

Commission Meeting

11:00 a.m.

August 16, 2023

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, August 16, 2023, with Mayor Brinkman presiding and Commissioners Giefer, Harter, Sauder and Smith present. Also present were City Manager Cocking, Assistant City Manager Detter, 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. Please state your name and address prior to making comments.

No comments were made at this time.

**CITY COMMISSION
(Kansas Department of Commerce for Small Cities)
(Community Development Block Grant CVR Application)
(Resolution Number 3702)**

Mark Detter, Assistant City Manager, was recognized and addressed the Governing Body. He stated the City of Emporia is submitting a grant application for the 2023 Kansas Small Cities Community Development Block Grant Program under the Kansas Department of Commerce. The purpose of the Grant is to provide restauranters/retailers further resiliency during periods of time whereby businesses are impacted by communicable diseases. He stated the application is for a CDBG-CVR grant to provide aid to for-profit restauranters/retailers that are under IRS classifications for S-Corp, Sole Proprietors, and LLC businesses. It is a federal program with a significant number of requirements. The intent of the grant funding is to assist restauranters/retailers with funding for information/technology upgrades and associated professional services. He stated the grant does not require a funding match. The City of Emporia will pay Western Consultants, Governmental Assistance Services, Garrett Nordstrom, \$3,750 for preparing the grant application. He stated staff recommends approval of Resolution Number 3702 for CDBG-CVR grant application.

Commissioner Smith made a motion to approve Resolution Number 3702 authorizing the City of Emporia to apply for the 2023 Small Cities Community Development Block Grant from the Department of Commerce. Commissioner Sauder seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Brinkman aye.

**CITY COMMISSION
(Memorandum of Understanding)
(Dynamic Discs)**

City Manager Cocking stated during the appropriation portion of the city budget process, Dynamic Discs requested \$300,000 to support the repair and upkeep of the city owned disc golf courses. He stated this request was based on the need for adequate facilities for local disc golfers as well as visitors for the large-scale events hosted by Dynamic Discs. The City of Emporia and Dynamic Discs have worked together to address the enhancement, development and management of City-owned disc golf courses and a Disc Golf Course Superintendent. He stated the Disc Golf Superintendent will be a city employee and Dynamic Discs will provide expertise and guidance to the Superintendent with projects and preparing for events. The City will establish a Disc Golf Project Fund comprised of funds from Dynamic Disc and City of Emporia. The salary and benefits for the position of Superintendent will be paid from the Disc Golf Fund. The City will allocate \$100,000 annually to the fund from Transient Guest Tax revenue and Dynamic Disc will contribute \$25,000 annually to the fund by March 1 of each year starting in 2024. The term of this agreement shall be from October 1, 2023, to September 30, 2026. Upon mutual agreement between Dynamic Discs and the City, the agreement may be extended for additional periods beyond September 20, 2026. He stated staff recommends authorizing the Mayor to sign the Memorandum of Understanding with Dynamic Discs.

Commissioner Smith made a motion to authorize the Mayor to sign the Memorandum of Understanding between Dynamic Discs and the City of Emporia for hiring a Disc Golf Course Superintendent. Commissioner Giefer seconded the motion.

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

**PARK DEPARTMENT
(Whittier Park – Skate Park Project)
(American Ramp Company)
(Contract for Design/Build)**

Kevin Hanlin, Director of Public Lands and Facilities, was recognized and addressed the Governing Body. He stated the city has been working with American Ramp Company for technical advice for the design of the new skate park. The location of the skate park has been approved through the review of the Whittier Park layout by Foster Design Associates, LLC. He stated there is \$250,000.00 from the Emporia Community Foundation and matching funds of \$250,000.00 from the City of Emporia. He stated staff recommends approve an agreement with American Ramp Company for the design and construction of a new skate park at Whittier Park.

Following further discussion, Commissioner Smith made a motion to authorize the Mayor to enter into an agreement with American Ramp Company for the design and construction of a new skate park at Whittier Park. Commissioner Harter seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Brinkman, aye.

**CITY MANAGER'S REPORT
(Financials & Building Permits)**

This is the time for the City Manager to make comments and reports to the public.

The following is general information for the month of July 2023 for community:

1. Monthly Local Retail Sales Tax Receipts Update

	2022	2023	Increase of \$92,295.17 for the month, and
	\$ 466,176.03	\$ 558,471.20	Overall increase of 8.56% from year 2022.
YTD	\$3,447,918.59	\$3,742,949.80	

2. City Share from County Tax

	2022	2023	Increase of \$50,254.60 for the month, and
	\$ 238,418.97	\$ 288,673.57	Overall increase of 11.97% from year 2022.
YTD	\$1,753,337.14	\$1,963,273.83	

Building Permits issued from 7/1/2023 to 7/31/2023 for new construction, remodeling/repairs and demolition.

Total number of building permits issued through Code Services:	118
Total of valuations associated with those building permits:	\$ 2,044,952.00
Total number of dollars collected for Building Permit Fees:	\$ 12,696.76

Construct – Single-family dwellings	0
Demo – Single-family dwellings	1

Flint Hills Mall CID for July 2023	\$ 18,401.70
YTD	\$135,386.90

Pavilions CID for July 2023	\$ 11,781.13
CID #2	\$ 11,781.13
YTD	\$ 94,282.57

Consent Agenda

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

- a. Approve minutes of the Regular Meeting held on August 2, 2023.
- b. Highland Street Improvements Chage Order No. 1, Project No. PV2104.

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

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

This is an opportunity for the City Manager to present information to the public that may not be reported in other news accounts or City activities or to highlight accomplishments of the organization.

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

TENTATIVE AGENDA FOR SEPTEMBER 6, 2023 MEETING.

- Proclamation Naming September 8–17, 2023 as Welcoming Week in Emporia.
- RNR Public Hearing & Resolution for Exceeding RNR.
- Public Hearing for 2024 Budget.
- Ordinance on Transient Guest Tax.
- Resolution for 6th Avenue Subdivision RHID.
- Appointment of a Member to the Emporia Public Library.
- Appointment of Members to the Homelessness Advisory Board.
- Appointment of Member to the Emporia Recreation Commission Board.
- Memorandum of Understanding with USD #253.
- Award Construction Manager at Risk (DMAR) for Fire Department Project.
- Resolution Requesting the Lyon County Board of County Commissioners to Make Certain Findings Regarding the Annexation of Property at 1100 S. Highway 99 into City limits.
- Industrial Park III Waterline Easement.
- 24th Avenue Waterline Easement.

Study Session:

- Zoning Regulations Discussion.
- Discussion Implementation of Rental Registration and Revisions of the Current Vacant Property Ordinance.

**CITY COMMISSION
(Public Comment)**

This is the time for the Mayor and City Commissioners to make comments and reports to the public.

EXECUTIVE SESSION

Commissioner Harter made a motion to recess into Executive Session for consultation with the City Attorney regarding a legal matter resuming the open meeting in the City Commission Meeting Room, this same date, at 12:00 p.m. and to invite Jim Witt, Special Project Coordinator, Tayler Wash, Special Projects Director and Dean Grant,

Director of Public Works. Commissioner Smith seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Brinkman, aye.

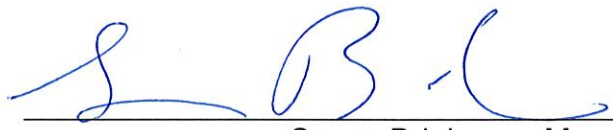
Upon reconvening the meeting in Regular Session, at 12:00 p.m., this same date in the City Commission Meeting Room, Mayor Brinkman stated they had consultation with the City Attorney regarding a legal matter and no action was taken.

Commissioner Smith made a motion to recess the meeting until 12:15 p.m. to Conference Room 1AB. Commissioner Sauder seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Harter, aye; and Mayor Brinkman, aye. Commissioner Giefer was not present at the time of the vote.

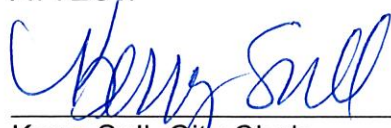
STUDY SESSION:

1. Discuss Transient Guest Tax Rate.
2. Update on Police Department Lobby Remodel.
3. Budget Discussion.

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


Susan Brinkman, Mayor

ATTEST:


Kerry Sull, City Clerk

