

ADJOURNED**COMMISSION MEETING****10:00 A.M.****SEPTEMBER 29, 2021**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, September 29, 2021, with Mayor Gilligan presiding and Commissioners Brinkman, Geitz, Giefer and Smith present. Also present were City Manager McAnarney, City Clerk Sull and City Attorney Montgomery. Assistant City Manager Massey was absent.

**CITY COMMISSION
(Public Comment)**

Reason Bradford, Fire Marshall, was in attendance to accept a proclamation declaring the week of October 3 through 9, 2021, as "Fire Prevention Week" in Emporia. He stated the City of Emporia is committed to ensuring the safety and security of all those living in and visiting Emporia. The 2021 Fire Prevention Week theme is "Learn the Sounds of Fire Safety" effectively serves to remind us it is important to learn the different sounds of smoke and carbon monoxide alarms. Working smoke alarms cut the risk of dying in reported home fires in half. He stated Emporia residents should be sure everyone in the home understands the sounds of the smoke and CO alarms and know how to respond, including those with sensory or physical disabilities. He urged all the people of Emporia to "Learn the Sounds of Fire Safety" for Fire Prevention Week 2021 and to support the many public safety activities and efforts of Emporia's fire and emergency services.

Mayor Gilligan then presented the proclamation.

**CITY COMMISSION
(Board Appointments)****Human Relations Commission:**

Commissioner Geitz made a motion to table this item to October 6, 2021. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Gilligan, aye.

**MUNICIPAL COURT
(Reappointment of Municipal Court Judge Hollembeak)
(Resolution Number 3651)**

City Attorney Montgomery stated Judge Ted Hollembeak's 4-year term expires on November 18, 2021. He is requesting consideration for reappointment. Under Charter Ordinance 32, a municipal court judge may seek to be reappointed prior to the expiration of that term, and if so appointed, may serve as municipal court judge for another 4-year term. Judge Hollembeak has been serving as municipal court judge since 2005. She stated staff was recommending reappointment of Municipal Court Judge Hollembeak.

Commissioner Brinkman made a motion to approve Resolution Number 3651, a resolution appointing Ted Hollembeak as Municipal Court Judge of the City of Emporia for a 4-year term expiring November 18, 2025. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

**MUNICIPAL COURT
(Consider Agreement for Municipal Court Judge Services)**

City Attorney Montgomery stated this agreement spells out the responsibilities of the City and Municipal Court Judge Ted Hollembeak during the new 4-year appointment to begin November 19, 2021. She stated the City will provide furnished office space, annual updated legal materials, and pay for membership in the Kansas Municipal Judge's Association. Judge Hollembeak will maintain his license to practice law in good standing, keep himself duly and properly informed of all laws, statutes and regulations which are necessary for the proper discharge of his duties, and diligently perform his duties in a competent, impartial manner, free of bias or prejudice. She stated the compensation for the first year will be \$63,466.00 with an increase of 1.5% each year thereafter. She stated staff was recommending approval of the agreement for Municipal Court Judge Services.

Commissioner Geitz made a motion to approve the agreement for Municipal Court Judge Services. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Gilligan, aye.

EXECUTIVE SESSION

Commissioner Smith made a motion to adjourn into Executive Session to discuss non-elected personnel and to invite Osenbaugh-Deardoff Consulting from 10:10 a.m. to 11:10 a.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 11:10 a.m., this same date, Commissioner Geitz made a motion to continue the Executive Session discussion with all the same people from 11:10 a.m. to 12:00 p.m. Commissioner Giefer seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Gilligan, aye.

Upon reconvening the meeting in Regular Session at 12:00 p.m., this same date in the City Commission Meeting Room the City, Mayor Gilligan stated they had discussed non-elected personnel and no action was taken.

Commissioner Geitz then made a motion to adjourn to October 6, 2021 at 1:15 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.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk