

COMMISSION MEETING

1:30 P.M.

APRIL 6, 2022

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, April 6, 2022, with Mayor Smith presiding and Commissioners Brinkman, Giefer, Gilligan and Sauder present. Also present were City Manager Cocking, Assistant City Manager Massey, City Clerk Sull and City Attorney Montgomery.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments.

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

Ashley Davis, representing SOS and Bev Long, representing Kansas Children's Service League, were in attendance to accept a proclamation declaring the month of April as "*National Child Abuse and Neglect Prevention Month*" in Emporia. They stated child abuse and neglect are serious problems affecting every segment of our community, and finding solutions requires input and action from everyone in our community. Child abuse can have long-term psychological, emotional, and physical effects that can have lifelong consequences for victims of abuse. By providing safe, stable and nurturing relationships for our children, free of violence, abuse and neglect, we can ensure that Kansas' children will grow to their full potential as the next generation of leaders. Working together as a community, we can increase awareness about child abuse and contribute to promoting the social and emotional well-being of children and families in a safe, stable, nurturing environment. The citizens of Emporia were urged to recognize this month by dedicated to the task of improving the quality of life for all children and families.

Mayor Smith then presented the proclamation.

Roxanne VanGundy, Director of Lyon County Communications Center, was in attendance to accept a proclamation declaring the week of April 10 through 16, 2022 as "*National Public Safety Telecommunicators Week*"

in Emporia. She stated when emergencies occur the prompt response of police officers and firefighters is dependent upon the quality and accuracy of information obtained who telephone the Lyon County Emergency Communications Center. Public Safety Telecommunicators are the first and most critical contact citizens have with emergency services. She stated each Communications Officer has exhibited compassion, understanding and professionalism during the performance of their job in the past year and National Public Safety Telecommunicators Week is in honor of the men and women whose diligence and professionalism keep our county and citizens safe.

Mayor Smith then presented the proclamation.

Jeff Lynch, Community Development Coordinator and Roxanne VanGundy of the Emporia Human Relations Commission, were in attendance to accept a proclamation declaring the month of April as "*Fair Housing Month*" in Emporia. They stated the City of Emporia is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all. Equal housing opportunity is a condition of life in our city that can and should be achieved. This year's observance will promote fair housing practices throughout the City.

Mayor Smith than presented the proclamation.

CITY COMMISSION
(Appoint City Commissioner)

City Manager Cocking stated Commissioner Gilligan announced he is relinquishing his position on the City Commission. Staff then advertised the Commission's open position and began accepting applications for the vacated position until April 1, 2022.

City Attorney Montgomery reviewed the procedure relating to filling the vacancy on the City Commission. A list of applicants was presented to the Commission. The list of candidates is as follows:

Ian R. Boyd
Denise L. Gilligan
Erren J. Harter

Jermy W. Hinkle
Travis T. Hitt
Joshua D. Jensen
Dennis J. Kear
Marc D. Magathan
Jay A. Vehige

She stated the Governing Body may accept the list of candidates, reject the list of candidates or call for more nominations.

Commissioner Sauder made a motion to accept the list of candidates to fill the vacancy. Commissioner Giefer seconded the motion. The vote follows: Commissioner Sauder, aye Commissioner Giefer, aye; Commissioner Brinkman, aye; and Mayor Smith, aye. Commissioner Gilligan abstained.

City Manager Cocking stated each candidate will have four (4) minutes to introduce themselves and present remarks stating their interest in serving on the Commission.

City Attorney Montgomery stated after presentations the Commission may proceed directly to vote on filling the vacancy with Commissioner Gilligan abstaining from the vote.

Presentations were given by Denise Gilligan, Erren Harter, Jermy Hinkle, Travis Hitt, Joshua Jensen, Marc Magathan and Jay Vehige. The Commission then proceeded to the vote as follows:

Commissioner Brinkman voted for Denise Gilligan
Commissioner Giefer voted for Erren Harter
Commissioner Sauder voted for Erren Harter
Mayor Smith voted for Erren Harter

City Attorney Montgomery stated Erren Harter would be sworn in to fill the vacancy as City Commissioner at the next regular meeting held April 20, 2022.

CITY COMMISSION
(Major Economic Development Program Grant Applications)

City Manager Cocking stated the City Commission adopted a Resolution creating the Economic Development Grant Program to aid in the selection of a portion of the City's ARPA funds to aid in the

community to improve overall economic well-being of the community. Committee members were appointed by each Commissioner and members met to discuss the grant applications. The following is the unanimous recommendation for the one-time portion of the City's ARPA funding:

Flint Hill Tech College, E-Sports Program	- \$100,000.00
Emporia Main Street, Christmas Lights	- \$ 75,000.00
Emporia Childcare, Increase wages & additional staff	- \$150,000.00
Trolley House Distillery, New Vodke Line	- \$ 0.00
Flint Hills Tech College, Early Childhood Program	- \$ 63,000.00
Imaginarium, STEM Start-up	- \$ 12,000.00
Area Agency on Aging, Upgrade to Friendship Center	- \$ 0.00
Emporia State University	
E-Sports	- \$150,000.00
Disc Golf	- \$ 50,000.00
Corky's Cupboard	- \$ 50,000.00
Housing Scholarship	- \$100,000.00

He stated the Committee also requested that Emporia State University and Flint Hills Technical College work together to collaborate on E-Sports. The disbursement of ARPA funds reimbursement are subject to a grant agreement for each entity.

Commissioner Gilligan made a motion to approve the Major Economic Grant Committee recommendations for a portion of the City's ARPA funding as listed. Commissioner Sauder seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

INDUSTRIAL REVENUE BONDS
(Whittier Place II, LP)
(Authorize the Issuance of Taxable Industrial Revenue Bonds Series 2022)
(Ordinance Number 22-11)

AN ORDINANCE AUTHORIZING THE CITY OF EMPORIA, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES A, 2022 (WHITTIER PLACE II, LP) IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,000,000.00 TO FINANCE (1) PURCHASING, ACQUIRING, CONSTRUCTING, FURNISHING AND EQUIPPING A RESIDENTIAL APARTMENT BUILDING, CONTAINING 24 APARTMENTS AND LOCATED AT 1300 WHITTIER PLACE LANE AND ALL THINGS RELATED THERETO, AND (2) CERTAIN COSTS OF ISSUANCE OF SUCH BONDS; AUTHORIZING EXECUTION OF BOND DOCUMENTS RELATING TO ISSUANCE, PAYMENT AND PURCHASE OF THE SERIES A, 2022 BONDS, to which the City Clerk assigned Ordinance Number 22-11, was presented to the Governing Body for their consideration.

City Attorney Montgomery was recognized and addressed the Governing Body. She stated the City of Emporia adopted a resolution declaring an intent to issue taxable industrial revenue bonds for the purpose of purchasing, acquiring, constructing furnishing and equipping two residential apartment buildings, each containing 24 apartments and located at 1300 Whittier Place Lane. She stated the approval of the bond ordinance is the final step in the issuance of the bonds for one of the buildings. This ordinance will authorize the City of Emporia to issue Taxable Industrial Revenue Bonds, Series A, 2022 on behalf of Whittier Place II, LP in a sum not to exceed \$3,000,000.00. A separate IRB issuance is expected for the second building at a future date. She stated the bonds and interest are not an indebtedness of the City and will not create financial liability for the City. Staff is recommending approval of the issuance of the Industrial Revenue Bonds for Whittier Place II, LP.

Commissioner Giefer made a motion to approve Ordinance Number 22-11, an ordinance authorizing the issuance of Industrial Revenue Bonds on behalf of Whittier Place, II LP not to exceed \$3,000,000.00. Commissioner Sauder seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Gilligan, aye; and Mayor Smith, aye.

SOLID WASTE
(Equipment Purchase - John Deere 710L Backhoe)
(Transfer Station)

Dean Grant, Public Works Director, was recognized and addressed the Governing Body. He stated the Transfer Station currently has a John Deere backhoe that was purchased in 2018 and is in need of repairs of approximately \$60,000.00. The repair costs are approximately 30% of the cost of a new machine and the backhoe is at more than 91% of its depreciated life (5000 hours). Staff has priced the purchase of a new backhoe through SourceWell for the best price and stated the cost of the new machine is \$205,085.00 and would be paid for from the Solid Waste Fund. The trade-in value on the current backhoe is \$52,000.00, however,

staff feels that the machine may have a higher value if sold on Purple Wave. Staff is recommending the purchase of a new John Deere 710L backhoe for the purchase price of \$205,085.00 with a trade in value or sold price of a minimum \$52,000.00.

Commissioner Giefer made a motion to approve the purchase of a new John Deere 710L backhoe through SourceWell for \$205,085.00 with a trade-in value or sold price on the current backhoe for a minimum of \$52,000.00. Commissioner Sauder seconded the motion. The vote follows: Commissioner Giefer aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Gilligan, aye; and Mayor Smith, aye.

**DAVID TRAYLOR ZOO
(Zoo Education Center Renovation/Construction)
(Request for Qualifications RFQ - General Contractor)**

Lisa Keith, Zoo Director and Erren Harter, representing EFOZ, were recognized and addressed the Governing Body. They stated EFOZ completed its first multi-million dollar "OASIS" Campaign raising more than \$4.8 million to improve the David Traylor Zoo. One of those projects is to renovate and expand the Zoo Education Center. The new expansion of 5000 square feet building will give the Zoo Education Center to opportunity for 2 indoor classrooms and 1 outdoor classroom, a bank of restrooms for men, women and a family restroom. In addition, expanded office space, storage, support space as well as a gathering lobby. The outdoor classroom pavilion would be open-air of 1000 square feet. They stated the estimated cost of the project is \$1.7 million, currently \$1.75 million has been secured by EFOZ. They stated they are asking the City Commission to consider allowing RFQ to seek a qualified General Contractor to work with a preselected architect to provide both pre-construction phase and construction phase services for the renovation and addition to the existing education center.

Commissioner Gilligan made a motion to approve the Request for Qualifications (RFQ) services for General Contractor for the David Traylor Zoo Education Center Renovation/Construction Project. Commissioner Giefer seconded the motion. The vote follows: Commissioner

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

**PARK DEPARTMENT
(Reeble Park)
(Pickleball Court Erosion Control)**

Kevin Hanlin, Director of Public Lands, was recognized and addressed the Governing Body. He stated the completion of the new pickleball courts in Reeble Park at 1801 Rural Street left a lot of unsettled dirt on steep slopes. Erosion control measures were taken at the time by installing the seed with an erosion control mat on top. Unfortunately, late year storms damaged the erosion control mat beyond use. The storm also brought extreme erosion to the soil that removed most of the seeding and on the steeper areas around the court complex. There are drainage issues on the West side of the courts that have resulted in water shedding off onto the neighbor's property. He stated staff has contacted two local companies for estimates and only Scott's Lawn and Landscaping responded. He stated an estimate to correct the drainage on all side of the complex the rock area on the East side of court will remain as it, install irrigation and install grass sod is estimated at \$35,000.00. He stated staff is recommending approval of the contract for erosion control in the amount of \$35,000.00.

Commissioner Brinkman questioned why an irrigation system would be installed instead of looking for a bid of natural grasses or plants that require little to no extra watering.

Following further discussion, Commissioner Gilligan made a motion to approve Scott's Lawn and Landscaping for area erosion control, grading, irrigation system and sod at an estimated cost of \$35,000.00 at the Pickleball Courts in Reeble Park. Commissioner Sauder seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Mayor Smith, aye; Commissioner Brinkman, nay.

PLANNING AND DEVELOPMENT
(MAPC Excerpts of Regular Meeting Held March 15, 2022)
(Application No. 2022-03 - Request of Travel Center Realty, LLC)
(Conditional Use Permit at 4215 W. Hwy 50)

Consider an Application PC CUP 2022-03 Requesting a Conditional Use Permit for a Light Maintenance Truck Facility Located at 4215 West HWY 50.

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

Chair Thomas asked if any Commissioners needed to recuse themselves or report any ex-parte communications. No commissioners needed to recuse themselves due to a conflict of interest and no ex parte communications were reported.

Givens gave the staff report:

Application #: PC CUP 2022-03

Applicants: Travel Center Realty, LLC

Requested Action: Recommend the Approval of a Conditional Use Permit for a Light Maintenance Truck Facility

Purpose: Applicants desire to construct a light maintenance truck facility as a compliment to the existing travel plaza / truck stop.

Address: 4215 West HWY 50

Legal description: Beginning at a point 81.9 feet South and 225 feet West of the Northeast corner of the Southwest Quarter (SW1/4) of Section Seven (7), Township Nineteen (19) South, Range 11 East of the 6th P.M., Lyon County, Kansas, thence Westerly along the South right-of-way line of U.S. Highway 50 South for a distance of 646.2 feet, thence Easterly parallel with the South line of said right of way 646.2 feet, thence North 600 feet to the place of beginning.

Lot Size: 2.96 acres disturbed area - 30.0-acre total area

Existing Zoning: C-2 Restricted Commercial

Future Zoning in ELC Comp. Plan: Commercial

Surrounding Zoning:

North- Public Use District

East- I-1 Light Industrial

South- I-1 Light Industrial

West - C-3 General Commercial - I-1 Light Industrial

Surrounding Actual Uses:

North- Kansas Turnpike Authority Emporia Station
East - Truck Repair Facility / Manufacturing Facilities
South- Warehouse Facility
West- Truck Stop/Travel Plaza with Restaurant/Truck Wash

Analysis: The applicants are proposing to develop a light maintenance truck facility that would include 4 bays for trucks and trailers to be serviced as well as associated office, storage, and other space. The development would share a drive with the existing travel plaza and a new approach would be allowed for access to Overlander Rd.

Considerations: 26-109. Factors to be Considered for a Conditional Use Permit:

Because of particular conditions associated with their activities, certain uses which might have an adverse effect upon nearby properties or upon the character and future development of a district are not permitted outright in districts, but are permitted as conditional uses when their proposed location is supplemented by additional requirements so as to make the use requested compatible with the surrounding property, the neighborhood and the zoning jurisdiction.

In approving a conditional use, the minimum requirements set out in these regulations for the underlying district must be met unless otherwise reduced by specific reference in the approval of the Governing Body. The requirements may be made more stringent if there are potentially injurious effects which may be anticipated upon other property or the neighborhood or which may be contrary to public health, safety or welfare.

The Planning Commission may recommend approval of a Conditional Use that is expressly authorized to be permitted in a particular zoning district, and the Governing Body may approve such Conditional Use, using the following factors as guidelines: **Staff Commentary in Bold**

1. Whether approval of the conditional use would be consistent with the intent and purpose of these regulations; **The intent of commercial zoning districts is to provide for areas of compatible commercial and service businesses. This proposed development would be compatible in both size of development and scope of the work that is being proposed.**

2. Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood; **The proposed development would be complimentary to the existing truck stop and truck wash, and would be consistent with the neighboring property, especially the truck repair facility adjacent to the development.**

3. Whether the proposed use places an undue burden on the existing transportation and service facilities in the area affected and, if so, whether such additional transportation and service facilities can be provided; **The applicant has advised staff that the proposed service facility would be mostly for existing users of the travel plaza, and would not necessarily increase the amount of traffic that currently uses the facility. Traffic is a concern in the area, but any increased traffic due to this development would be negligible.**

4. Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected; **No changes have occurred in the area, but rather the ability to provide a service not available at this time on the property. Truck traffic in general has increased and will continue to increase, especially with the expansion of logistic centers along the I-35 corridor.**

5. The length of time the subject property has remained vacant or undeveloped as zoned; (the use of land for agricultural purposes shall be considered as viable use of the land and not be considered as allowing the land to be vacant or undeveloped); **The property has remained vacant since the travel plaza was developed in 1998. The location of the proposed facility would still allow for development on prime space at the corner of Overlander Rd. and W. HWY 50.**

6. Whether the applicant's property is suitable for the proposed conditional use; **The property is of sufficient size for the proposed development and with the proposed tie-in with the existing travel plaza, the property is extremely suited for a development of this type.**

7. The recommendations of professional staff; **Based on all evidence in hand, staff would recommend the approval of the conditional use.**

8. Whether the proposed conditional use would be in conformance to and further enhance the implementation of the City's Comprehensive Plan; **The proposed development is in**

compliance with the Comprehensive Plan in that it uses existing space that does not require the extension of any infrastructure, expands on and promotes existing businesses, and helps to create jobs and services in the community.

9. Whether the relative gain to the public health, safety, and general welfare outweighs the hardship imposed on the applicant by not upgrading the value of the property by approving the proposed conditional use; **The only loss to public health, safety, and general welfare would be if truck traffic in the area were to see a significant increase, but based on the applicant's statement that the facility would be marketed to existing users of the travel plaza, and not a stand-alone draw, the increase in truck traffic should be minimal, and providing an opportunity for trucks to have maintenance at the facility could result in an increase in truck safety as issues could be addressed quicker and in a more timely fashion.**

10. Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected; **Staff does not anticipate any adverse conditions from the development of this project.**

11. For uses as solid waste disposal facilities, including sanitary landfills, construction and demolition landfills and transfer stations, whether the proposed conditional use is consistent with the adopted Solid Waste Management Plan of Lyon County, and amendments thereto; and **N/A**

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

Neighborhood Communications: At the time of writing this report, staff has been in communication with several property owners in the area, and none have stated objections to the project.

Recommendation: Staff recommends the Planning Commission forward a recommendation to approve the Conditional Use Permit to the Governing Body based on the findings that the project is consistent with the intent and purpose of the zoning regulations, will not have an adverse impact on the surrounding area and the use is consistent with neighboring uses and based on the following conditions;

The project is developed in accordance with an approved site plan,

The project meets all applicable zoning and building code regulations,

Any additional conditions the Planning Commission or City Commission deem necessary to protect the public health, safety, and general welfare.

Attachments: Aerial Map / Current Zoning Map / Future Land Use Map

Commissioner **Bucklinger** asked **Givens** what does light mean when referring to Light Maintenance Truck Facility? **Givens** said that it would be light maintenance, like changing tires.

The Public Hearing is open.

Cameron Cooper of Kimley-Horn 6750 Poplar Avenue, Suite 600, Memphis TN 38138 (representing the applicants) said it is a 4-bay building; one of the bays will be a lobby and storage, the other 3 bays will function to service tractor trailers.

Commissioner **Weaver** asked **Cooper** how he would define light? **Cooper** said that the main services will be changing tires, oil, lube, and minor repairs (e.g. replace starters, belts, and tensioners). There is an increase in transportation demand and the need for more preventative maintenance in more places.

The public hearing was closed.

Commissioner **Barnes** said it seems like a valuable use of the property and will help the safety on the highway.

Commissioner **Barnes** made a motion to recommend approval of Application PC CUP 2022-03 for a Conditional Use Permit for a Light Maintenance Truck Facility to the Governing Body. Commissioner **Duncan** seconded. **Approved 5-1**, Commissioner **Colson** dissents.

Justin Givens, Zoning Enforcement Officer, was recognized and addressed the Governing Body. He stated this was a request from the Travel Center Realty, LLC at 4215 W. Hwy 50 for a Conditional Use Permit for a light maintenance truck facility as a compliment to the existing travel plaza truck stop. The facility would provide limited repairs and service to large trucks, semis, and

trailers. He stated the proposed project would be in keeping with the existing uses within the area and would be complementary to the current truck stop. A public hearing was held and no person spoke in opposition to the proposed development. A property owner within the notification area expressed concerns about the amount of truck traffic that is currently parking on Overlander Street and those concerns were addressed by city staff and that this project would increase the paved area that trucks may have to park as an alternative to parking in the street. At their March 15, 2022 regular meeting, the Planning Commission approved Application No. 2022-03 requesting a Conditional Use Permit for a light maintenance truck facility located at 4215 W. Hwy 50 with a vote of 5 - 1. He stated staff is recommending approval of the CUP.

PLANNING AND DEVELOPMENT
(Application No. 2022-03 - Request of Travel Center Realty, LLC)
(Conditional Use Permit at 4215 W. Hwy 50)
(Ordinance Number 22-12)

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 22-12, was presented to the Governing Body for their consideration.

Commissioner Brinkman made a motion to approve Ordinance Number 22-12, an ordinance issuing a Conditional Use Permit to allow a light truck maintenance facility at 4215 W. Hwy 50. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Gilligan, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

PLANNING AND DEVELOPMENT
(Application No. 2022-01 - Request of Bluesky Dvlp. & CM2 Dvlp.)
(Rezone Property Along Michelle Street)
(From R-1, Low Density Residential Dist. & C-3 General Comm1. Dist.)

Justin Givens, Zoning Enforcement Officer, was recognized and addressed the Governing Body. He stated this was a request from Bluesky Development and CM2 Development to rezone property located along Michelle Street from R-1 Low Density Residential District and C-3 General Commercial District to R-3 High Density Residential District. He stated the proposed rezoning would facilitate the development of between 15 - 20 single-family attached units. The proposed development consists of 5.6 acres of undeveloped land that is currently zoned C-3 General Commercial and R-1 Low Density Residential Districts. The applicants originally applied for R-3, High Density Zoning, but upon discussion with the Planning Commission, it was agreed upon that R-2, Medium Density Zoning was more appropriate for the location and scope of the proposed project. The change from R-3 to R-2 would eliminate the potential for apartment in the area and the developers will have to work with the City to mitigate the increase in stormwater for their property as well as additional stormwater that runs across their property. He stated since the change in zoning was approved by the Planning Commission, the applicants requested a change for the zoning on the north side of the property to be R-3 High Density Zoning instead of the R-2 Low Density Residential District. The change on the north side of property would allow the applicants to put a 4-Plex instead of duplexes to help address the stormwater issues for their property and in the area.

Commissioner Gilligan made a motion to return the application to the Planning Commission for further consideration of a zoning change for the north side of the applicants property. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Board Appointments)**

Emporia Public Library:

_____It was moved by Commissioner Brinkman seconded by Commissioner Gilligan that Dawn Moews be reappointed to the Emporia Public Library Board and Caron Daugherty be appointed to the Emporia Public Library Board for terms that expire April 20, 2026. The vote follows: Commissioner Brinkman, aye; Commissioner Gilligan, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

Consent Agenda

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

- a. Consider minutes of the Regular Meeting held on March, 16, 2022.
- b. Consider ratification of Payroll Ordinances for the period ending on March 25, 2022.
- c. Consider 2022 Kansas Parks & Wildlife Parks and Tourism Annual Operations and Maintenance Assurance Agreement.
- d. Consider CDBG Rehab Grant Extension Request.
- e. Approve Ordinance No. 22-13 for Common Consumption Area for Emporia Main Street, Inc.
- f. Approve Ordinance No. 22-14 for Common Consumption Area for Visit Emporia.
- g. Approve Ordinance No. 22-15 for Common Consumption Area for Radius Production, LLC.
- h. Approve Ordinance No. 22-16 for Beer Garden at David Traylor Zoo for Party for the Plant on April 23, 2022.

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

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

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

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

Tentative Agenda for April 13th Study Session at 11:30 a.m.

- City Financial Update.
- Discuss Carnegie Library Study.
- Discuss Las Casitas Park Mural.
- Discuss Animal Shelter/Humane Society.
- Discuss JAC Annual Contract.

Strategic Planning from 1:30 p.m to 3:30 p.m.

**CITY COMMISSION
(Public Comment)**

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

EXECUTIVE SESSION

Commissioner Gilligan made a motion to adjourn into Executive Session to discuss confidential matters of a third party and to invite Special Projects Manager Jim Witt, and newly appointed commissioner Erren Harter from 2:53 p.m. to 3:08 p.m., in the City Commission Meeting Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

Upon reconvening the meeting in Regular Session at 3:08 p.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had discussed confidential matter of a third party and no action was taken.

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

Becky Smith, Mayor

ATTEST:

Kerry Sull, City Clerk