

COMMISSION MEETING**7:00 P.M.****JUNE 16, 2021**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, June 16, 2021, with Mayor Gilligan presiding and Commissioners Brinkman, Geitz, Giefer and Smith present. were absent. 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 May for the community:**

1. Monthly Local Retail Sales Tax Receipts Update

	2020	2021	
	\$390,244.14	\$504,084.44	Increase of \$113,840.30 for the month, and
YTD	\$ 2,024,337.86	\$2,187,040.07	Overall increase of 8.04% from year 2020

2. City Share from County Tax

	2020	2021	
	\$ 202,076.80	\$ 254,398.59	Increase of \$52,321.79 for month, and
YTD	\$1,036,884.07	\$1,106,185.88	Overall increase of 6.68% from year 2020

3. **Building Permits issued from 5/1/2021 to 5/31/2021 for new construction, remodeling, repairs and demolition.**

Total number of building permits issued through Code Services:	68
Total of valuations associated with those building permits:	\$ 1,688,367.00
Total number of dollars collected for Building Permit Fees:	\$ 9,387.50
Construct - single family dwellings	2
Demo - single family dwellings	0
Flint Hills Mall CID for May	\$ 20,324.85
Year to Date Total	\$ 83,538.19

Consent Agenda

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

- a. Consider minutes of the Meeting held on June 2, 2021.
- b. Consider ratification of Payroll Ordinance for the period ending on June 4, 2021.
- c. Consider the Approval of May Budget.

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

Mark Schondelmaier, representing the Multi-Use Path Planning Board (MUPP), was recognized and addressed the Governing Body. He stated the new walking trail at the Lyon County Fairgrounds is mostly complete and is already being used by many. He stated MUPP, Heathier Lyon County and Emporia Recreation Commission are working together to plan a grand opening on June 24, 2021 at 5:30 p.m. and the public is invited. He stated there will be ribbon cutting at 5:30 p.m. and then immediately after that the Rec Center is organizing a 5K and 1 mile run as a fund raiser. Funds raised by the event will be used to purchase a bench to have along the trail as suggested by the users.

Melissa Landis and Gayle Taylor-Ford, representing the Empower House Ministries, were recognized and addressed the Governing Body. They stated they offer services to people in need due to addiction. Their long term recovery plan includes counseling for self worth, core life skills, job search, spiritual guidance, healthy lifestyle, establishment of new relationships, etc. They stated the one thing that is lacking in the community, for people recovering from addiction, is a safe place to live. Housing for women is non existent since the Plumb House has closed its doors. They hope to open a home for women who are recovering addicts. They are in the fund raising stages now and looking for grants to help them. They asked the City if there was any available funds to help them out in their endeavor.

Mayor Gilligan suggested they reach out to city staff for information.

ENGINEERING

**(Consider Agreement 157-21 with Kansas Department of Transportation)
(Road 180 - Road G to Road 5, KDOT Project No. 56 KA-6154-01)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated this agreement with KDOT will fund 100% of the total actual costs of construction not to exceed \$1,900,000.00 for the improvement on Road 180 from Road G to Road F5. He stated the City will be responsible for \$0 of total actual costs of construction until KDOT and the Secretary of Transportation's funding limit of \$1,900,000.00 is reached. The City will be responsible for 100% of total actual costs of construction after that amount is met. The City will be responsible for 100% of preliminary engineering, construction engineering, right of way, utility adjustments and non-participating costs. He stated the City has previously entered a Memorandum of Understanding with Evergy in which Evergy has agreed to participate up to \$360,000.00 in actual costs to the City for paving Road 180 along their property and sanitary sewer extension improvements. He stated the City's portion of the proposed project will be funded by the Multi-Year Fund. He stated staff is recommending accepting KDOT agreement 157-21 for Road 180 and authorize the Mayor to sign.

BONDS

**(General Obligation Bonds)
(30th Avenue from Crestview Drive to Prairie Street)
(New Vector Truck)
(Amend Ordinance Number 20-19)
Ordinance Number 21-24)**

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS, AUTHORIZING THE CITY TO PURCHASE A VECTOR TRUCK, AUTHORIZING THE CITY IS ISSUE GENERAL OBLIGATION BONDS TO PAY COSTS THEREOF; AND AMENDING ORDINANCE 20-19, to which the City Clerk assigned Ordinance Number 21-24, was presented to the Governing Body for their consideration.

City Manager McAnarney stated the City issued \$753,000.00 in bonds for improvements to 30th Avenue from Crestview Drive to Prairie Street prior to bidding the project. The scope of work changed and the bid came in higher. This authorization will allow the City to issue \$225,000.00 additional in bonds to complete the 30th Avenue project for a total of \$978,000.00. Additional, a new Vactor truck will be purchased to be used in multiple capacities in the water and wastewater areas. This authorization will allow bonds to be issued in the amount of \$500,000.00. Payments for the new vactor will be paid for from the Water and Wastewater Funds. He stated staff was recommending approval of the ordinance.

Commissioner Geitz made a motion to approve Ordinance Number 21-24, an ordinance authorizing the issuance of general obligation bonds for the project at 30th Avenue from Crestview Drive to Prairie Street and purchase of a vactor truck. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Giefer, 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 JUNE 23RD STUDY SESSION 10:00 A.M.

Discuss Installation of Electric Vehicle Charging Station, Site License Agreement/MOU with Evergy.

Wage Scale Discussion.

Review Funds with Tax Levy.

Discuss Capital Improvement Plan for the Following Departments:
Parks, Golf, Zoo, Engineering, Street, Airport, Shop, Public
Works Center, Water, Sewer and Solid Waste.

Legislative Update.

Discuss REG ICA Termination.

EXECUTIVE SESSION

Commissioner Smith made a motion to adjourn into Executive Session to discuss proprietary information of private businesses and to invite Special Project Manager, Jim Witt, from 7:15 p.m. to 7:25 p.m., in the City Commission Meeting Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

Upon reconvening the meeting in Regular Session, at 7:25 p.m., this same date, in the City Commission Meeting Room, Mayor Gilligan stated they had discussed proprietary information of private businesses and no action was taken.

EXECUTIVE SESSION

Commissioner Smith made a motion to adjourn into Executive Session for consultation with the City Attorney regarding a legal matter, from 7:26 p.m. to 7:31 p.m. in the City Commission Meeting Room. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

Upon reconvening the meeting in Regular Session, at 7:31 p.m., this same date, in the City Commission Meeting Room, Mayor Gilligan 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 the meeting to June 23, 2021 at 11:30 a.m. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk

**ADJOURNED
COMMISSION MEETING**

11:30 A.M.

JUNE 23, 2021

The Governing Body of the City of Emporia, Kansas, met in Adjourned Session, Wednesday, June 23 28, 2021 in the City Commission Meeting Room 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.

**CITY COMMISSION
(Permitting the Sale and Consumption of Alcohol)
(Junior World's Block Party)
(Ordinance Number 21-25)**

AN ORDINANCE EXEMPTING THE 900 BLOCK OF COMMERCIAL STREET AND NINTH AVENUE WEST OF COMMERCIAL STREET TO THE MID-BLOCK ALLEY IN THE CITY OF EMPORIA FROM THE PROHIBITION ON THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE JUNIOR WORLD'S BLOCK PARTY EVENT JULY 9, 2021, to which the City Clerk assigned Ordinance Number 21-25, was presented to the Governing Body for their consideration.

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated Emporia Main Street and Emporia Granada Theatre are requesting a temporary exemption from the prohibition on the sale and consumption of alcoholic beverages for the Junior World's Block Party event to be held on Friday, July 9, 2021. The requested exemption would include the 900 block of Commercial Street and Ninth Avenue west of Commercial Street to the mid-block alley from 6:00 p.m. to 10:00 p.m. She stated the proposed ordinance includes requirements that all alcoholic beverages remain within City fencing, the boundaries to be approved by the Chief of Police, no one under the age of 21 may possess or consume alcohol and the Emporia Granada Theatre must meet all City and state requirements for temporary alcohol sales.

Commissioner Geitz made a motion to approve Ordinance Number 21-25, an ordinance exempting the sale and consumption of alcoholic beverages for the Junior World's Block Party event on Friday, July 9, 2021 from 6:00 p.m. to 10:00 p.m. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

CITY COMMISSION
(Permitting the Sale and Consumption of Alcohol)
(Emporia Main Street 30th Anniversary Celebration)
(Ordinance Number 21-26)

AN ORDINANCE EXEMPTING EIGHT AVENUE BETWEEN COMMERCIAL STREET AND MERCHANT STREET IN THE CITY OF EMPORIA FROM THE PROHIBITION ON THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE EMPORIA MAIN STREET 30TH ANNIVERSARY CELEBRATION EVENT JULY 30, 2021, to which the City Clerk assigned Ordinance Number 21-26, was presented to the Governing Body for their consideration.

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated Emporia Main Street and Emporia Granada Theatre are requesting a temporary exemption from the prohibition on the sale and consumption of alcoholic beverages for the Emporia Main Street 30th Anniversary Celebration event to be held on Friday, July 4, 2021. The requested exemption would include 8th Avenue between Commercial Street and Mechanic Street from 5:00 p.m. to 11:30 p.m. She stated the proposed ordinance includes requirements that all alcoholic beverages remain within City fencing, the boundaries to be approved by the Chief of Police, no one under the age of 21 may possess or consume alcohol and the Emporia Granada Theatre must meet all City and state requirements for temporary alcohol sales.

Commissioner Giefer made a motion to approve Ordinance Number 21-26, an ordinance exempting the sale and consumption of alcoholic beverages for the Emporia Main Street 30th Anniversary Celebration event on Friday, July 30, 2021 from 5:00 a.m. to 11:30 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.

CITY COMMISSION
(Permitting the Sale and Consumption of Alcohol)
(Garmin Lunar Ride)
(Ordinance Number 21-27)

AN ORDINANCE EXEMPTING THE PARKING LOT WEST OF MECHANIC STREET BETWEEN 7TH AVENUE AND 8TH AVENUE IN THE CITY OF EMPORIA FROM THE PROHIBITION ON THE

SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE GARMIN LUNAR RIDE EVENT JULY 5, 2021, to which the City Clerk assigned Ordinance Number 21-27, was presented to the Governing Body for their consideration.

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated Unbound Gravel and Mulready's Pub are requesting a temporary exemption from the prohibition on the sale and consumption of alcoholic beverages for the Garmin Lunar Rive event to be held on Saturday, July 24, 2021. The requested exemption would include the parking lot west of Mechanic Street between 7th Avenue and 8th Avenue from 6:00 a.m. to 12:00 a.m. She stated the proposed ordinance includes requirements that all alcohol beverages remain within City fencing, the boundaries to be approve by the Chief of Police, no one under the age of 21 may possess or consume alcohol and the Mulready's Pub must meet all City and state requirements for temporary alcohol sales.

Commissioner Brinkman made a motion to approve Ordinance Number 21-27, an ordinance exempting the sale and consumption of alcoholic beverages for the Garmin Lunar Ride event on Saturday, July 24, 2021 from 6:00 a.m. to 12:00 a.m. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

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

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk