

COMMISSION MEETING

11:00 A.M.

JULY 6, 2022

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

**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.

Tom McEvoy, ERC Director; and Amanda Gutierrez, Asst. Director of Operations, were in attendance to accept a proclamation declaring July 15, 2022 as "Parks and Recreation Professionals Day" in Emporia. They stated parks and recreation programs are an integral part of communities throughout this country, including the City of Emporia. Parks and recreation are vitally important to establishing and maintaining the quality of life in our communities. They stated Kansas local parks generate over \$1 billion in economic activity annually with the service of parks and recreation professionals. There are over 8,000 programmers, managers, maintainers, landscapers, facilitators, lifeguards, coaches, event organizers and caretakers who plan, provide, operate and enhance the experience of our parks, recreation programs, and facilities in the State of Kansas.

Mayor Smith then presented the proclamation.

**CITY COMMISSION
(Board Appointment)**

Multi-Use Path Planning Board:

It was moved by Commissioner Brinkman seconded by Commissioner Harter that Joe Foster be appointed to the Multi-Use Path Planning Board for a term that expires December 31, 2024. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

Human Relations Commission:

It was moved by Commissioner Giefer seconded by Commissioner Brinkman that Aaron Larson be appointed to the Human Relations Commission for a term that expires on June 1, 2025. The vote follows: Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Kansas Department of Commerce)
(Small Cities Community Development Block Grant Program)
(Rehabilitation for Building at 17 W. 4th Ave.)
(Accept Bid - Evergreen Construction)
(Approve Contract with GAS d/b/a Western Consultants)**

City Manager Cocking stated the Kansas Department of Commerce awarded the City of Emporia a \$250,000.00 grant to be used to improve the property located at 17 W. 4th Avenue to become a beer production facility for Radius Brewing. In addition, staff also recommended that Governmental Assistance Service d/b/a Western Consultants, be hired as the grant administrator for the project. He stated after the funds were awarded from the Kansas Department of Commerce, bids were solicited for construction services and two bids were received. The bids are as follows:

Mitchell-Markowitz	\$368,211.00
Evergreen Construction	\$320,541.00

He stated the Grant Administrators had an in-depth meeting with Evergreen to review their bid and confirm compliance with the contract documents and CDBG requirements for the project. This is a pass-through grant and Radius Brewing is responsible for any grant match and the costs of the administration. The City will not have any direct financial costs.

Following further discussion, Commissioner Brinkman made a motion to accept the bid from Evergreen Construction for \$32,541.00 and enter into a contract with Governmental Assistance Services for \$17,000.00 to administer the grant. Commissioner Giefer seconded the motion. The

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

**CITY COMMISSION
(2021 Annual Comprehensive Financial Report)**

Michael Keenan, Hood and Associates CPAs, was recognized and addressed the Governing Body. He stated the City of Emporia has contracted with Hood and Associates to conduct an annual audit of the financial reports of the City. They will also conduct a single audit of the Federal Grants received is more than \$750,000.00. He then reviewed the financial and compliance audit for the year ended December 31, 2021. He stated the responsibilities of the firm are to conduct their audit in accordance with generally accepted auditing standards, government auditing standards and uniform guidance. To obtain reasonable, not absolute, assurance that the basic financial statements are free of material misstatement. To report on internal controls over financial reporting and compliance with laws and regulations. As a result of auditing no illegal acts or changes in significant accounting policies occurred. There were no difficulties or disagreement with management and cooperation was achieved with full access to books and records. He stated financial statements are fairly presented in all material respects; there were no deficiencies in internal control to be considered as material weakness; and there were no noncompliance noted with finance-related laws and regulations that govern the City's operations.

Commissioner Harter made a motion to accept the 2021 Annual Comprehensive Financial Report. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

**PAVING
(2022 Crack Seal/Chip Seal Program)
(Bid)**

Dean Grant, Director of Public Works, was recognized and addressed the Governing Body. He stated proposals were sent out for the 2022 Chip Seal Project and one bid was received from APAC-Kansas, Inc. The bid amount was 58% higher than the budgeted amount for the project due to the increase in oil prices. He stated the street department would like to contract with APAC-Kansas, Inc. to perform the crack seal portion of the project only. This will help extend the life of the pavement and the subgrade by stopping water from entering through the cracks and freezing or soaking into the road base and creating soft areas that eventually become potholes. The bid portion of the crack seal program is \$58,870.00. APAC-Kansas, Inc. is also asking to add \$1,595.00 to the contract to cover their insurance and bond costs, bringing the total to \$60,465.00. The budgeted amount for this project is \$200,000.00, the remaining balance of \$139,535.00 would be used to complete some of the add alternates from the 2022 street rehabilitation project. He stated staff recommends awarding the crack seal portion of the 2022 Chip Seal Project to APAC-Kansas, Inc. in the amount of \$60,465.00.

Following further discussion Commissioner Giefer made a motion to award the crack seal portion of the 2022 Chip Seal Project to APAC-Kansas, Inc. in the amount of \$60,495.00. Commissioner Sauder seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

PLANNING AND DEVELOPMENT

**(MAPC Excerpts of Regular Meeting Held 5-17-22)
(Application No. 2022-01 - Request of City of Emporia)
(Request to Vacate a Platted Alley in Hammond Park)**

Excerpts from May 17, 2022 Meeting:

The Planning Commission met in a regular session on Tuesday, May 17, 2022, with Chair Thomas presiding. Members Bucklinger, Weaver, Barnes, and Duncan were present.

Member Colson was absent.

City staff: Justin Givens and Moriah Keen were present.

Chair Thomas called the meeting to order, five members were present.

Old Business:

2a. Consider an Application PC VAC 2022-01 Requesting the Vacation of a Platted Alley Generally Located In Hammond Park.

Chair Thomas confirmed that the Planning Commission has a quorum.

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 for the original public hearing, and that the City had jurisdiction.

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

Givens gave the staff report:

Application #: PC VAC 2022-01

Applicants: City of Emporia

Requested Action: Recommend the Approval of Vacating a Platted Alley in Hammond Park

Purpose: Applicants desire to vacate an alley that has been platted including a portion that has been maintained as part of a private residence.

Address: Generally located east of State St., west of Center St., and south of 18th Ave. (Hammond Park)

Legal description: The 20-foot alley lying immediately east of lots 41 through 80 and immediately west of lot 81 through 120 in Organ's Subdivision of Lot Thirty-Eight in the Town of Normal, an Addition to the City of Emporia, Lyon County, Kansas.

Lot Size: N/A

Existing Zoning: Public Use District / Residential

Future Zoning in ELC Comp. Plan: Public Use District

Updated Analysis:

This was considered at the March 2022 meeting, but a technicality is requiring the Planning Commission to reconsider the item. A public hearing is necessary when considering a vacation, and while public comment was sought, an actual public hearing was not held. Staff has resent notification to adjacent property owners, and published a revised public hearing notice in the paper.

There have been no changes in the conditions that warranted the original vacation, and staff has, to date, not received any comment from the public against the vacation. Staff still recommends the approval of the vacation to clean-up property line issues for the homeowner at 305 W 18th.

Original Analysis:

An alley was originally platted between lots 41 through 80 and lots 81 through 120 in the Organ's Subdivision in 1888. Since the original platting, Hammond Park as well as several houses were developed in the area. One of those properties located at 305 W 18th has had a driveway and stonewall located within the alley since being built in 1924.

The vacation of the alley, and subsequent transfer of a portion of the property, will clean up ownership issues for the property owner.

Considerations: There are no private utilities within the alley, city sewer and water lines bisect the alley in several locations. A utility easement will be preserved once the alley is vacated. The utility lines are also located within Hammond Park, and do not enter onto private property so the need for utility easements is reduced.

The Utility Advisory Board meet on December 21, 2021, and recommends approval of the vacation.

Neighborhood Communications: At the time of writing this report, staff has had several phone calls about the vacation, but has received no objections from any member of the public.

