

CITY COMMISSION MEETING

May 26, 2021 at 9:30 AM

CITY COMMISSION / MUNICIPAL COURT ROOM
518 MECHANIC, EMPORIA, KS

Agenda

Meeting Items

1. Members Present:
2. Consent Agenda
3. Consider a Request for Financial Support for the Halfway to Everywhere Music Festival.
4. Consider Authorizing Emporia Enterprises to sell Dynamic Distribution Building located at 3601 West 6th Avenue.
5. Executive Session



**If you need accommodations due to a disability to participate in this event, meeting, or activity, or alternative format of written materials contact City of Emporia Jeff Lynch, ADA Coordinator at least 48hours before the event at 620-343-4285 or jlynch@emporia-kansas.gov*

AGENDA ITEM SUMMARY

MEETING DATE: May 26, 2021

ITEM NUMBER: 2

SUBJECT:

Consent agenda:

The items listed on the Consent Agenda are considered by the Governing Body to be routine business items. Approval of the items may be made by a single motion, second and majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, at his/her request, it will be removed from the Consent Agenda and considered separately.

- a. Consider minutes of the Meeting held on May 19, 2021.

RECOMMENDATION:

- a. Approve Minutes

BACKGROUND SUMMARY:

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: May 26, 2021

ITEM NUMBER: 3

SUBJECT: Consider a request for financial support in the amount of \$10,000.00 for sponsoring a stage at the H2E2021 Music Festival.

RECOMMENDATION: Approve the request for \$10,000.00 for the H2E2021 Music Festival payable from the Transient Guest Tax Fund.

BACKGROUND SUMMARY:

Hank Osterhouse, Executive Director, Kansas Free for Arts, appeared at the May 19, 2021 Study Session to request financial support in the amount of \$10,000.00 from the City of Emporia. The funds will be utilized to sponsor a stage at the H2E2021 Music Festival that will be held in downtown Emporia, Kansas. City Commissioners were supportive of the request and referred it to the Adjourned Meeting on May 26, 2021. The \$10,000.00 will be paid from the Transient Guest Tax Fund.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____



May 14, 2021

Mr. Mark McAnarney
City Manager
City of Emporia
111 E W 6th Avenue
Emporia, KS. 66801

Dear Mr. McAnarney:

I am writing to make a formal request of financial support from the City of Emporia for Kansas Free for Arts' (KFA) 2021 production of Halfway to Everywhere music and arts festival (H2E2021), which is scheduled to occur, once again, in downtown Emporia on Saturday, September 4th, 2021. My proposal would be for the City of Emporia to consider a sponsorship of one of our stages for the requested amount of \$10,000.00. In exchange for this sponsorship, KFA will reserve for the City of Emporia exclusive branding rights to one of the two main outdoor performance stages to be used during H2E2021.

The inaugural production of H2E took place on Saturday, August 31 2019 and attracted an estimated 4,000 attendees to downtown Emporia. A significant portion of those in attendance were visitors from out of town, which helped the City to realize higher sales and transient guest tax revenues than have been recorded historically for the same date range in previous years.

KFA aims to continually grow the H2E event and its positive impact on the Emporia community for years to come through creative and widespread regional marketing, active research and acquisition of current top-selling performances and continuing investment in the regional arts and cultural industry's infrastructure. Due to the high-cost nature of such productions, grants, charitable contributions, and event sponsorships are instrumental to the growth of H2E in these early years of development.

It is my hope that the City of Emporia will consider taking an active role in the growth and success of the annual H2E festival so that the community can continue to reap its benefits for years to come.

Sincerely,

Hank Osterhout
Executive Director, Kansas Free for Arts

AGENDA ITEM SUMMARY

MEETING DATE: May 26, 2021

ITEM NUMBER: 4

SUBJECT: Consider authorizing Emporia Enterprises to sell the Dynamic Distribution building located at 3601 West 6th Avenue, Emporia, Kansas in the amount of \$575,000.00.

RECOMMENDATION: Authorize Emporia Enterprises to sell the Dynamic Distribution building located at 3601 West 6th Avenue, Emporia, Kansas in the amount of \$575,000.00.

BACKGROUND SUMMARY:

On December 16, 2020 the City Commission approved a Memorandum of Understanding with Emporia Enterprises for the purchase the Dynamic Distribution. As part of the agreement, the City of Emporia needs to authorize the sale of the building if the purchase is less than \$650,000.00. Emporia Enterprise has received an offer and it is recommended to authorize Emporia Enterprises to sell the building.

A copy of a letter from Regional Development Association of East Central Kansas is attached for your review.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____



May 20, 2021

City of Emporia
Mark McAnarney, City Manager
104 E. 5th Avenue
Emporia, KS 66801

Re: Sale of 3601 W. 6th Avenue

Dear Mark:

On December 16, 2020 the City Commission approved a Memorandum of Understanding with Emporia Enterprises for the purchase of the Dynamic Distribution building at 3601 W. 6th Avenue, Emporia, Kansas. The Memorandum of Understanding authorized Emporia Enterprises to market the property for sale. If the sale price is less than \$650,000 it must be approved by the City Commission.

Emporia Enterprises received an offer of \$550,000 with a signed lease being conditional on the purchase. The Emporia Enterprises Board of Directors countered with an offer of \$600,000. The buyer counter offered with \$575,000 conditional on the lease. The Board of Directors accepted conditional on the City Commission approving the purchase contract. The lease terms have been agreed upon. Attached is the contract.

The business who signed the lease with the buyer required the owner to sign a non-disclosure agreement. The business will be new to Emporia and will reveal its identity in the future.

The estimated final numbers for this transaction are as follows: Sale Price \$575,000.00 less 6% Commission of (\$34,500.00) equals \$540,500.00 less the normal closing costs – prorated taxes, the splitting of the title insurance associated with the sale of property.

We request the City Commission authorize Emporia Enterprises to proceed with the building sale.

We consider this a successful project since Dynamic Distribution was able to move into a larger facility to accommodate their growth and we will have a new owner and business utilizing the building.

If you have any other questions, please feel free to contact me at your convenience.

Best regards,

A handwritten signature in blue ink that reads "Kent Heermann".

Kent Heermann, CEcD
RDA President & Emporia Enterprises Director of Planning & Development

Enclosures: Commercial Real Estate Contract for 3601 W. 6th Avenue, Emporia, Kansas

AGENDA ITEM SUMMARY

MEETING DATE: May 26, 2021

ITEM NUMBER: 5

SUBJECT: Executive Session

RECOMMENDATION:

BACKGROUND SUMMARY:

At this time, the City Commission request 10 minutes for an Executive Session to discuss proprietary information of a business within the City limits of Emporia, and to invite Special Projects Coordinator Jim Witt.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____