no action was taken.

Commissioner Giefer made a motion to recess the meeting to 12:05 p.m. in City Conference Room 1AB. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

The following items were discussed at Study Session:

1. Discuss Permitting, Planning, Contractor Licensing, and Code Enforcement Software Proposal.
2. Discuss Legislative Policy.
3. Discuss Appointments of Commissioners to Boards.

STUDY SESSION:

Permitting, Planning, Contractor Licensing, Code Enforcement Software Proposal.

Kory Krause, Director of Building & Neighborhood Development, stated when the City first started to research for new software through Client First, they suggested Emporia's Building and Neighborhood Department try a stand alone program that would encompass permitting, planning, property maintenance, business licensing and contractor licensing. He stated with the City's new website on CivicPlus, he reached out to CivicPlus to find out if there was a software module dedicated to permitting, planning, licensing and code enforcement. This software module will integrate into our new website effortlessly. He then briefly reviewed what CivicGov software has to offer that is currently not available with software in use. He stated CivicGov's software proposal and the current Innoprise software are very comparable in price. There will be a one time implementation payment for the first year and after one year there will be an annual subscription rate. He stated CivicGov's operating features are exactly what the department is needing currently and the software is able to grow in the future. The first year investment with data imports, training, and implementation is \$39,750.00 and year 2 annual recurring is \$31,500.00. He stated staff is recommending moving forward in the purchase of new permitting software.

Following further discussion, Commissioner Giefer made a motion to approve the CivicGov Software for permitting, planning contractor licensing, code enforcement software. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

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

Becky Smith, Mayor

ATTEST:

Kerry Sull, City Clerk



Commission Action Report

Title: Informational Items

Proposed Agenda Date: January 4, 2023

Presented By: Trey Cocking, City Manager

BACKGROUND:

This is an opportunity for the City Manager to present information to the public that may not be reported in other news accounts or City activities or to highlight the 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 Up Coming meetings on January 18, 2023.

Commission Meeting :

- Proclamation Naming Catholic School Week.
- Resolution to Amend IRB for Capitol Holding LLC.
- Public Hearing to Appeal Decision of State Historic Preservation Office for Property Located at 224 E. 6th Avenue.
- Public Hearing for Michelin Tax Abatement.
- Approve the Ordinance for Michelin Tax Abatement.
- Approve New Water Meters and Contract for installation of New Water Meters.

Study Session :

- Discuss the Implementation of Rental registration and revisions of the current vacant property ordinance.
- Discuss the Revision of the Human Relations Commission Ordinance.
- Request from Land Bank for Urban Side Park Property.



Commission Action Report

Title: Business Meeting

Proposed Agenda Date: January 4, 2023

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1. Administer Oath of Office.
 2. Elect a Mayor for the coming year. Traditionally the person serving as the Vice Mayor has been elected Mayor. This is not a statutory requirement but has been a tradition of the City of Emporia similar to many cities in Kansas.
 - 2a. Elect a Vice-Mayor for the coming year. In the past, this position has been filled based on results of the most recent local election. Once again, no statutory requirement exists for this process.
 3. Approve surety bonds for the City Manager Cocking, City Clerk Sull, and City Treasurer Harrouff. The City has obtained the Surety Bonds from Cincinnati Insurance Co. for the 2023 fiscal year.
 4. Designate the Emporia Gazette as the official newspaper, per K.S.A. 12-1420. The City is required by State law to designate an official newspaper, which must have a general circulation in the City. All public hearings and meeting notices, emergency orders, and other official notices must be published in the official newspaper.
 5. Designate the following financial institutions to serve as depositories of funds of the City of Emporia, per K.S.A. Supp. 9-1401:
 - Citizens State Bank
 - Community National Bank & Trust
 - ESB Financial
 - Lyon County State Bank
 - Capital Federal
 6. Appoint one member of the Governing Body to serve as a representative to the following Boards:
 - RDA – appoint one person to serve as the City Commission representative on the Regional Development Association of East-Central Kansas Board. Traditionally a City Commissioner

is the annual appointment. The Board consists of one City appointee plus one City Commissioner, one County appointee plus one County Commissioner, one appointee by the Chamber of Commerce Board, one appointee by the Emporia Enterprises Board, and one at-large appointee selected by the RDA Board. Ex officio members include the City Manager, City Attorney, County Counselor, Emporia State University President, Flint Hills Technical College President, and one appointee by the Main Street Board. Comm. Sauder is the City Commission's current representative.

- JEDAC – appoint one member to participate in the activities of the Joint Economic Development Advisory Council. The Council is made up of one City Commissioner, one County Commissioner, one School Board member, Emporia State University President, Flint Hills Technical College President, Newman Regional Health Board Chairman, Chamber of Commerce Chairman, and Emporia Enterprises Chairman. Ex officio members include the City Manager, Chamber President, RDA President, County Counselor, School Superintendent and Newman Regional Health CEO. Comm. Brinkman is the City Commission's current representative.
- Recreation Commission – appoint one member to serve as the City Commission representative. The Recreation Commission Board consists of two City appointees plus a City Commissioner, two School Board appointees plus a School Board member, and one at-large appointee selected by the Recreation Commission Board. Comm. Giefer is the City Commission's current representative.
- Emporia Community Foundation Board – appoint one member to serve as the City Commission representative. The City has accounts at the Foundation and is entitled to one appointee from the Commission. Comm. Smith is the City Commission's current representative.
- WAW Community Partnership – appoint one member to participate in the William Allen White State Historic Site Community Partnership Board. The City is entitled to one seat on the Board, which has to date always been a City Commissioner but is not required to be. Comm. Smith is the current City Commission representative.
- Emporia Enterprises-appoint one person to serve as the City Commission representative on the Emporia Enterprises Board. The City is entitled to one appointee from the Commission. Comm. Sauder is the City Commission's current representative.
- Emporia Convention & Visitors Advisory Board-appoint one person to serve as the City Commission liaison to the Emporia Convention and Advisory Board. The City is entitled to one appointee from the Commission. Comm. Brinkman is the City Commission's current representative.

- Joint City/County Facilities and Services Community Board-appoint one person to serve as the City Commission representative on the Joint City/County Facilities and Services Community Board. The City is entitled to one appointee from the Commission. Comm. Harter is the City Commission's current representative.
- Emporia Public Library Board- as per statute the current Mayor is always appointed to serve as the City Commission representative on the Emporia Public Library Board. Comm. Smith is the City Commission's current representative.
- Emporia Main Street- appoint one person to serve as the City Commission liaison to the Emporia Main Street Board. The City is entitled to one appointee from the Commission. Currently, no one is the City Commission's current representative.