



**MEETING OF THE CITY COMMISSION - AGENDA
WEDNESDAY, JANUARY 3, 2024 AT 11:00 AM
CITY COMMISSION CHAMBER**

ORDER OF BUSINESS

CALL MEETING TO ORDER Mayor Susan Brinkman

MEMBERS PRESENT

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

PROCLAMATIONS

PUBLIC FORUM

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

NEW BUSINESS

1) Appoint Member to the Emporia Human Relations Commission.

Presented by: Vice Mayor Becky Smith & Commissioner Jamie Sauder

Recommended Action: Approve the Appointment of Mandey Serig to the Emporia Human Relations Commission.

2) Award Police Department Remodel.

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

Recommended Action: Award bid to Evergreen Construction for the total amount of \$292,236 with the project commencing July 2024.

COMMUNICATIONS

Presented by Trey Cocking, City Manager.

CONSENT AGENDA

Presented by Trey Cocking, City Manager.

1) Commission Meeting Minutes for December 20, 2023.

2) License Agreement for 305 West 18th Avenue.

INFORMATIONAL ITEMS

Presented by Trey Cocking, City Manager.

1) Informational Items

GOVERNING BODY COMMENTS

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

EXECUTIVE SESSION

- 1) AN EXECUTIVE SESSION FOR DISCUSSIONS RELATING TO DATA RELATED TO FINANCIAL AFFAIRS OR TRADE SECRETS OF CORPORATIONS, PARTNERSHIPS, TRUSTS, AND INDIVIDUALS RELATED TO POTENTIAL ECONOMIC DEVELOPMENT PROJECTS. K.S.A. 75-4319(B)(4) IS THE AUTHORITY FOR THIS RECESS INTO EXECUTIVE SESSION.

Recess into an Executive Session to discuss confidential matters of a third party for a potential development project for 20 minutes and to invite Dean Grant, Public Works Director; and Tayler Wash, Director of Special Projects, and stating at which time the open meeting will resume.

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

Recess into executive session for consultation with the City Attorney regarding a legal matter for 15 minutes and to invite Tayler Wash, Director of Special Projects, and stating at which time the open meeting will resume.

STATE OF THE CITY SPEECH

ADJOURN SINE DIE

BUSINESS MEETING

- 1)
 - Administer Oath of Office.
 - Elect Mayor and Vice-Mayor.
 - Approve Surety Bonds.
 - Designate the Official City Newspaper.
 - Designate Financial Institutions.

RECESS

Recess to Conference Room 1AB for Study Session

STUDY SESSION AGENDA ITEMS

- 1) Neighborhood Revitalization Program Map Amendments.
- 2) Wastewater Rates
- 3) Appoint Commission Members to RDA, JEDAC, Recreation Commission, William Allen White Community Partnership, Emporia Enterprises, TGT Advisory Board, Emporia Public Library, Emporia Main Street, Recreation Commission Steering Committee, and Fire Station Project Steering Committee.
- 4) Joint Legislative Statement.

ADJOURNMENT



Commission Action Report

Appoint Member(s) to the name of the board.

Title: Appoint Member(s) to the Emporia Human Relations Commission

Agenda Date: January 3, 2024

Presented By: Vice Mayor Becky Smith & Commissioner Jamie Sauder

Background:

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

Discussion:

Applications were received, and interviews were conducted by Commissioners Becky Smith and Jamie Sauder.

Interviewing Commissioners recommend the appointment of Mandey Serig to fill an unexpired term ending 06/01/2025.

Recommended action:

Approve the appointment of Mandey Serig to the Emporia Human Relations Commission.

From: noreply@civicplus.com
To: [Sue Bryson](#); [Emporia Info](#)
Subject: Online Form Submittal: Board Application Form
Date: Sunday, August 20, 2023 5:24:34 PM

Board Application Form

Select the Board,
Commission, or
Committee applying for

Emporia Human Relations Commission

Personal Information

First Name	Mandey
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Last Name	Serig
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Address1	1501 E 10th Ave
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Address2	<i>Field not completed.</i>
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City	Emporia
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State	Kansas
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Zip	66801
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Home Phone Number	6208031840
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Business Address	1501 E 10th Ave
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Business Phone Number	6208031840
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Occupation	Daycare Provider
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Email Address	Mandey_mauer@yahoo.com
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Residency Information

Length of Residency in Emporia	20 years
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Are you a registered voter	Yes
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Education and Hobbies

High School	EHS
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College	Vo tech
Trade or Business School	<i>Field not completed.</i>
Hobbies	Bike riding, hiking, reading.
Organization Membership Information	
Are you currently serving on other Boards, Commissions, or Committees?	No
If yes, which	<i>Field not completed.</i>
Have you served on a Board, Commission, or Committee before?	No
If yes, which	<i>Field not completed.</i>
Please, list organization memberships and positions held.	<i>Field not completed.</i>
Please, list areas of special interest.	<i>Field not completed.</i>
Please, enter basic resume information below.	14 years as a daycare provider congruent with the last 5-6 years as a tech in the ER here in town at Newman.
Please, enter why you would like to be a member of this board or commission.	I feel I would have good insight into certain pertinent things as I have a child with special needs/disabilities and since working with the public in both of my long term positions as a daycare provider and PCT at Newman Regional Health.

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



Commission Action Report

Emporia Police Department Remodel Bid Award

Title: Emporia Police Department Remodel Bid Award

Agenda Date: January 3, 2024

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

Background:

On August 16, 2023, the Commission reviewed the concept of design for the Police Department Remodel. The purpose of the remodel is to open more space for staff workers behind the counter and protect the area to a level 3 ballistic walls and service windows. The work is similar in scope to the improvements made in the Municipal Court lobby and the Water Department Lobby.

Discussion:

The project was designed by Ben Moore Studio Architecture and Planning. Mr. Moore worked with Chief Owens and his staff to come up with the layout of the new space.

Bidding of the project consisted of a base bid for installation new walls, windows and counters for the PD reception area. In addition to the base, three alternate bids for the following:

1. Existing PD offices to receive new carpet and base.
2. Existing Corridor to receive new epoxy and base.
3. Existing Court Reception Lobby to receive new epoxy and base.

Notification of the remodel was done by the following:

1. Direct notification to the contractor by architect.
2. Notification of the project on the City of Emporia website.
3. Notification of the project by publication in the Emporia Gazette.
4. Notification of contractors through architect website, Eplan Room, and Topeka Blueprint.

On December 7th a pre-bid meeting was held. Nine contractors were in attendance. On December 21st bids were opened. Three bids were submitted. Bid tabs were as follows:

Evergreen Construction: base bid was \$264,369; Alt #1 was \$8,047; Alt #2 was \$12,620; Alt 3 was \$7,200; Total was \$292,236

Mitchell-Markowitz Construction: base bid was \$320,165; Alt #1 was \$7,820; Alt #2 was \$11,760; Alt 3 was \$5,650; Total was \$345,395

Vogts Construction: base bid was \$363,000; Alt #1 was \$6,500; Alt #2 was \$9,000; Alt 3 was \$6,500; Total was \$385,000

Architect estimate for the remodel, with all three alternatives, was \$374,470.

One unknown for this project is an area of carpet that was once a hallway that may have asbestos mastic under the carpet. Additional testing may be required during demolition.

Financial considerations:

This project is being funded through Civic ADA/Multi-Year. Budget amount is \$400,000. Additional cost could be incurred if asbestos is found.



Commission Action Report

Emporia Police Department Remodel Bid Award

Recommended action:

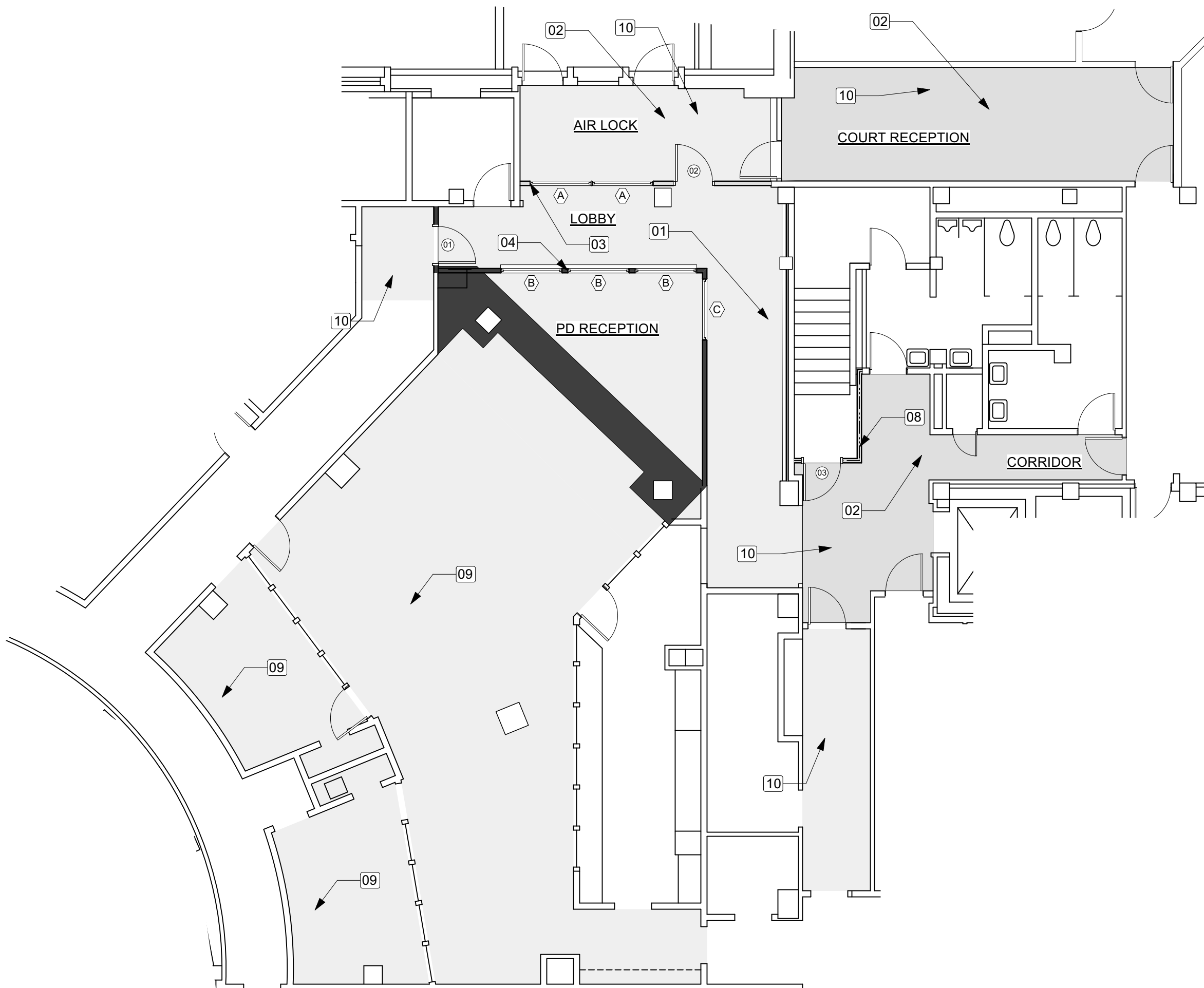
Award bid to Evergreen Construction for the total amount of \$292,236 with the project commencing July 2024.

Attachments:

Police Department Remodel floorplan

PHASING NOTES

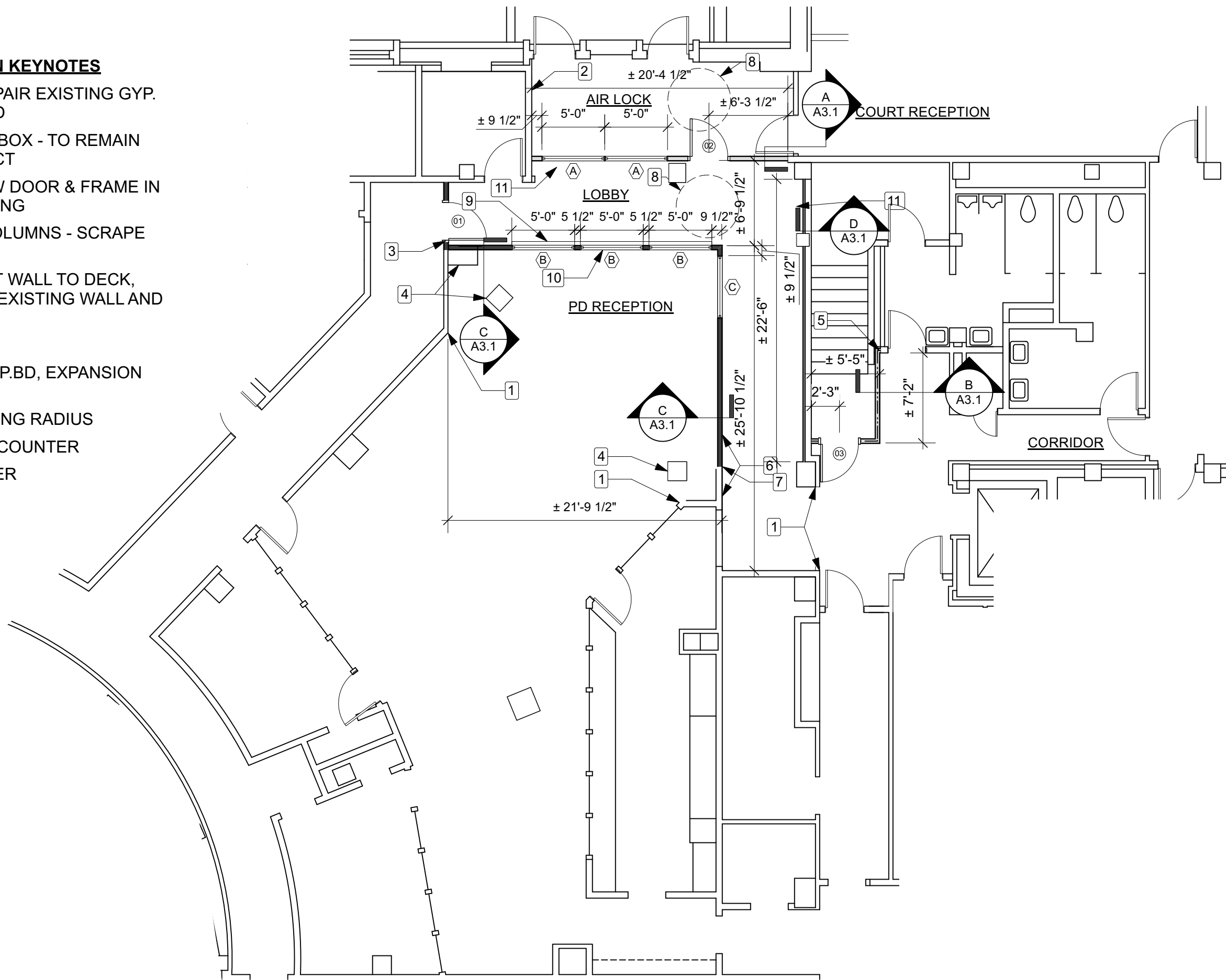
01. CONTRACTOR TO PERFORM DEMOLITION ON PUBLIC SIDE OF THE PROJECT FIRST. LOBBY.
02. CONTRACTOR TO PERFORM DEMOLITION ON AIR LOCK, CORRIDOR AND COURT RECEPTION WHILE COORDINATING WITH COURT DAYS AND TIMES NO WORK DURING COURT PROCEEDINGS.
03. NEW WALL - ON NON SECURE SIDE. BETWEEN LOBBY AND AIR LOCK
04. NEW WALL SEPERATING NEW PD RECEPTION TO LOBBY WILL BE BUILT - WHILE ALLOWING PUBLIC THROUGH TO EXISITING TRANSACTION COUNTER.
05. COORDINATE WITH OWNER FOR TEMP. INSTALL OF VIDEO PI
06. COORDINATE WITH OWNER FOR TEMP. RELOCATION
07. REPLACING DOOR 01 CAN BE COMPLETED AT ANY TIME IF AT NO POINT CAN 'BACK OF HOUSE' BE OPEN TO THE PUBLIC.
08. NO PHASING REQUIREMENT - CONTRACTOR SHALL NOT BLOCK EGRESS
09. FINISH BACK OF HOUSE
10. COORDINATE ALL FLOOR FINISH W/ EGRESS. COORDINATE FLOOR FINIHS OF AIR LOCK, CORRIDIOR AND COURT RECEPTION. WITH COURT DATES. AND TIMES
11. REMOVE ALL TEMP. WORK AND RETURN TO CURRENT CONDITION



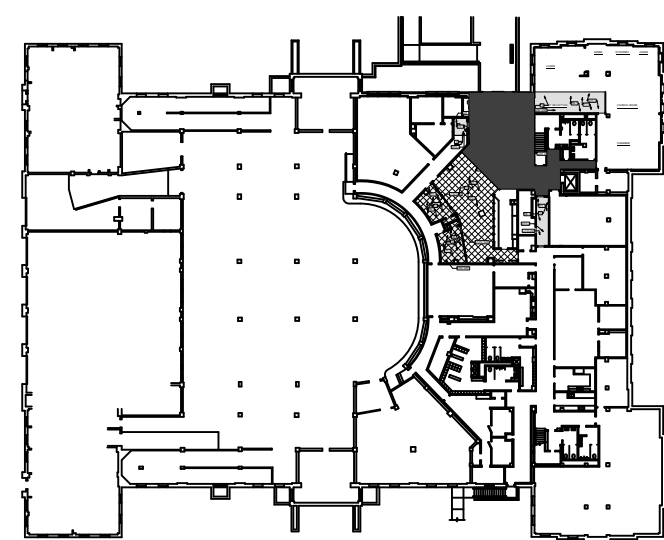
2 Phasing Floor Plan
Scale: 1/8" = 1'-0"

FLOOR PLAN PLAN KEYNOTES

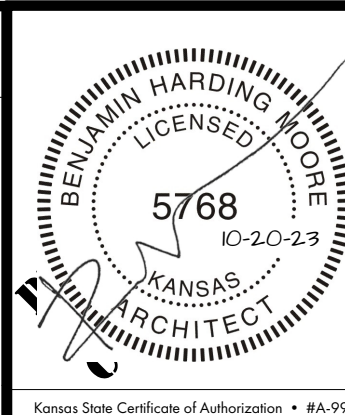
- 1 PATCH & REPAIR EXISTING GYP. BD. AS REQ'D
- 2 SAFE DROP-BOX - TO REMAIN AND PROTECT
- 3 INSTALL NEW DOOR & FRAME IN EXIST OPENING
- 4 EXISTING COLUMNS - SCRAPE AND PAINT
- 5 FULL HEIGHT WALL TO DECK, RETURN TO EXISTING WALL AND ALIGN
- 6 ALIGN
- 7 PROVIDE GYP.BD, EXPANSION JOINT
- 8 5' ADA TURNING RADIUS
- 9 ADA CHECK COUNTER
- 10 DEAL DRAWER
- 11 BENCH



1 Floor Plan
Scale: 1/8" = 1'-0"



A Key Plan
Scale: 1:1000



CITY OF EMPORIA
POLICE DEPARTMENT REMODEL
518 Mechanic
Emporia, KS

CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & CONDITIONS AT THE JOB SITE
DATE: 10/20/23
REVISION:
TITLE: FLOOR PLAN
SHEET: A1.1 OF 5
PROJECT: 23-07

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, December 20, 2023, with Mayor Brinkman presiding and Commissioners Giefer, Sauder, and Smith present. Commissioner Harter was absent. Also present were City Manager Cocking, Assistant City Manager Detter, 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. Please state your name and address prior to making comments.

No comments were made at this time.

**BUDGET
(2023 Budget Amendments)
(Public Hearing)
(Ordinance Number 23- 37)**

AN ORDINANCE AMENDING THE 2023 BUDGET, to which the City Clerk assigned Ordinance Number 23-37, was presented to the Governing Body for their consideration.

Janet Harrouff, Director of Finance, was recognized and addressed the Governing Body. She stated a public hearing will need to be conducted to amend the 2023 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 2023 Budget amendments are as follows:

Multi-Year Fund – more projects were handled than originally budgeted.

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

Drug Forfeiture Fund – received larger revenues and spent additional funds on needed equipment.

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

Wastewater Fund – received bond proceeds and incurred higher maintenance costs due to sewer main repairs.

Equipment Reserve Fund – Solid Waste equipment purchases from 2022 and corresponding funds were deposited into the Equipment Reserve Fund which increased expenses when equipment was received in 2023.

Mayor Brinkman then declared the public hearing open.

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

Commissioner Smith made a motion to approve Ordinance Number 23-37, an ordinance amending the 2023 Budget to increase spending authority for the Multi-Year Fund; Library Fund; Drug Forfeiture Fund; Water Fund; Wastewater Fund and Equipment Reserve Fund. Commissioner Sauder seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; and Mayor Brinkman, aye.

CITY COMMISSION (Board Appointments)

Emporia Enterprises:

It was moved by Commissioner Smith seconded by Commissioner Sauder that Tyler Curtis be appointed to the Emporia Enterprises Board for a term that expires December 31, 2026. The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; and Mayor Brinkman, aye.

Regional Development Association of East Central Kansas Board:

It was moved by Commissioner Giefer seconded by Commissioner Sauder that Brad Kraft be appointed to the Regional Development Association of East Central Kansas Board for a term that expires December 31, 2026. The vote follows: Commissioner

Giefer, aye; Commissioner Sauder, aye; Commissioner Smith, aye; and Mayor Brinkman, aye.

Multi-Use Path Planning Board:

It was moved by Mayor Brinkman seconded by Commissioner Sauder that Eric Paul be appointed to the Multi-Use Path Planning Board for a term that expires on December 31, 2026. The vote follows: Mayor Brinkman, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; and Commissioner Smith, aye.

Golf Advisory Board:

It was moved by Commissioner Sauder seconded by Commissioner Smith that Eli Fowler and Gary Nicolet be appointed to the Golf Advisory Board for terms that expire on December 31, 2027. The vote follows: Commissioner Sauder, aye; Commissioner Smith, aye; Commissioner Giefer, aye; and Mayor Brinkman, aye.

**CITY COMMISSION
(Support of Access to Materials and Information)
(Emporia Public Library)
(Resolution Number 3715)**

City Attorney Montgomery was recognized and addressed the Governing Body. She stated the Emporia Public Library has requested a statement of support for access to materials and information. She stated the proposed resolution recognizes the importance of reading, supports the rights of all people to access material and information at the Emporia Public Library, and supports the authority of the Emporia Public Library Board regarding materials selection. She stated staff recommends approval of Resolution Number 3715.

Commissioner Smith made a motion to approve Resolution Number 3715, a resolution in support of access to materials and information at the Emporia Public Library. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer aye; Commissioner Sauder, aye; and Mayor Brinkman, aye;

CITY COMMISSION
(Transfer of Public Park Property to Emporia Land Bank)
(Resolution Number 3716)

Assistant City Manager Detter was recognized and addressed the Governing Body. He stated the Commission has received a request to transfer ownership of Quaker Park to the Emporia Land Bank with an expressed desire for the purpose of residential development on the property. He stated the park is located at 28 Sylvan Street and is 25,694 square feet. The Park has the potential to be divided into three lots (50 x 172) for the development of single-family houses. He stated the proposed resolution would declare the intent to transfer the lot at Quaker Park to the Emporia Land Bank for development of single-family residential housing and allow public notice in the official City newspaper. The Emporia Land Bank would be responsible for all survey work, lots splits, deed filing, etc. He stated staff recommends approval of Resolution Number 3716 authorizing city staff to publish notice of proposed transfer of public park property to the Emporia Land Bank.

City Attorney Montgomery addressed the Governing Body stating the proposed resolution is just authorizing city staff to place notice in the official newspaper that this proposal of park property is to be considered. It is just to authorize the notice and no final decision will be made until a later date. The publication will be for two consecutive weeks which will then start a 30-day protest period to begin to allow the public to give further input before the final decision is made. This is a process set by statute.

Jeff Lynch, Community Development, was recognized and addressed the Governing Body. He stated if the park property is transferred to the Emporia Land Bank, the plan would be to develop three single-family homes and at least one home would be developed by Habitat.

Commissioner Smith made a motion to approve Resolution Number 3716, a resolution authorizing city staff to publish notice of proposed transfer of public park property to the Emporia Land Bank. Commissioner Giefer seconded the motion.

Mayor Brinkman stated she was not in favor of this. *We have a process in place at the city to dispose of public land that is in the best interest of the taxpayers and we are not following it here. We are instead sliding a piece of property across the table to the*

Land Bank where one or more developers are on that board. We have put no money into this park, but one of the reasons that we are saying we want to dispose of it is that no one uses it. Despite the fact that we have spent hundreds of thousands of dollars in our other parks we have spent no money in this park and it's shoddy at best to say no one uses it. And finally, there will be no park in the southeast quadrant of our community, yet we are building now potentially 56 new units without having to cross a state highway or multiple sets of very busy train tracks. For that reason, I do want to walk away from the southeast side of our community without a park.

There was a call for the vote as follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Brinkman, nay.

**LAKE KAHOLA FUND
(Authorize Funds for Improvements to Emporia Park System)
(Resolution Number 3717)**

Assistant City Manager Detter was recognized and addressed the Governing Body. He stated the City of Emporia is working with David Foster of Fosters and Associates on the placement of a Skate Park in Whittier Park. The American Ramp Company is the developer of the actual skate park. The 2024 adopted budget approved funds from the Lake Kahola Fund. An anonymous donation of \$250,00.00 was provided to the Emporia Community Foundation for the skate park. As part of the process of the utilization of funds, the Emporia Community Foundation is requesting a motion from the City Commission to request a withdrawal of \$250,000.00 from the Emporia Community Foundation to utilize funds for the design and initial construction of the Skate Park. He stated staff will request funds when construction of the skate park is half to two-thirds finished. He stated staff is recommending approval of Resolution Number 3717 authorizing the drawdown of \$250,000.00 from Lake Kahola Fund to pay for improvements to the Emporia Park System.

Commissioner Smith made a motion to approve Resolution Number 3717, a resolution authorizing the withdrawal of \$250,000.00 from the Lake Kahola Fund for improvements to the Emporia Park System. Commissioner Sauder seconded the motion.

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

**WATER MAINTENANCE
(Southeast Transmission Water Main Design)
(Supplemental Agreement No. 1)
(BG Consultants, Inc.)**

Dean Grant, Public Works Director, was recognized and addressed the Governing Body. He stated the Southeast transmission main is a proposed 20-inch waterline that would complete a backbone for the city's distribution system. The Commission previously approved the contract for engineering services with BG Consultants, Inc. in the amount of \$700,100.00 at their August 2, 2023, meeting. The original design will take approximately 18 months to complete and will be submitted to KDHE for approval. Due to the water usage demands from a portion of the industries in the southeast part of town, the proposed 20-inch waterline design schedule of an 18-month timeline will need to be reduced. He stated the Supplemental Agreement No. 1 will expedite project design, amend the scope to include a sewer line realignment, and utilize BG Consultants to help with the procurement of project materials. Professional services schedule will be reduced to have Final Plans/Submit to KDHE on or before August 2, 2024. The project scope in the original agreement needs to be amended to include the realignment of a sewer line that conflicts with the proposed alignment of the waterline on 7th Avenue between Walnut Street and West Street. The supplemental agreement includes BG Consultants helping to facilitate materials only bid. This will allow the city to order the materials that have a longer lead time, 4 to 6 months, and had delayed that start of several waterline projects. He stated the original cost for design will be paid from the State Revolving Fund Loan. Supplemental Agreement No. 1 will be an additional \$130,500.00 to the project and paid from the State Revolving Fund Loan. He stated staff is recommending approval of the Southeast Transmission Water Main Design Supplemental Agreement No. 1 with BG Consultants, Inc.

Commissioner Smith made a motion to approve the Southeast Transmission Main Supplemental Agreement No. 1 with BG Consultants, Inc. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer aye; Commissioner Sauder, aye; and Mayor Brinkman, aye.

CITY MANAGER'S REPORT (Financials & Building Permits)

This is the time for the City Manager to make comments and reports to the public.
The following is general information for the month of November 2023 for community:

1. Monthly Local Retail Sales Tax Receipts Update

	2022	2023	Decrease of \$3,500.05 for the month, and
	\$ 540,554.71	\$ 537,054.66	Overall increase of 6.39% from year 2022.
YTD	\$5,554,118.90	\$5,908,977.36	

2. City Share from County Tax

	2022	2023	Increase of \$10,675.18 for the month, and
	\$ 277,506.17	\$ 288,181.35	Overall increase of 9.62% from year 2022.
YTD	\$2,838,126.57	\$3,111,077.20	

Building Permits issued from 11/1/2023 to 11/30/2023 for new construction, remodeling/repairs and demolition.

Total number of building permits issued through Code Services:	54
Total of valuations associated with those building permits:	\$3,217,158.00
Total number of dollars collected for Building Permit Fees:	\$ 15,961.50
Construct – Single-family dwellings	3
Demo – Single-family dwellings	1

Flint Hills Mall CID for November 2023	\$ 16,186.02
YTD	\$ 204,255.94

Pavilions CID for November 2023	\$ 14,101.05
CID #2	\$ 14,101.05
YTD	\$ 210,769.06

Consent Agenda

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

- a. Approve minutes of the Regular Meeting held on December 6, 2023.
- b. 2024 Maintenance Contract with Emporia Public Library.
- c. Ordinance Number 23-38 for Increase in Water Rates.

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS PERTAINING TO WATER RATES; AMENDING SECTION 28-41, 28-42 AND 28-43 OF THE CODE OF THE CITY OF EMPORIA, KANSAS, to which the City Clerk

assigned Ordinance Number 23-38, was presented to the Governing Body for their consideration.

- d. Agreement with Rural Fire District Number 4.
- e. Resolution Number 3718 to Adopt Annual Solid Waste Management Plan for 2022.
- f. Resolution Number 3719 for Boundary of City Limits.
- g. Resolution Number 3720 for 2023 Rate Schedule for Municipal Golf Course.
- h. Mahtropolis Addition Utility Easement Agreement.
- i. KDOT Transportation Alternative Sidewalk Improvement Agreement.
- j. Award Mechanic Street Parking Lot Improvements Lighting to Schumann Electric.

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

CITY COMMISSION (City Manager's Report)

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

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

TENTATIVE AGENDA FOR JANUARY 3, 2024, MEETING.

- License Agreement for 305 W. 18th Avenue.
- Administer Oath of Office.
- Elect Mayor and Vice Mayor.
- Approve Surety Bonds for the City Manager, City Clerk and City Treasurer.
- Designate Official City Newspaper.
- Designate Financial Institutions.

Study Session:

- Discuss Updates of City Park Rules.
- Discuss Approval of the New Bandstand in Fremont Park.
- Neighborhood Revitalization Program Map Amendments.
- Discuss Extra Strength Surcharge.

- Wastewater Rate Comparison.
- Appoint Commission Members to Regional Development Association of East Central Kansas, JEDAC, Emporia Recreation Commission, William Allen White Community Partnership, Emporia Enterprises, Transient Guest Tax Advisory Board, Emporia Public Library, Emporia Main Street.
-

CITY COMMISSION (Public Comment)

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

EXECUTIVE SESSION

Commissioner Sauder made a motion to recess into Executive Session for consultation with the City Attorney regarding a legal matter resuming the open meeting the City Commission Meeting Room, this same date, at 11:37 a.m. and to invite Tayler Wash, Special Projects Director. Commissioner Smith seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Smith, aye; Commissioner Giefer, aye; and Mayor Brinkman, aye.

Commissioner Harter joined the Executive Session via phone.

Upon reconveying the meeting in Regular Session, at 11:37 a.m., this same date in the City Commission Meeting Room, Mayor Brinkman stated they had consultation with the City Attorney regarding a legal matter and no action was taken.

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

Susan Brinkman, Mayor

ATTEST:

Kerry Sull, City Clerk



Commission Action Report

License Agreement for 305 West 18th Avenue

Title: License Agreement for 305 West 18th Avenue

Agenda Date: January 3, 2024

Presented By: Christina Montgomery, City Attorney

Background:

A house with a stone wall has existed at 305 West 18th Avenue for nearly a century. The proposed license agreement with Paul and Debra Challender will resolve an encroachment issue that has existed since the construction of the stone wall.

Discussion:

The license agreement grants a license roughly 41 feet wide for parking, ingress/egress, and green space in line with the existing wall. No new improvements may be constructed in the licensed area without review of the City Engineer and approval of the City Manager. Any damage to City property will be repaired at the expense of licensee.

Financial considerations:

The City will pay fees associated with filing the License Agreement with the Register of Deeds.

Recommended action:

Approve License Agreement for 305 West 18th Avenue

Attachments:

License Agreement for 305 West 18th Avenue.

LICENSE AGREEMENT

This Agreement is made this _____ day of _____, 2023, by and between the City of Emporia, Kansas, a municipal corporation, hereinafter referred to as “CITY”; and Paul and Debra Challender, hereinafter referred to as “LICENSEE”.

WITNESSETH:

WHEREAS, LICENSEE is the owner of a tract of land situated in the City of Emporia, Lyon County, Kansas and generally described as:

Lots 81, 82, 83, 84, 85 and 86 in Organs Subdivision of Lot 38 in Normal Addition to the City of Emporia, Lyon County, Kansas,

and more commonly known as 305 West 18th Avenue, Emporia, Kansas; and

WHEREAS, the CITY is the owner of a tract of an adjoining tract of land situated in the City of Emporia, Lyon County, Kansas and generally described as:

Lots 41 through 46 Inclusive in Organs Subdivision to the City of Emporia, Lyon County, Kansas

and hereinafter referred to as “CITY PROPERTY”; and

WHEREAS, LICENSEE desires to a license a pre-existing encroachment consisting of approximately 34.5 feet west of LICENSEE’s property including a stone wall and driveway used for parking, ingress/egress, and green space in the area depicted as Licensed Use Area in Exhibit A (hereinafter “LICENSED USE”); and

WHEREAS, the CITY is willing to allow such licensed use upon CITY property upon the terms and conditions as hereinafter set forth:

NOW, THEREFORE, the parties hereto in consideration of the mutual promises and covenants contained herein do hereby agree as follows:

1. The CITY does hereby grant and convey to LICENSEE a license, under, upon and over a portion of CITY PROPERTY as shown by the diagram attached hereto as Exhibit A and incorporated by reference herein. No assignment of any type or transfer or conveyance of a real property interest is intended by this License.

2. The license granted herein to LICENSEE is for the sole purpose of the LICENSED USE of the CITY PROPERTY; provided that LICENSEE's use of the CITY PROPERTY does not unduly interfere nor is it hazardous to the public.
3. That LICENSEE agrees it will repair the CITY PROPERTY and any improvements or utilities therein at LICENSEE's expense, to City standards, approved by the CITY Engineer that are disturbed during LICENSED USE and arising from the LICENSED USE.
4. LICENSEE does hereby acknowledge that the license granted hereunder is under, over and upon a public park and the parties agree that said grant is terminable at the will of the CITY if for any reason the CITY deems it necessary, the determination of which is in the sole discretion of the CITY.
5. LICENSEE shall not construct any new improvements or structures, or enlarge, reconstruct, remodel, or in any way alter the existing encroaching wall and driveway without the review of the CITY ENGINEER and written consent of the CITY MANAGER.
6. The parties agree that the license will terminate should the LICENSEE use the CITY PROPERTY for any purposes not authorized in the LICENSED USE.
7. LICENSEE agrees that the City, or any of its franchisees, does not have any responsibility or liability for damage to said LICENSED USE as a result of any installation, maintenance or construction of facilities/utilities presently existing or subsequently installed within the CITY PROPERTY, and LICENSEE does hereby waive any liability for and agrees to assume all risk of loss or damage to the LICENSED USE.
8. LICENSEE agrees to indemnify and hold harmless the CITY, its officers, and employees from any liability to person or property due to the placement or maintenance of said LICENSED USE in the CITY PROPERTY, including the cost of any attorney's fees incurred in the defense of any legal action associated with such placement or maintenance and further to indemnify the CITY against any real estate taxes or other costs and expenses it may occur due to the placement of said LICENSED USE in the CITY PROPERTY.

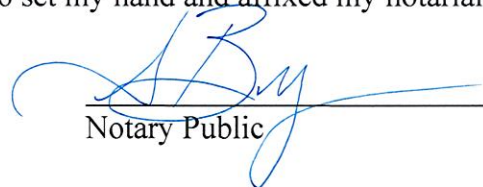
9. LICENSEE shall, during the term of this License Agreement, at its sole cost and expense, maintain a comprehensive general liability insurance policy insuring the CITY, its officers and employees, from any liability to person or property due to the placement or maintenance of the LICENSED USE in and on the CITY EASEMENT.
10. The license granted hereunder shall be deemed a covenant running with the land so long as the license thus granted continues; moreover the parties hereto bind and obligate themselves and their executors, administrators, successors and assigns to the rights and obligations respectfully granted and assumed hereunder. The foregoing notwithstanding LICENSEE shall not assign this license without the express written consent of the CITY which consent may be withheld in the discretion of the CITY.
11. This agreement may be filed of record with the Lyon County Register of Deeds by the CITY, at its expense, and if so filed may be terminated by filing a copy of the written notice provided for herein with the Lyon County Register of Deeds.
12. The entire agreement between City and Licenses is set forth in this License and there are no understandings, agreements, or representations of any kind between the parties, verbal or otherwise, other than as set forth in this License. No change or modification of any of the term, obligations or provisions hereof shall be valid unless in writing and signed by the parties hereto.

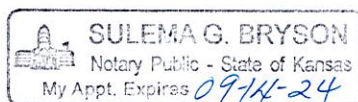
IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date and year first above written.


Paul Challender

BE IT REMEMBERED, that on this 28 day of December, A.D., 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **Paul Challender**, 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.

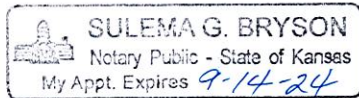

Notary Public




Debra Challender

BE IT REMEMBERED, that on this 28 day of December, A.D., 2023, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came **Debra Challender**, 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

CITY OF EMPORIA, KS

Susan Brinkman, Mayor

ATTEST:

Kerry Sull, City Clerk

BE IT REMEMBERED, that on this ____ day of _____, A.D., 2024, before me, the undersigned, a Notary public in and for the County and State aforesaid, came **Susan Brinkman**, 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

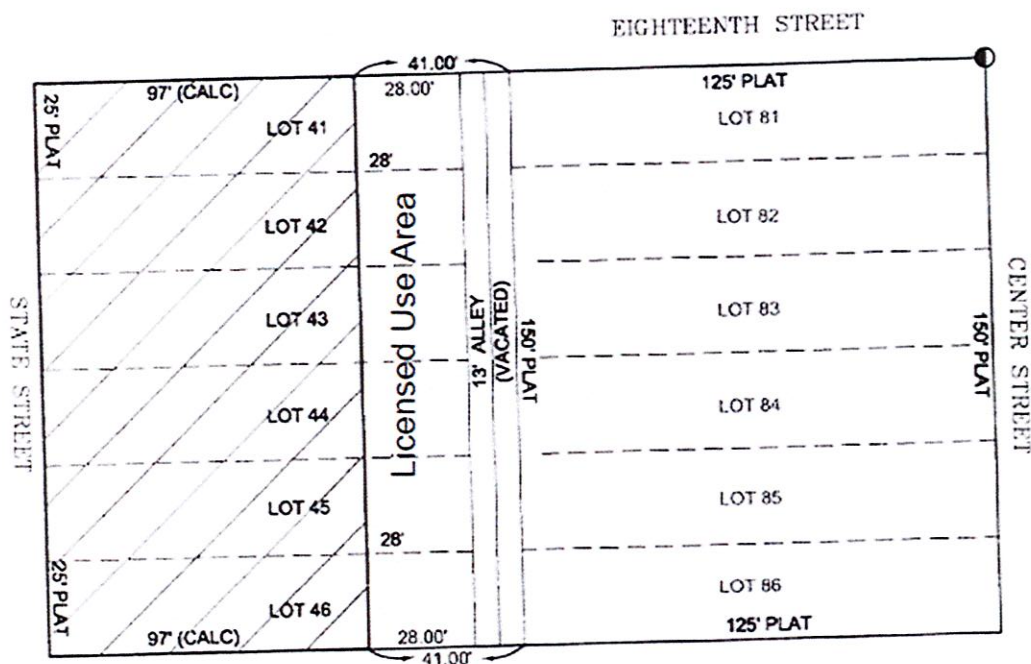
My Commission Expires

EXHIBIT A

EXHIBIT FOR BOUNDARY DESCRIPTION

A TRACT IN ORGAN'S SUBDIVISION IN THE CITY OF
EMPORIA, LYON COUNTY, KANSAS

BOUNDARY DESCRIPTION: (CITY OF EMPORIA TRACT)
LOTS 41 THROUGH 46 INCLUSIVE, **EXCEPT** THE EAST 28 FEET
THEREOF, ALL IN ORGANS SUBDIVISION TO THE CITY OF
EMPORIA, LYON COUNTY, KANSAS.



Lots in Organ's Subdivision are platted as 25'x125' with a 13' Alley

Certification
State of Kansas) ss
County of Lyon)

This is to certify and acknowledge that I, Aaron C. Davis, a licensed Land Surveyor in said County and State, did prepare this report under my direct supervision. Further, that this report and survey does not certify, with the client's knowledge, to ownership, easements and other restrictions of record, unless otherwise shown or stated. Further, that the locations of certain corners may have been determined but not physically marked as directed by the client. Field date is shown below.

NOTE: This document is not original unless the signature and date are blue ink.

CLIENT: CITY OF EMPORIA



GeoTech, Inc. 115 W. 5th AVE. EMPORIA, KS 66801 (820) 342-7491 www.geotechinc.net	PROJECT #	FIELD DATE	DRAWN BY	SHEET(S)
	20152-15	6/06/2023	ACD	1 OF 1



Commission Action Report

Informational Items

Title: Informational Items

Agenda Date: January 3, 2024

Presented By: Trey Cocking, City Manager

Background:

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

Discussion:

At the time this Agenda was prepared, the following items were in the works for the tentative Agendas of the upcoming meetings on January 17, 2024.

Commission Meeting :

- Award Sunset Lake

Study Session:

- Discuss the Update of City Park Rules.
- Discuss Approval of the New Bandstand in Fremont Park.
- Discuss the Implementation of Rental registration and Revisions of the Current Vacant Property Ordinance.



Commission Action Report

Executive Session

Title: Executive Session

Agenda Date: January 3, 2024

Background:

An Executive Session for discussions relating to data related to financial affairs or trade secrets of corporations, partnerships, trusts, and individuals related to potential economic development projects. K.S.A. 75-4319(B)(4) is the authority for this recess into Executive Session.

Recommended action:

Recess into Executive Session to discuss confidential matters of a third party for a potential development project for 20 minutes and to invite Dean Grant, Public Works Director; and Tayler Wash, Director of Special Projects, and stating at which time the open meeting will resume.



Commission Action Report

Executive Session

Title: Executive Session

Agenda Date: January 3, 2024

Background:

An Executive Session for consultation with an attorney for the public body or agency which would be deemed privileged in the attorney-client relationship. K.S.A. 75-4319(b)(2) is the authority for this recess into Executive Session.

Recommended action:

Recess into executive session for consultation with the City Attorney regarding a legal matter for 15 minutes and to invite Tayler Wash, Director of Special Projects, and stating at which time the open meeting will resume.



Commission Action Report

Business Meeting

Title: Business Meeting

Agenda Date: January 3, 2024

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 the 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 2024 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

Title: Neighborhood Revitalization Program Map Amendments

Agenda Date: January 3, 2024

Presented By: Tayler Wash, Director of Special Projects
Jeff Lynch, Community Development Coordinator

Background:

The Neighborhood Revitalization Program gives property owners within a designated area the opportunity to receive a rebate for ten (10) years on additional property taxes assessed as a result of property improvements or new construction.

Discussion:

During the November 1, 2023 Commission Study Session, we discussed the possibility of expanding the NRP Map Area to include more commercial properties that could benefit from this program. We've developed two maps for the Commission's consideration.

Both maps include properties on Industrial Road from Highway 50 up to 24th Avenue. The biggest difference between the maps is related to properties near Wheeler Street. Map A has a boundary that follows the eastern property line of the mall. Map B has a boundary that extends out to Wheeler Street and includes several commercial businesses, a retirement building, and an open plot of land.

Staff is seeking direction from the Commission as to which map would be most beneficial.

Financial Considerations:

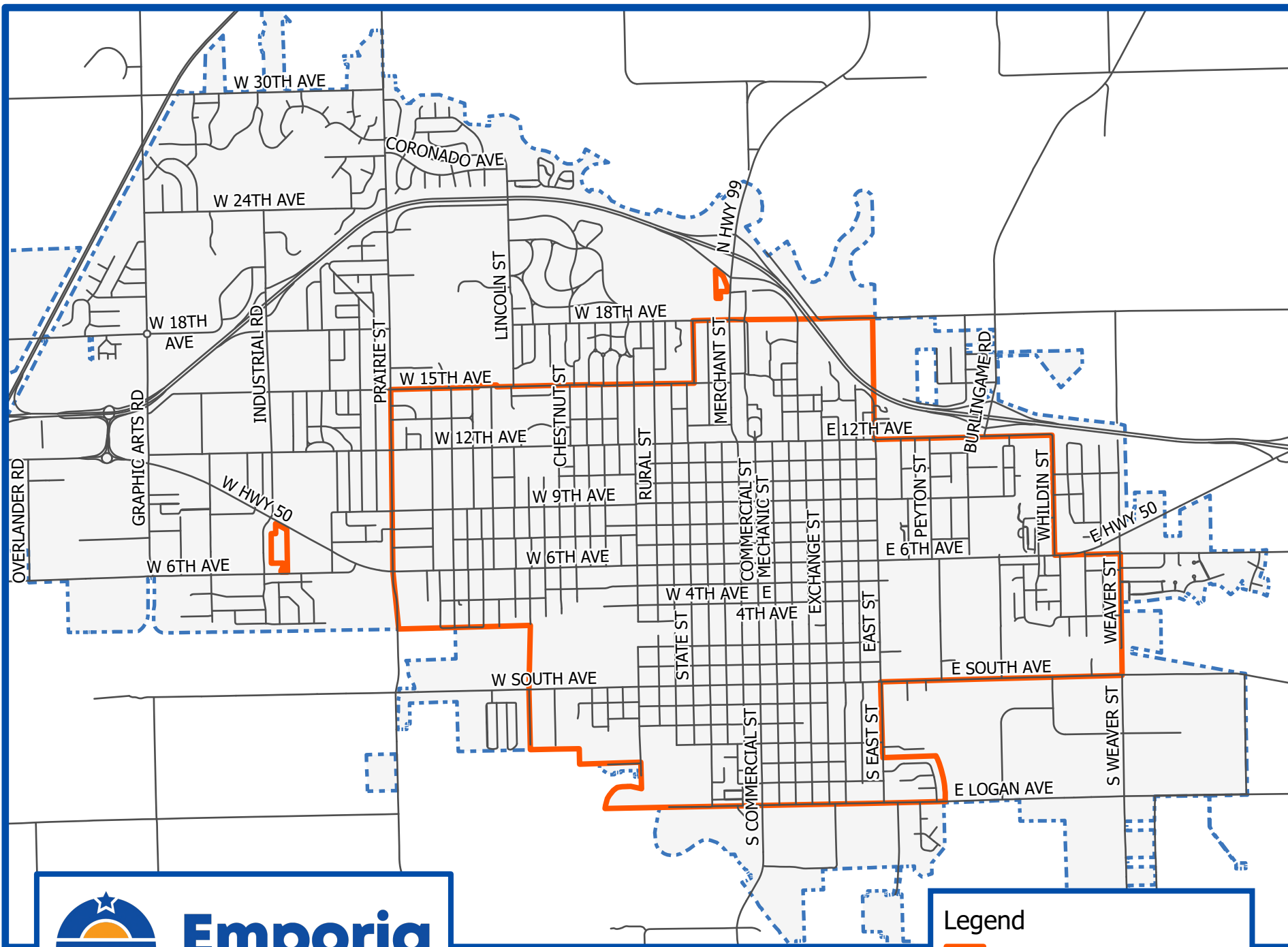
N/A

Attachments:

Original NRP Map

Proposed NRP Map A

Proposed NRP Map B



Emporia
Kansas
Original

DATA NOT SURVEY ACCURATE
August 30, 2023

Legend

-  Neighborhood Revitalization
-  Emporia City Limit

Title: Wastewater rate discussion
Agenda Date: January 3, 2024
Presented By: Janet Harrouff, Director of Finance

Background

A new wastewater treatment plant was built and put into service in 2018. A Kansas Water Pollution Control Revolving Loan in the amount of \$32,285,000 was used to pay for the upgrades that were required by the EPA to renew our license. The annual debt payment is \$1,740,329.76 with the first payment due and made on March 1, 2019. This debt payment would cause each user to pay \$16.11 more each month. Wastewater rates were increased in 2016, 2018, 2019, 2020 and 2021. However, the increases totaled approximately \$9.38 per month per user.

Discussion

The reserves in the wastewater fund have been used to make the annual bond payment and have been steadily declining. It is estimated that the reserve level at the end of 2023 will be 15.19%.

The standard debt service ratio is 1.25%. In 2023 the debt service ratio in the wastewater fund is .48%. The low ratio indicates the rates are not sufficient to cover the debt service payments.

2024 budget was adopted with a 7.76% reserve level, sufficiently below the 20% policy requirement.

Financial Considerations

A summary sheet has been prepared showing rate increases of 2.5%, 5% and 7.5% in 2024 and another 5% increase in 2025. Each percentage will cost the average household using 5,000 gallons of water per month:

2.5%	\$1.03
5%	\$2.12
7.5%	\$3.15

Staff is recommending a 5% rate increase in 2024 and another 5% rate increase in 2025. These rate increases will assist in covering the debt payment but does not allow for any future system improvements.

Attachments

Power point



Sewer Rate Discussion



Sewer Fund: Trends in Debt

	2014 Actual	2015 Actual	2016 Actual	2017 Actual	2018 Actual	2019 Actual	2020 Actual	2021 Actual	2022 Actual	2023 Actual
Beginning Cash	\$3,615,280	\$3,647,908	\$2,894,965	\$1,793,890	\$1,691,290	\$3,115,209	\$1,287,430	\$2,219,625	\$2,713,408	\$2,087,628
Revenue	\$3,472,352	\$3,642,415	\$3,649,610	\$3,986,050	\$4,435,635	\$5,109,178	\$5,412,824	\$6,136,367	\$6,295,973	\$6,450,000
Expenses	\$2,236,612	\$3,499,406	\$3,433,840	\$3,472,989	\$2,530,723	\$4,011,931	\$4,618,250	\$4,957,910	\$6,347,172	\$6,984,514
Total Debt	\$908,836	\$952,281	\$960,871	\$975,214	\$952,981	\$2,706,456	\$4,038,188	\$3,971,179	\$2,680,077	\$2,883,263
Debt Increase	-	5%	1%	1%	-2%	184%	49%	-2%	-33%	8%
Debt Service Coverage	2.46	1.16	1.31	1.56	3.04	0.78	0.68	0.80	0.76	0.48
Ending Cash	\$3,647,909	\$2,894,965	\$1,793,890	\$1,691,290	\$3,178,374	\$1,287,430	\$2,219,625	\$2,713,408	\$2,105,020	\$766,688
Basis for Calculation	3,017,117	3,832,769	4,316,462	3,542,496	3,067,294	5,070,317	5,116,857	6,277,779	8,225,840	6,198,437
Reserves	102.71%	62.43%	20.01%	37.15%	80.16%	40.59%	50.94%	37.45%	25.38%	15.19%

Notes:

- Burns and McDonnell recommends a DSC of 1.25
- Jump in 2019 due to Wastewater Plant Improvements/B&I making debt payments for 2019-2020.

Sewer Fund: Increased Rate Projections

	2021 Actual	2022 Actual	2023 Estimated	2024 Adopted	2024 w/ 2.5% Inc.	2024 w/ 5% Inc.	2024 w/ 7.5% Inc.	2025 Budget	2026 Budget	2027 Budget	2028 Budget
Beginning Cash	\$2,606,765	\$2,351,302	\$2,234,113	\$2,087,628	\$1,050,106	\$1,050,106	\$1,050,106	\$1,050,106	\$1,083,039	\$1,053,478	\$584,419
Total Revenue	\$6,078,561	\$7,982,674	\$6,016,900	\$8,207,963	\$6,296,131	\$6,534,409	\$6,692,760	\$6,851,112	\$7,172,346	\$7,110,800	\$7,110,800
Total Expenditures	\$6,334,024	\$8,246,349	\$6,691,437	\$9,245,485	\$6,818,179	\$6,818,179	\$6,818,179	\$6,818,179	\$7,201,906	\$7,579,859	\$7,029,261
Ending Cash	\$2,351,302	\$2,087,628	\$1,559,576	\$1,050,106	\$528,058	\$766,336	\$924,687	\$1,083,039	\$1,053,478	\$584,419	\$665,957
Anticipated CIP Projects	-	-	\$693,000	\$405,000	\$405,000	\$405,000	\$405,000	\$735,000	\$1,045,000	\$400,000	\$900,000

Sewer Fund: Customer Impact

	2024 Budget	2024 w/ 2.5% Increase	2024 w/ 5% Increase	2024 w/ 7.5 % Increase	2025-2028
Base Rate per 1,000 Gallons	\$4.14	\$4.24	\$4.35	\$4.45	\$4.67
5/8 Meter	\$21.33	\$21.86	\$22.40	\$22.93	\$24.08
Total	\$25.47	\$26.11	\$26.74	\$27.38	\$28.75
Total for Average Household at 5,000 Gallons	\$42.03	\$43.08	\$44.13	\$45.18	\$47.44

Title: Appoint City Commission Members to Boards
Agenda Date: January 3, 2024

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.
- **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.
- **Transient Guest Tax Advisory Board**-appoint one person to serve as the City Commission liaison to the Transient Guest Tax 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.
- **Recreation Commission Steering Committee**-
- **Fire Station Project Steering Committee**-

2024 Joint Legislative Statement for the Emporia & Lyon County Area

“Moving Forward Together!” -

The 2024 Emporia & Lyon County Joint Legislative Statement is a collaborative effort of  community partners. Emporia and Lyon County support safety and inclusion for all. The population of our communities is diverse, and we celebrate our differences. Within this statement you will see our concerns and passion for our **Economic Development, Health Care, Child Care, Tax Policy, and Education at all levels.**

List of partners, and area map, side bar of stats, census, major employers, enrollment figures, etc.

Childcare

We support efforts to streamline state programs that impact the delivery of childcare services. This current system is spread across several state agencies, creating bureaucracy that hinders our ability to efficiently implement the necessary interventions and solutions to scale up the delivery of high quality, affordable early childcare and education. METL also supports the implementation of the recommendations of the Special Committee on Child Care Centers and Child Care Homes, including continued funding of the Child Care Accelerator Grant Program to help build new childcare facilities.

We ask the Kansas Legislature to:

- Support creation of a Child Care Business Incentive Grant and Child Care Challenge Funding like the ones offered in the State of Iowa.
- Support providing benefits to employers assisting in establishing childcare centers.

Tax Policy

Emporia and Lyon County residents recognize the importance of a balanced and fair tax policy for our State. Tax policy can drive job growth and recruit new businesses by building excellent infrastructure, providing high quality education, and enhancing the health and quality of life for our citizens.

We support the elimination of sales tax on food at the state level while allowing city and county municipalities to continue to collect local sales taxes.

Education

Education is essential to the vitality and dynamism of the Emporia – Lyon County community. To ensure equity, every public-school student in Kansas deserves access to

a high-quality education preparing them to be college and career ready. We support the requests of the Kansas Board of Regents to restore funding for public universities, community colleges, and technical colleges to pre-pandemic levels.

Emporia State University:

We ask the Kansas Legislature to:

- Support the regional stabilization model to provide ongoing financial support for the three regional universities. The support focuses on workforce development, regional economic development and the needs of the regional universities who contribute millions of dollars to their respective local economies.
- Continue support for need-based aid for students, particularly important to the recruitment and retention of rural students.
- Continue state support for capital renewal initiative and demolition of buildings on campus.
- Continue support for cybersecurity and IT infrastructure.
- Continue support for student success initiatives and retention.

Flint Hills Technical College:

We ask the Kansas Legislature to:

- Continue to fund SB 155 Excel in CTE Initiative to enhance career technical education in Kansas and better prepare high school students with approved technical courses to support workforce development needs in the region.
- Continue to support the Capital Outlay increase to technical colleges to respond to technical equipment, infrastructure and facility maintenance needs.
- Continue to support the base grant that supports technical college operational needs to employ and retain highly qualified staff and faculty and expand technical education programming to support regional workforce development needs.
- Continue to support the Cybersecurity/IT infrastructure and Apprenticeship/Business Engagement funds for 2-year colleges to engage with regional economic development partners and advance workforce initiatives.
- Expand deferred maintenance funds to the 2-year colleges to support facility maintenance and planning.

For Pre-K to 12:

We ask the Kansas Legislature to:

- Repeal or further clarify SB113 of 2023 provisions in relation to the disposition of district property.
- Maintain KSHSAA's responsibility to oversee student athletics and activities. Research has proven that students are more academically successful when they are involved in athletics or activities during their school careers. School districts need to have local control over expectations of student engagement that exceed KSHSAA's minimum requirements.
- Return KPERs 3 to KPERs 2 and create more flexibility within KPERs to enhance the recruitment and retention of highly qualified school district staff.
- Meet the statutory obligation to reimburse special education service costs at the 92% mandatory rate of excess costs. At this time, it is only funded at 69%, which requires school districts to shift funds away from all students in order to pay for federally required special education services.

Healthcare

High quality, affordable health care and services are essential for a thriving and healthy community. We support primary and specialty care, behavioral health care, dental care, substance use care, public health, and various wellness initiatives that ensure sufficient funding for providers.

We ask the Kansas Legislature to:

- Support Medicaid Expansion to maximize available federal funding.
- Support Medicaid to allow Community Health Worker Program services with equivalent reimbursement as an office visit in both Rural Health Clinic and Non-Rural Health Clinic settings.
- Fund rural recruitment efforts and incentives in the healthcare industries to assist in retaining and keeping a quality workforce. (Ex. 79-32,267. Tax credit for certain taxpayers domiciled in a rural opportunity zone, Student Loan Repayment Assistance.)
- Protect 340B program that affords health centers and other safety net providers the ability to purchase pharmaceuticals at deep discounts. Health Centers use these savings to expand access to needed healthcare services not typically reimbursed by insurers or other payors.

Economic Development

The most pressing issue facing our business and industry is the difficulty recruiting and retaining employees. The state must become a partner in assisting our communities to address issues such as affordable housing, childcare, and our aging infrastructure. All are critical for the recruitment and retention of employees and for the growth of our

business and industry. We support fully funding the State Transportation program and will work as a partner in our regional projects. Current major transportation priorities include grade separations along the BNSF transcontinental double tracks through Emporia and improving all major transportation networks in the county.

We ask the Kansas Legislature to:

- Fund the Eisenhower Legacy Transportation Program (IKE) that provides a responsive framework for the state's future through a holistic approach that includes economic development and broadband expansion as primary factors for consideration.
- Fully fund and implement incentive programs such as PEAK, HPIP, CDBG, STAR, ROZ, and JCF which are critical to the recruitment of new and expansion of existing businesses.
- Support the Kansas Department of Commerce efforts to push forward with implementation of the Kansas Framework for Growth. The plan's focus on regional industry sectors reflects important geographic differences, changing demographics, and economic trends.
- Create targeted incentive policies that reward new job creation, higher wages, and capital investment tied to local performance standards that are identified in the Kansas Framework for Growth.
- Continue funding for small business development and entrepreneurship programs like Network Kansas, Kansas Manufacturing Solutions, and the Small Business Development Centers.
- Support local control over the use of TIF, CID, TDD, IRB, and tax abatements which require detailed knowledge about the local economic climate and tax environment.
- Create programs that focus on work-ready skill training and removing barriers to employment as outlined in Kansas Chamber's *The Challenge to Compete – Kansas Workforce 2020* report.
- Create policies that allow more companies to qualify for the Kansas Child Day Care Assistance Credit.
- Create a property tax exemption for all center-based licensed childcare facilities.
- Support efforts to expand broadband throughout the state utilizing the Office of Broadband Development within the Kansas Department of Commerce as a clearinghouse to leverage opportunities and facilitate conversations between service providers and users.
- Support reinstating the Sales Tax Project Exemption benefit to encourage capital investment and new construction instead of having a company undergo an IRB issuance simply to become eligible for the sales tax exemption.

- Support the creation of a State low interest revolving loan fund to finance development in Reinvestment Housing Incentive Districts and the creation of legislation that results in increased housing statewide based on the 2021 statewide housing study.
- Support removal of the unit limitations in the new Reinvestment Housing Incentive Districts legislation that was passed in 2023.