

COMMISSION MEETING**7:00 P.M.****SEPTEMBER 15, 2021**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, September 15, 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 Prosecutor Brandy Roy-Bachman. City Attorney Montgomery was absent.

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 August for the community:**

1. Monthly Local Retail Sales Tax Receipts Update

	2020	2021	
	\$456,872.55	\$462,483.97	Increase of \$5,611.42 for the month, and
YTD	\$ 3,306,069.09	\$3,587,363.52	Overall increase of 8.51% from year 2020

2. City Share from County Tax

	2020	2021	
	\$ 235,485.68	\$ 238,741.23	Increase of \$3,255.55 for month, and
YTD	\$1,690,463.03	\$1,816,851.08	Overall increase of 7.48% from year 2020

3. **Building Permits issued from 8/1/2021 to 8/31/2021 for new construction, remodeling, repairs and demolition.**

Total number of building permits issued through Code Services:	63
Total of valuations associated with those building permits:	\$ 1,035,874.00
Total number of dollars collected for Building Permit Fees:	\$ 8,698.38
Construct - single family dwellings	1
Demo - single family dwellings	0
Flint Hills Mall CID for August	\$ 19,231.54
Year to Date Total	\$ 139,988.53

Consent Agenda

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

- Consider minutes of the Meeting held on September 1, 2021.
- Consider ratification of Payroll Ordinance for the period ending on September 10, 2021.
- Consider the Approval of August Budget.

- d. Consider the Approval of an Agreement authorizing the Emporia Public Library to install an electronic sign on city property.
- e. Consider Set Bid Date and Time to Receive Bids for Self-Contained Breathing Apparatus (SCBA) equipment.
- f. Consider Change Order No. 2 for Elm Street Waterline Project.
- g. Consider Set Bid Date and Time to Receive Bids for FEMA Project (Neosho Low Water Dam and Raw Water Intake).

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

**CITY COMMISSION
(Submittal of Application - Moderate Income Housing Program)
(Kansas Housing Resources Corporation)
(Resolution Number 3648)**

Jeff Lynch, Community Development Coordinator, was recognized and addressed the Governing Body. He stated the City has utilized past Moderate Income Housing grant funding to develop single-family owner occupied homes that met the moderate-income guidelines. The proposed project will assist up to twenty (20) homes; twelve (12) home buyers to purchase new homes and assist eight (8) property owners to improve substandard vacant units to livable conditions. Residents of assisted units, whether owners or tenants must be income qualified. He stated the City would provide staff for grant administration, construction management and building inspections and waive all applicable building permit and inspection fees. He stated the City intends to submit an

application for \$400,000 in assistance from the Kansas Housing Resources Corporation, Moderate Income Housing Program. He stated staff is recommending approval of the resolution authorizing the submittal of an application to the Kansas Housing Resources Corporation for Moderate Income Housing Program funding to provide \$400,000 in down payment and housing rehabilitation assistance.

Commissioner Brinkman made a motion to approve Resolution Number 3648, a resolution authorizing the submittal of an application to the Kansas Housing Resources Corporation for Moderate Income Housing Program funding to provide \$400,000 in down payment and housing rehabilitation assistance. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Geitz, aye; Commissioner Smith, aye; and Mayor Gilligan, aye.

CITY COMMISSION
(Exceeding the Revenue Neutral Rate)
(Public Hearing)
(Resolution Number 3649)

Mayor Gilligan stated the budget proposed by the Governing Body of the City of Emporia was calculated to 40.846 mils by the Lyon County Clerk. The budget proposed will require the levy of a property tax rate exceeding the Revenue Neutral Rate. He stated as per Senate Bill 13 and House Bill 2104, a public hearing must be held to allow taxpayers to speak without unreasonable restrictions. At this time the City is required to hold a public hearing.

Mayor Gilligan then declared the public hearing open.

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

Commissioner Geitz made a motion to approve Resolution Number 3649, a resolution to levy a property a tax rate and exceed the revenue neutral rate. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye;

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

BUDGET
(Approve 2022 Budget)
(Public Hearing)

Janet Harrouff, Director of Administrative Services, was recognized and addressed the Governing Body. She stated the City of Emporia is required by State law to hold a public hearing for the adoption of the annual budget. This is the final step in adopting the proposed budget in a total amount of \$63,454,225 encompassing 14 funds. The overall mil rate is flat, however, the valuation has increased and the Revenue Neutral Rate is exceeded. She stated this budget provides funding for all existing programs within the City. A total of \$5,510,700 is budgeted over all funds for capital improvement items that include equipment replacement, street rehabilitation, building improvements and sidewalk improvements. There are proposed rate increases in the water and wastewater funds for 2022. All budgets with personnel include an average 2.5% merit raise, a 2% rate increase for all employees and increase the wage scales by 12%. The budget includes \$7,258,402 for Bond Payments. She stated the official adopted budget is required by State law to have a maximum cash carryover of 5% of eligible expenses, staff added \$3,000,000 unallocated expenses to the General Fund budget. Most of the funds have all available balances budgeted.

Mayor Gilligan then declared the public hearing open.

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

Commissioner Smith made a motion to approve the 2022 budget and the 5-year budget. 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
(700 Block LLC)
(Request Rural Housing Incentive District)
(Resolution Number 3650)**

Jim Witt, Special Projects Manager, was recognized and addressed the Governing Body. He stated staff received a request from the potential developers of 714, 716, and 718 Commercial to add properties to the eligible RHID districts within the City. He stated this resolution is the first step in the RHID designation process. The developers will provide ten (10) rental apartments ranging from 3 bedroom to studio units. The hearing date is scheduled for October 20, 2021, at which time the required Development Plan will be reviewed. Once the public hearing is completed the Commission will be asked to consider an ordinance creating the RHID district.

Following further discussion, Commissioner Brinkman made a motion to approve Resolution Number 3650, a resolution to establish a hearing date of October 20, 2021 for the 700 Block LLC RHID project. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Geitz, aye; Commissioner Smith, 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 SEPTEMBER 22ND STUDY SESSION @ 10:30 P.M.

- Update on Disc Golf in Emporia.
- Discuss Highland Street.

- Discuss Resolution for the Reappointment of Judge Hollembeak.
- Covid Discussion ARPA.
- Discuss International Property Maintenance Code for Update of Rental Property Code.
- Discuss Update on Lift Station No. 2.

EXECUTIVE SESSION

Commissioner Smith made a motion to adjourn into Executive Session to discuss proprietary information of the Brownstone Addition and to invite Special Projects Coordinator 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 the Brownstone Addition and no action was taken.

EXECUTIVE SESSION

Commissioner Smith made a motion to adjourn into Executive Session to discuss non-elected personnel and to invite Special Projects Coordinator Witt from 7:25 p.m. to 7:35 p.m., in the City Commission Meeting Room. Commissioner Geitz seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

Upon reconvening the meeting in Regular Session at 7:35 p.m., this same date, in the City Commission Meeting Room, Mayor Gilligan stated they had discussed non-elected personnel and no action was taken.

Commissioner Geitz then made a motion to adjourn the meeting to September 29, 2021 at 10:00 a.m. 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