

**COMMISSION MEETING****7:00 P.M.****FEBRUARY 17, 2021**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, February 17, 2021, with Mayor Gilligan presiding and Commissioners Brinkman, Geitz, Giefer and Smith present. Also present were City Manager McAnarney, Assistant City Manager Massey, City Clerk Sull and City Attorney Montgomery.

**MAYOR AND CITY COMMISSIONERS REPORTS AND COMMENTS**

This is the time for the Mayor and City Commissioners to make comments and reports to the public. **The following is general information for the month of January for the community:**

1. Monthly Local Retail Sales Tax Receipts Update

|               | 2020              | 2021                 |                                          |
|---------------|-------------------|----------------------|------------------------------------------|
|               | \$395,954.52      | \$396,352.40         | Increase of \$397.88 for the month, and  |
|               |                   |                      | Overall increase of 0.10% from year 2020 |
| <b>YTD \$</b> | <b>395,954.52</b> | <b>\$ 396,952.40</b> |                                          |

2. City Share from County Tax

|               | 2020              | 2021                 |                                              |
|---------------|-------------------|----------------------|----------------------------------------------|
|               | \$205,197.27      | \$199,642.18         | <b>Decrease</b> of \$5,555.09 for month, and |
|               |                   |                      | Overall decrease of 2.71% from year 2020     |
| <b>YTD \$</b> | <b>205,197.27</b> | <b>\$ 199,642.18</b> |                                              |

3. **Building Permits issued from 12/1/2020 to 12/31/2020 for new construction, remodeling, repairs and demolition.**

|                                                                |               |
|----------------------------------------------------------------|---------------|
| Total number of building permits issued through Code Services: | 38            |
| Total of valuations associated with those building permits:    | \$ 476,859.00 |
| Total number of dollars collected for Building Permit Fees:    | \$ 4,253.00   |

**Building Permits issued from 1/1/2021 to 1/31/2021 for new construction, remodeling, repairs and demolition.**

|                                                                |                  |
|----------------------------------------------------------------|------------------|
| Total number of building permits issued through Code Services: | 38               |
| Total of valuations associated with those building permits:    | \$ 21,430,352.00 |
| Total number of dollars collected for Building Permit Fees:    | \$ 53,811.50     |

|                                     |   |
|-------------------------------------|---|
| Construct - single family dwellings | 4 |
| Demo - single family dwellings      | 1 |

|                                  |              |
|----------------------------------|--------------|
| Flint Hills Mall CID for January | \$ 17,676.28 |
| Year to Date Total               | \$ 17,676.28 |

**Consent Agenda**

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

- a. Consider minutes of the Meeting held on February 3, 2021.

- b. Consider ratification of Payroll Ordinance for the period ending on February 12, 2021.
- c. Consider the Approval of January Budget.
- d. Consider Set Bid Time and Date for Water Department Remodeling.
- e. Consider Set Bid Time and Date for 2021 Street Seal Program.

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

**CITY COMMISSION  
(Public Comment)**

This is the time for the public to make comments. No comments were made at this time.

**ENGINEERING  
(Equipment Purchase - New Pickup)  
(Bids)**

Tim Frevert, Purchasing Agent, was recognized and addressed the Governing Body. He stated this new vehicle will be replacing an old Chevy Impala that was handed down from the Police Department. This pickup will be purchased off of the Police Vehicle bid process. The specifications required by Engineering are very close to the Police pickup specifications. He stated the City will dispose of the old Impala through Purple Wave Auctions. The bid tabulation is as follows:

**BID TABULATION**

| Year Make Model                                   | John North Ford<br>3002 W. Hwy 50<br>Emporia, KS  | Longbine Auto<br>3012 W. Hwy 50<br>Emporia, KS | Emporia Motors<br>1815 W. Hwy 50<br>Emporia, KS |
|---------------------------------------------------|---------------------------------------------------|------------------------------------------------|-------------------------------------------------|
|                                                   | BID                                               | BID                                            | BID                                             |
| 2021 Ford Interceptor<br>Hybrid                   | \$34,486.00<br>\$37,638.00                        |                                                |                                                 |
| 2021 Ford F150 Pickup<br>Roll up bed cover<br>Net | \$29,990.00<br><u>(\$1,274.00)</u><br>\$28,716.00 |                                                |                                                 |

|                             |             |        |
|-----------------------------|-------------|--------|
| 2021 Chevy Tahoe            | \$39,524.96 |        |
| 2021 Chevy Silverado Pickup | No Bid      |        |
| 2021 Dodge Durango          |             | No Bid |
| 2021 Dodge Ram Pickup       |             | No Bid |

He stated after considering how good the bid was from John North Ford and that Longbine Auto is not bidding due to plant shutdown, staff is recommending the purchase of a new Ford F150 pickup from John North Ford in the amount of \$28,716.00, white in color and minus the roll up bed cover, as indicated in the bid tabulation. The 2021 budgeted amount for this purchase is \$25,000.00.

Commissioner Giefer made a motion to award the bid for one new 2021 Ford F150 pickup in the total amount of \$28,716.00 to John North Ford. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; Commissioner Smith, aye; and Mayor Gilligan, aye.

**ENGINEERING**  
**(Agreement with Kansas Department of Transportation)**  
**(Federal Fund Exchange Program)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the Kansas Department of Transportation allows a city to exchange the annual allocation of Federal Funds for use by the City on City street projects. This enables the City to use a more streamline process for project development. The agreement defines the current Exchange Rate at 90% of State Funds for 100% of local federal obligation authority for project costs. He stated the program dollars that were spend last years on the City's share of the 75/25 Economic Development Award with KDOT was for paving around Industrial Park III. He stated the current exchange rate is \$0.90 for every \$1.00 of federal fund allotted to the local governments. The current amount of federal funding allocated to Emporia is \$339,269.45, for projects to be determined for use of the funds. He stated staff is recommending authorizing the Mayor to approve and sign the Federal-Aid Fund Exchange Master Agreement.

Commissioner Smith made a motion authorizing the Mayor to approve and sign the Federal-Aid Fund Exchange Master Agreement. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

**HOUSING**  
**(Consider Offers to Purchase Real Estate)**  
**(Sale of 306 S. Congress Street & 310 S. Congress Street)**

Jeff Lynch, Community Development Coordinator, was recognized and addressed the Governing Body. He stated at a previous study session the Commission accepted a bid on the house at 306 S. Congress Street at a purchase offer at \$189,000.00, which included the State grant of \$15,000.00. Sale documents state the sale amount of \$174,000.00, with the City drawing the remaining \$15,000.00 directly from the State of Kansas. The contract will include a call clause, which will allow the property to continue to be marketed to a certain date and additional offers to be made. The property at 310 S. Congress Street had the Commission's counteroffer of \$210,000.00 was verbally approved according to the broker. This amount would include the \$15,000.00 State grant. Sale documents state the sale amount of \$195,000.00, with the City drawing the remaining \$15,000.00 directly from the State of Kansas. He stated staff was recommending the approval of the sale of the house at 306 S. Congress Street and 310 S. Congress Street and authorize the Mayor to sign the contracts.

Commissioner Smith made a motion authorizing the Mayor to sign the contracts for the sale of 306 S. Congress Street and 310 S. Congress Street. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

**PLANNING AND DEVELOPMENT**  
**(MAPC Excerpts of Regular Meeting Held 1-19-21)**  
**(Application No. 2021-03 - Request of Lee Alderman)**  
**(Conditional Use Permit at 1236 E. 12<sup>th</sup> Ave.)**

Excerpts of Planning Commission January 19, 2021 regular meeting:

The Planning Commission met in a regular session on Tuesday, January 19, 2021 with Chairman Thomas presiding. Members Bucklinger, Duncan, Garrett, were present.

**APPLICATION 2021-03:** A request of Lee Alderman for a Conditional Use Permit to allow a homeless shelter as needed at the location of 1236 E. 12th Ave, consistent with Section 9-401 Table 9-2.7 of the Zoning Regulations. The Conditional Use Permit requirements are outlined in Section 26 of the Zoning Regulations

Staff confirmed jurisdiction over this application.

No exparte communication was declared.

**BACKGROUND SUMMARY**

The Planning Commission is requested to approve a Conditional Use Permit to allow the men's homeless shelter to relocated location 1236 E. 12th Ave, (legal description attached). The current property has been used as an office building, and is zoned C-3 General Commercial District. It is currently vacant.

**Analysis:**

Lee Alderman is requesting a Conditional Use Permit to allow for a homeless shelter in a C-3 General Commercial area. This requested is consistent with Section 9-401 Table 9-2.7 of the Zoning Regulations that allows for a homeless shelter with a Conditional Use.

The applicant desires to use this location for a homeless shelter. The proposed location will accommodate 20 men (12-15 average), with a total of 9 bedrooms, 1-2 guys per room. There are 25 parking stalls on site including ADA stalls. number of stalls are required at this location (based on beds, and dining patrons). June 2021 move in date.

A Technical Review Team Meeting was held on 12/15/2020 and City Staff discussed concerns and issues such as public utilities, and fire suppression requirements, and parking requirements that will be needed due to the change of use. There were no other expressed concerns.

**Recommendations:** Staff recommends approval. The Conditional Use Permit will result in a healthier and safer community, protecting

vulnerable members of the community. Staff have been working with the Emporia Rescue Mission for the last few years, this is the best location that has been proposed, as it will limit the impact to neighbors, and is a discreet location.

The Planning and Zoning Office requests that a conditional be added that the approval of the Conditional Use Permit that would allow it to operate as long as it remains under the ownership of Emporia Men's Recuse Mission (or affiliate), and this use would not be allowed in the property changes ownership.

**Appeal Process:**

Kansas Statute 12-760.**Same; appeals to district court.** (a) Within 30 days of the final decision of the city or county, any person aggrieved thereby may maintain an action in the district court of the county to determine the reasonableness of such final decision.

**Public Hearing:**

The Public Hearing portion was opened.

**Lee Alderman**, 614 Congress Street, Director of Men's Rescue Mission. Mr. Alderman noted that the Mission has been looking for new home for the last 10 years. Many properties have been explored. This proposed location is ideal. In the past 22 years the Mission has worked hard to make a good impact on the community, with a good report with the Police Department and neighbors. The community has been supportive over the years. Mr. Alderman noted that they stop taking transient travels in the last three years. Mr. Alderman has worked with the City and agrees this has been the best location for relocate over the past 10 years.

**Anthony Russell**, 1253 E. 12<sup>th</sup> Ave., neighbor to the proposed location. Mr. Russell had no issues with the proposed application, and welcomed the use. He noted that the Mission needed a new home, and was in major support of the use.

**Scott Strahm**, 1500 Rd 175

Mr. Strahm noted he owns property next to this locations, at the Dollar General Store, and was in favor of the property use at this location.

**Opposition:**

**John Welker**, 2153 Rd F5, Mr. Welker owns property to the south of the subject location, at the former Farm Credit Building. He was concerned with foot traffic and possible impact of vehicle traffic. He also noted concerns of the image of Emporia with the men's shelter located in a heavily trafficked area.

**Rebuttal:**

Mr. Alderman responded, stating that they will keep up the appearance and have the signage on the south side of the building. The goal is to keep the shelter clean and quite, as a very low-key environment to provide a place for men to rest and to reestablish themselves into society.

Member Duncan asked about the Flags in front of the building. This area is outside of the property lines. Staff noted that he would look into this to get more information.

The Public Hearing portion was closed.

Member Duncan made a motion to approve the application based on staff's recommendation. Member Bucklinger seconded the motion.  
Approved 4-0

**Motion. Approved 4-0.**

Joe Foster, Zoning Enforcement Officer, was recognized and addressed the Governing Body. He stated this was a request from Lee Alderman for a Conditional Use Permit to allow for a homeless shelter to operate at 1236 E. 12<sup>th</sup> Avenue, consistent with Section 9-401 Table 9-2.7 of the Zoning Regulations. The Conditional Use Permit requirements as outlined in Section 26 of the Zoning Regulations. The requested application would allow the current men's homeless shelter to move to an updated location and will provide for the needs of the community. The proposed building will be a discreet location. The men's shelter has been looking for new locations for many years. At their January 19, 2021 regular meeting, the Planning Commission voted unanimously to approve this application. The Utility Advisory Board and Technical Review Team have all met and discussed the property. All local City codes will be met before this building will be occupied.

**PLANNING AND DEVELOPMENT**

**(Application No. 2021-03 - Request of Lee Alderman)  
(Conditional Use Permit at 1236 E. 12<sup>th</sup> Ave.)  
(Ordinance Number 21-04)**

AN ORDINANCE ISSUING A CONDITIONAL USE PERMIT FOR A CERTAIN DESCRIBED AREA IN THE CITY OF EMPORIA, KANSAS, to which the City Clerk assigned Ordinance Number 21-04, was presented to the Governing Body for their consideration.

Commissioner Brinkman made a motion to approve Ordinance Number 21-04, an ordinance for a Conditional Use Permit to allow a homeless shelter to operate as 1236 E. 12<sup>th</sup> Avenue. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye. Commissioner Geitz abstained from the vote.

**PLANNING AND DEVELOPMENT**  
**(MAPC Excerpts of Regular Meeting Held 1-19-21)**  
**(Application No. 2021-01 - Request of Gabriel & Dolph Woodman)**  
**(Minor Plat of Whittier Place II Addition Subdivision)**  
**(2.4 Acre Parcel North of 1200 Whittier Place Lane)**

Excerpts of Planning Commission January 19, 2021 regular meeting:

The Planning Commission met in a regular session on Tuesday, January 19, 2021 with Chairman Thomas presiding. Members Bucklinger, Duncan, Garrett, were present.

**APPLICATION 2021-01:** A request of Whittier Place II, LP (owners Gabriel and Dolph Woodman) for a minor plat of Whittier Place II Addition Subdivision, located at a non-addressed 2.4-acre parcel north of 1200 Whittier Place Lane, as authorized by Section 6-201 of the Emporia-Lyon County Metropolitan Planning Area Subdivision Regulations.

Staff confirmed jurisdiction over this application.

No exparte communication was declared.

**STAFF REPORT:**

**Applicant:** Whittier Place II, LP

**Requested Action:** Approve minor plat

**Purpose:** Hold a Public Hearing to consider the minor plat

**Location:** North of 1002 Whittier Place, Approximate Address  
1300 Whittier Place

**Size:** Irregular, 2.4 Ac.

**Physical Characteristics:** Vacant, undeveloped lot.

**Existing Land Use:** Vacant land

**Existing Zoning:** R-3 Multi-family (Application 2020-07)

**Surrounding Land Zoning and Use:** Surrounding this location there are a number of mixed zoning uses, including C-2 for Restricted Commercial District to the north, R-3 High Density Residential to the east, and R-1 to the south and west.

**Applicable Regulations:** Article 6-201 of the Subdivision Regulations

**Comprehensive Plan:** Mix Density Residential

**Public Utilities:** All utilities available

**Analysis:**

The applicant is requesting approval of the minor plat as they move forward with development of the property. The property was zoned for multi-family use last year (Application 2020-07). This plat will consist of two lots. All setbacks and utility easements have been approved by the Utility Advisory Board and are represented on the plat.

The Technical Review Team met December 16<sup>th</sup> 2020 and discussed concerns with sanitation and storm water, easements, as well as access for emergency access. City staff (Fire Dept., Public Works Dept., and Engineering Dept.) have discussed the concerns with the developer regulations, and city codes. The Developer indicated at that time that this project would work with the City to make sure the items are addressed.

All zoning and subdivision regulations have been addressed.

**Recommendation:**

The Utility Advisory Board met December 15, 2020 and recommended approval of the minor plat, with some minor changes that have been addressed. Staff recommends approval of the minor plat to subdivide the property as it conforms to the Subdivision Regulations.

**Attachments:** Application, Notice, Minor Plat, Aerial Zoning/Location Map

Public Hearing Opened:

Dolph and Gabe Woodman owners of Woodco LLC, (applicant) addressed the Planning Commission.

Mr. Gabe Woodman noted that this was similar to the

applications in the past for phase one, and would allow the future development of the property.

No opposition. Public Hearing was closed.

Member Bucklinger made a motion to approve the rezoning based on staff recommendation. Member Garrett seconded the motion. Motion approved 4-0. This item will go to the City Commission tentatively February 3<sup>rd</sup>, 2021.

Joe Foster, Zoning Enforcement Officer, was recognized and addressed the Governing Body. He stated this was a request of Whittier Place II, LP, owners Gabriel and Dolph Woodman, for a minor plat of Whittier Place II Addition Subdivision, located at a non-addressed 2.4 acre parcel north of 1200 Whittier Place Lane, as authorized by Section 6-201 of the Emporia-Lyon County Metropolitan Planning Area Subdivision Regulations. He stated the requested application is for two platted lots with sufficient easements. This will meet all access, utility need, and drainage. This plat is located north of 1002 Whittier Place, on a land locked 2-acre track of undeveloped land and it was rezoned in 2020 to allow multi-family housing. At their January 19, 2021 regular meeting, the Planning Commission voted unanimously to approve this application. The proposed use is consistent with the comprehensive plan and surrounding uses. He stated staff is recommending approval of the plat for the creation of the Whittier II Addition Subdivision Minor Plat to meet the needs of the property owners.

Commissioner Giefer made a motion to approve the creation of the Whittier II Addition Subdivision Minor Plat. Commissioner Smith seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

**PARK DEPARTMENT**  
**(Consider Agreement with American Ramp Company)**  
**(Concept Design of Santa Fe Park - Skate Park)**

City Manager McAnarney stated the City Commission recently reviewed a copy of the agreement with American Ramp Company for a concept design geared to create a custom bike and skate park design for Santa Fe Park.

He stated American Ramp Company hopes to include input from the skateboarders or other groups in the community utilizing the facility for park design for our community. This agreement will authorize up to \$21,500.00, fees and expenses, for the company to develop concept designs for Santa Fe Park. This will be paid for from the Lake Kahola Fund and/or Special Park Fund. He stated staff is recommending approval of the agreement with American Ramp Company for concept design of Santa Fe Park.

Jay Vehige, 1319 Lawrence Street, was recognized and addressed the Governing Body. He stated he was in favor of improvements to the skate park and the skateboard community wanted to be part of the design process.

Commissioner Brinkman made a motion to approve the agreement with American Ramp Company for concept design of Santa Fe Park. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

**CITY COMMISSION**  
**(Temporary Board Appointments)**

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated at the City/County meeting held on February 4, 2021, it was suggested a committee be established to discuss the future metro area and comprised of the following:

Representative of Lyon County Zoning  
Representative of Lyon County Attorney's Office  
Representative of City of Emporia Planning Department  
Representative of Emporia City Attorney's Office  
One City Commissioner  
One County Commissioner

She stated at the February 10, 2021, Study Session, the Commission discussed the appointments for representatives from the City of serve on the Emporia/Lyon County Metro Area Committee as follows:

Rob Gilligan, City Commissioner  
Christine Montgomery, City Attorney

Joe Foster, City of Emporia Zoning Enforcement Officer

She stated staff is recommending approval of the following members to the Emporia/Lyon County Metro Area Committee.

Commissioner Smith made a motion to appoint Rob Gilligan, City Commissioner; Christina Montgomery, City Attorney; and Joe Foster, City of Emporia Zoning Enforcement Officer as temporary members to the Emporia/Lyon County Metro Area Committee. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

**CITY COMMISSION**  
**(Consider Amending City Code Section 16-266)**  
**(Requiring Individuals to Wear Face Masks)**  
**(Ordinance Number 21-05)**

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS REQUIRING INDIVIDUALS TO WEAR MASKS OR OTHER FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND AMENDING CITY CODE SECTION 16-266, to which the City Clerk assigned Ordinance Number 21-05, was presented to the Governing Body for their consideration.

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated City Code Sec. 16-266 requiring individuals to wear face masks or other face coverings in certain circumstances is scheduled to expire February 23, 2021 at 11:59 p.m. This new ordinance proposal extends the expiration date to March 23, 2021 at 11:59 p.m. All other mask or face covering requirements pursuant to Sec. 16-266 would remain the same.

Following further discussion, Commissioner Giefer made a motion to approve Ordinance Number 21-05, an ordinance amending City Code Sec. 16-266, pertaining to face masks, extending the expiration date to March 23, 2021, at 11:59 p.m. Commissioner Smith seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

**ECONOMIC DEVELOPMENT**  
**(Memorandum of Understanding - 1503 E. Logan Avenue)**

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated over the last several years the City of Emporia has reviewed the potential purchase of Industrial property including 1503 E. Logan Avenue. At a previous meeting staff was directed to draft an MOU for the possible purchase of 1503 E. Logan Avenue. She stated the Regional Development of East Central Kansas has given the City a positive recommendation for the acquisition of the property for industrial purposes. She stated the MOU states the parties will agree as follows:

Enterprises will purchase the property for \$1,000,000.00.

City will provide funding up to \$1,100,000.00 toward the purchase of the Property, closing costs and demolition of existing structures.

Disbursal of fund from City will occur after Enterprises provides contracts or other written verification of expenses.

The Property will be utilized for economic development efforts benefitting the City of Emporia.

She stated staff was recommending approval of the MOU for the purchase of 1503 E. Logan Avenue.

Commissioner Brinkman stated one thing that was not previously discussed was that there are two representative on the Emporia Enterprises board and both of those representatives, who sit at that table specifically with our best interests in mind, both of them voted no in December when this item was being preliminary discussed.

Following further discussion, Commissioner Giefer made a motion to approve the MOU for the purchase of 1503 E. Logan Avenue. Commissioner Smith seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Brinkman, nay; and Mayor Gilligan, nay.

**CITY COMMISSION**  
**(Authorize General Obligation Bonds - \$1,100,000.00)**  
**(Purchase Real Property at 1503 E. Logan Avenue)**  
**(Ordinance Number 21-06)**

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS, AUTHORIZING THE CITY TO FUND ACQUISITION OF LAND BY EMPORIA ENTERPRISES TO BE USED IN THE CITY'S ECONOMIC DEVELOPMENT EFFORTS, AND AUTHORIZING THE CITY TO ISSUE GENERAL OBLIGATION BONDS TO PAY COSTS THEREOF, to which the City Clerk assigned Ordinance Number 21-06, was presented to the Governing Body for their consideration.

City Attorney Montgomery was recognized and addressed the Governing Body. She stated this ordinance authorizes the issuance of general obligation bonds up to \$1,100,000.00 to fund the purchase by Emporia Enterprises of 88 acres of land located at 1503 E. Logan Avenue to be used in the City's economic development programs.

Mayor Gilligan stated this ordinance does not obligate the City to issue bonds.

City Manager McAnarney stated this action will only provide another option for funding if the Commission wants another way to pay the debt. This is a step in the process if the city proceeds.

Following further discussion, Commissioner Smith made a motion to approve Ordinance Number 21-06, an ordinance authorizing the city to fund acquisition of real property at 1503 E. Logan Avenue by Emporia Enterprises. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

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

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

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

**TENTATIVE AGENDA FOR FEBRUARY 24, 2021 AT 10:00 A.M.**

2020 Financial Closeout Report.  
Discuss Debt on Water and Sewer Fund.  
Presentation of BG Water Model.  
Animal Shelter Agreement.  
Sewer System Connection Policy.  
Discuss Purchase of Actuators.  
Discuss 2020 JAC Agreement with ERC.  
Discuss CAMSO ICA.

**Joint Luncheon w/MUPP Board**

**EXECUTIVE SESSION**

Commissioner Brinkman made a motion to adjourn into Executive Session for preliminary discussion related to potential land acquisition for future development and to invite Special Project Manager, Jim Witt from 7:36 p.m. to 8:06 p.m., in the City Commission Meeting Room. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

Upon reconvening the meeting in Regular Session, at 8:06 p.m., this same date, in the City Commission Meeting Room, Mayor Gilligan stated they had preliminary discussion related to potential land acquisition for future development and no action was taken.

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

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Robert F. Gilligan, Mayor

ATTEST:

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Kerry Sull, City Clerk