Recommendation: Staff recommends the Planning Commission forward a recommendation to approve the vacation to the Governing Body based upon a finding that;

- 1- Due and Legal Notice has been given - notices were mailed to all abutting property owner and owners within 200 ft. of the alley, as well as provided in the official newspaper as prescribed by law.
- 2- No private rights will be injured or endangered - the vacation will actually facilitate abutting property owners to clean ownership of property that is maintied in a private manner.
- 3- The public will suffer no loss or inconvienece, Hammond Park will still be open as a public park and all public utility lines will still have access to be maintained in necessary if the vacation is approved.

Applicable Regulations: Section 12-4 Vacation of Streets, Alleys, Easements, and Plats

SECTION 12-4 VACATION OF STREETS, ALLEYS, EASEMENTS AND PLATS

12-401. a. The following procedures are provided to vacate streets, alleys or

other public reservations such as, but not limited to public easements, dedicated building setback lines, access control, or a part thereof, and including all or parts of recorded plats within the corporate limits of the City:

1. Petitions for vacations received from the Governing Body, the owner of

platted land or the owner of land adjoining on both sides of any street,

alley, easement or other public reservation may be filed with the

Zoning

Administrator.

2. The petition shall be reviewed by and comments submitted to the Planning Commission by the Utility Advisory Committee.

3. Following its receipt of the comments of the Utility Advisory Committee,

the Planning Commission shall make a recommendation to the Governing Body as to whether the vacation should be approved or disapproved and

with or without conditions attached. If the Planning Commission determines that:

- (a) due and legal notice has been given;
- (b) no private rights will be injured or endangered; and
- (c) the public will suffer no loss or inconvenience;

then the Planning Commission shall recommend that such vacation be approved and entered at length in the minutes. Such recommendation may provide for the reservation to the City and/or the owners of any lesser property rights for public utilities, rights-of-way and easements for public service facilities originally located in such vacated land or planned for the future. The petition shall not be recommended by the Planning Commission nor granted by the Governing Body if a written objection is filed with the Clerk by any owner who would be a proper party to the petition, but has not joined therein. Furthermore, when only a portion of a street, alley or public reservation is proposed to be vacated, the petition shall not be recommended by the Planning Commission nor granted by the Governing Body if a written objection is filed with the Clerk by any owner of lands which adjoin the portion to be vacated. The recommendation of the Planning Commission to the Governing Body shall be made as provided by K.S.A. 12-752 for the submission and approval of a final plat, and the Governing Body may approve or disapprove the vacation or approve it with or without reservation of lesser easements than as recommended by the Planning Condition.

4. Following the approval of the vacation by the Governing Body, the City Clerk shall certify a copy of the order to the Lyon County Register of Deeds.

Attachments: Aerial Map/Original Plat with Vacation Area highlighted

The Public Hearing was opened.

The City of Emporia (the applicant) had no further information to be provided.

There was no comment from the public during the public hearing.

The Public Hearing was closed.

Commissioner **Duncan** made a motion to approve Application PC VAC 2022-01. Commissioner **Bucklinger** seconded the motion. There was no further discussion. **Approved 5-0.**

Justin Givens, Planning and Zoning Administrator, was recognized and addressed the Governing Body. He stated this was a request from the City of Emporia to vacate an alley that has been platted including a portion that has been maintained as part of a private residence. The vacation of this alley would allow for the City to proceed with the sale of a portion of the park to the property owner located at 305 W. 18th Avenue. The property owner has been maintaining a driveway and stone wall on a portion of the alley/park. He stated it was unknown to City staff and the property owner that this particular area was actually within the alley easement of the original plat. Notices were issued to all property owners within a 200 foot radius of the alley and at the public hearing no property owner spoke against the vacation. At their May 17, 2022 regular meeting, the Planning Commission voted unanimously to vacate an alley in Hammond Park. He stated this vacation will be one of several steps in selling a portion of the property to the adjacent property owner.

PLANNING AND DEVELOPMENT

**(MAPC Excerpts of Regular Meeting Held 5-17-22)
(Application NO. 2022-01 - Request of City of Emporia)
(Request to Vacate a Platted Alley in Hammond Park)
(Ordinance Number 22-32)**

AN ORDINANCE VACATING A CERTAIN ALLEY RIGHT OF WAY IN THE CITY OF EMPORIA, KANSAS, to which the City Clerk assigned Ordinance Number 22-32, was presented to the Governing Body for their consideration.

Commissioner Brinkman made a motion to approve Ordinance Number 22-32, an ordinance vacating an alley within the City of Emporia in Hammond Park. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

ENGINEERING

**(Set Bid Date & Time for South Arundel Sewer Interceptor Improvements)
(36" Sanitary Sewer Aerial Crossing Mitigation)
(Project No. SS1903)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated in 2019 the City hired a contractor for a temporary repair to the damaged 36" sanitary sewer aerial creek crossing near South Arundel. The City's contractor constructed a better temporary repair shortly thereafter. Since that time of the spring 2019 floods, City staff and consulting engineering BG Consultants have applied for a Department of Homeland Security Federal Emergency Management Agency funding for the base repair and mitigation repairs to the aerial sanitary sewer crossing. The base repair to the damaged aerial crossing has been awarded in the amount of \$724,904.46, which FEMA pays 75% the State of Kansas pays 10% and the City pays 15%. The mitigation repair project of \$1,750,000.00 eliminates the need for the damaged and another upstream aerial sanitary sewer crossing; re-aligns the sewer higher on the embankment. He stated there is an impending FEMA timeline to awarding and constructing the sewer improvements and staff recommends to set bid date and time for the project. He stated the City will issue bonds for the City's share of the Mitigation Repair if not funded by FEMA or \$1,135,000.00 or if funded by FEMA \$265,000.00.

Following further discussion, Commissioner Giefer made a motion to Set Bid Date and Time for South Arundel Sanitary Sewer Interceptor Improvements Project to August 9, 2022. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Giefer aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

CITY COMMISSION

**(Establish Eligibility Designation for Property at 2915 W. 6th Ave.)
(Rural Housing Incentive District)
(Resolution Number 3674)**

Jim Witt, Special Projects Manager, was recognized and addressed the Governing Body. He stated this is the initial step in the statutory process for the designation of an Rural Housing Incentive District for property located at 2915 W. 6th Avenue. The developer for the proposed site is Woodco and the site would contain 15/16 duplex residential buildings units for a total of 30/32 units.

Following further discussion, Commissioner Harter made a motion to approve Resolution Number 3674, a resolution establishing a Rural Housing Incentive District eligibility designation for property located at 2915 W. 6th Avenue. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

INDUSTRIAL REVENUE BONDS

(Whittier Place II MR, LLC)

**(Authorize the Issuance of Taxable Industrial Revenue Bonds)
(Series B, 2022 - \$3,362,000.00)
(Ordinance Number 22-33)**

AN ORDINANCE AUTHORIZING THE CITY OF EMPORIA, KANSAS TO ISSUE ITS TAXABLE INDUSTRIAL REVENUE BONDS, SERIES B, 2022 (WHITTIER PLACE II MR, LLC) IN THE AGGREGATE PRINCIPAL AMOUNT OF \$3,362,000 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 B, 2022 BONDS, to which the City Clerk assigned Ordinance Number 22-33, 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 the second of two apartment buildings. This ordinance will authorize the City of Emporia to issue Taxable Industrial Revenue Bonds, Series B, 2022 on behalf of Whittier Place II MR, LLC in the aggregate principal amount of \$3,362,000.00 for the purpose of purchasing, acquiring, constructing, furnishing, and equipping one residential apartment building containing 24 apartments and located at 1300 Whittier Place Lane in the City of Emporia. 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 MR, LLC.

Commissioner Giefer made a motion to approve Ordinance Number 22-33, an ordinance authorizing the issuance of Industrial Revenue Bonds on behalf of Whittier Place II MR, LLC not to exceed \$3,362,000.00. Commissioner Harter seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

Consent Agenda

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

- a. Consider minutes of the Regular Meeting held on June 15, 2022.
- b. Consider ratification of Payroll Ordinances for the period ending on June 17, 2022.

- c. Set Bid Date & Time for Road 180 Paving Improvements Project No. PV1910, KDOT KA-6154-01.

The vote follows: Commissioner Brinkman aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Harter, 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 July 20, 2022 Study Session at 11:00 a.m.

- Award Bid 18th Avenue and County Road.
- Consider Approval of Development Agreement with Red Brick, LLC.
- Consider Ordinance Rezoning Land/Michelle Street within City.
- Consider Approval of Minor Plat for Kwik Shop Addition.

**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 Sauder made a motion to adjourn into Executive Session to discuss proprietary information of third parties for potential economic development projects and to invite Special Projects Manager Jim Witt, from 11:40 a.m. to 11:50 a.m., in the City Commission Meeting Room. Commissioner Harter seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

Upon reconvening the meeting in Regular Session at 11:50 a.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had discussed proprietary information of third parties and no action was taken.

EXECUTIVE SESSION

Commissioner Sauder made a motion to adjourn into Executive Session for consultation with the City Attorney regarding a contractual matter from 11:51 a.m. to 12:01 p.m., in the City Commission Meeting Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Giefer, aye; and Mayor Smith, aye. Commissioners Brinkman and Harter were not present at the time of the vote.

Upon reconvening the meeting in Regular Session at 12:01 p.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had consultation with the City Attorney regarding a contractual matter and no action was taken.

Commissioner Sauder then made a motion to recess until 12:15 p.m. to Conference Room 1AB. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

RECESSED MEETING AT 12:15 P.M.

**CITY COMMISSION
(Discuss City of Emporia Website Redesign)**

Christine Johnson, Communications Manager, was recognized and addressed the Governing Body. She stated at a previous study session the Commission requested proposals for website redesign. Five proposals and one capability statement from a RFP was received from; Exemplifi; CivicPlus; SemiDot; Revize; S03 Creative, LLC and VIP. After meeting with each department to discuss what their needs were for a website redesign, the proposals and demonstrations were examined and discussed by the City Website Design Committee. The design committee included a representative from IT, Police Department, Human Resources, Code Enforcement and Parks Department. She stated the Committee concluded that CivicPlus offers the widest array of applications within the design to meet all department needs and requests while offering years of municipality experience as well as readily available customer service. The total investment for CivicPlus the first year is \$27,885.00 with an annual recurring service fee of \$8,138.00 which includes maintenance and support.

Following further discussion, Commissioner Sauder made a motion to approve CivicPlus for website redesign for the City of Emporia for \$27,885.00 and annual recurring service fee of \$8,138.00. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

**CITY COMMISSION
(Fire Damaged Property at 1325 Merchant Street)
(Hornet Point Apartment Building)**

Kory Krause, Director of Building & Neighborhood Development, was recognized and addressed the Governing Body. He stated fire destroyed a three story apartment building complex in December 2021 at 1325

Merchant Street. The owners of the property has been given letters on the building being an immediate condemnation and informed to demolish and remove the building. On June 30, 2022 a bid was received from S.R. Coffman Construction, Inc. to obtain demolition permit; make notification to KDHE; remove and dispose of the burned building as a wet down/tear down demolition; provide an asbestos inspector on site; poly line the containers for disposal; obtain special waste authorization from KDHE; dispose of all debris and pay all charges; demo concrete wall, floors and footings; backfill, grade and compact with matching fill and smooth, grade and seed in the amount of \$390,437.00.

Following further discussion, Commissioner Brinkman made a motion to authorize S.R. Coffman Construction, Inc. demolish the remainder of the building at 1325 Merchant Street and remove the structure for \$390,437.00 and to include lien on the property for the costs to the City. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

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

Becky Smith, Mayor

ATTEST:

Kerry Sull, City Clerk