

Commission Meeting

11:00 a.m.

September 6, 2023

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, September 6, 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.

Don Eusey and Susie Burenheide, representing Broadview Towers, were in attendance to accept a proclamation declaring September 23, 2023 as “100th Anniversary of Broadview Towers” in Emporia. They stated in 1923 the Broadview Hotel was built and 1974 the Broadview Towers was incorporated with a vision to create affordable, safe environment where seniors can thrive in the existing building of 36 one bedroom and 24 studio apartments. They stated for almost 50 years, Broadview Towers, Inc. has also nurtured vibrant community that fosters a sense of belonging, purpose and joy. The centennial anniversary of the Broadview Hotel is a momentous occasion that deserves to be celebrated for the remarkable history and for countless lives it has touched ensuring that our seniors are treated with the respect, dignity and care they deserve.

Mayor Brinkman then presented the proclamation.

Representatives of the Flint Hills Technical College, were in attendance to accept proclamation declaring the week of September 18 – 22, 2023 as “National Adult Education & Family Literacy Week” in Emporia. They stated more than 43 million Americans can’t

read or write at the most basic level. Adult Education programs contribute to solving these challenges by helping Americans move along the continuum in their educational journey to achieve basic skills and get prepared to career and college. They stated Flint Hills Adult Education Center celebrates Adult Education and Family Literacy Week as a participant which helps our citizens learn about all of their Adult Education options to attain their professional and personal goals.

Mayor Brinkman then presented the proclamation.

Pauline Stacchini, Emporia Public Library Director, was in attendance to accept a proclamation declaring the month of September 2023, as "Library Card Sign-up Month" in Emporia. She stated libraries play a crucial role in the education and development of children from preschoolers to college, fostering literacy and a love of reading. Libraries are welcoming and inclusive spaces for people of all backgrounds to learn together and engage across cultural, ethnic, generational, and economic lines, strengthening the social fabric of the communities they serve. She stated a library card sparks creativity and empowers all people to explore new passions and interests and pursue a path of lifelong learning. She encouraged everyone to sign up for their own library card.

Mayor Brinkman then presented the proclamation.

Lelan Dains, Director of Visit Emporia, was in attendance to accept a proclamation declaring the week of September 8 – 17, 2023 as "Welcoming Week" in Emporia. He stated Welcoming Week is about bringing neighbors together across lines of difference to build relationships and work together on shared goals. Emporia is home to people of all backgrounds and Emporia's success depends on making sure that all new residents along with long-term resident Emporians feel welcome. He stated regardless of where we are born or how we identify it is time to come together and build communities where every resident can thrive and contribute regardless of immigration status, race ethnicity, place of origin, English language proficiency, religion, income, gender, sexual orientation differing abilities, age and other factors. He called upon the residents of Emporia to reach across lines of difference. He also called upon the business leaders, civic groups,

government agencies, and community institutions to undertake initiatives beyond Welcoming Week to make the region a more welcoming place for new and long-term residents.

Mayor Brinkman then presented the proclamation.

**CITY COMMISSION
(Board Appointments)**

Emporia Recreation Commission Board:

It was moved by Commissioner Sauder seconded by Commissioner Smith that Aaron Trelc be appointed to the Emporia Recreation Commission Board for a term that expires June 30, 2027. The vote follows: Commissioner Sauder, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Brinkman, aye.

Emporia Public Library Board:

It was moved by Commissioner Smith seconded by Commissioner Sauder that Bobbie Long be appointed to the Emporia Public Library Board for a term that expires April 20, 2026. The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Brinkman, aye.

Homelessness Advisory Board:

It was moved by Commissioner Harter seconded by Mayor Brinkman that Mickey Edwards; Lyn Blubaugh; Raymond Rogers; Pauline Stacchini; Sarah Henning; Talia Smith; Jay Vehige; Karyn Shields and Samantha Shannon be appointed to the Homelessness Advisory Board for terms that expire September 6, 2026. The vote follows: Commissioner Harter, aye; Mayor Brinkman, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Commissioner Smith, aye.

**CITY MANAGER
(Budget Recommendations)**

City Manager Cocking reviewed budget categories; proposed levies for Lyon County; City Mill Levies for cities of populations from 10,000 to 50,000; City tax per Capita; Average Annual Property Tax Bill; Valuation Change with Total Valuation; Proposed scenarios for General Fund; Bond and Interest Fund; Multi Year Fund; Library Fund; Convention and Tourism Fund; Industrial Fund; Industrial Development Sales Tax Fund; Special Alcohol Fund; Special Parks and Recreation Fund; Appropriations; Special Street Fund; Drug Forfeiture Fund; Water Fund; Wastewater Fund; Solid Waste Fund; Stormwater Fund; Equipment Reserve Fund; and Land Bank Fund.

**CITY COMMISSION
(Exceeding the Revenue Neutral Rate)
(Public Hearing)**

City Manager Cocking stated per Senate Bill 13 and House Bill 2104, a public hearing must be held to allow taxpayers to speak without unreasonable restrictions. A notice was published in the newspaper on August 26, 2023 and posted on the City's website, concerning the proposed budget and the city levying property tax exceeding the Revenue Neutral Rate. Currently the RNR is 39.492 mills and the publication allows the mill levy to be set at 43.50 mills or lower. At this time the City is required to hold a public hearing.

Mayor Brinkman then declared the public hearing open.

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

**CITY COMMISSION
(Exceeding the Revenue Neutral Rate)
(Resolution Number 3703)**

City Manager Cocking stated a resolution will require the levy of a property tax rate exceeding the Revenue Neutral Rate. He stated by adopting the proposed resolution the City can exceed the Revenue Neutral Rate.

Commissioner Smith made a motion to approve Resolution Number 3703, a resolution that will require the levy of a property tax rate exceed the Revenue Neutral Rate. Commissioner Sauder seconded the motion. A roll call for the vote is required as follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Brinkman, aye.

**BUDGET
(Approve 2024 Budget)
(Public Hearing)**

City Manager Cocking stated the City of Emporia is required by State law to hold a public hearing for the adoption of its annual budget. He stated several discussions have been made to put together the 2024 Budget. The hearing is to allow taxpayers to speak without unreasonable restrictions about the 2024 Budget.

Mayor Brinkman then declared the public hearing opened.

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

**BUDGET
(Adopt 2024 Budget and 5-Year Budget)**

City Manager Cocking stated the 2024 budget has been worked on by staff and the commission since March when the Capital Improvement items were presented. Numerous discussions have been made to put together the 2024 budget and 5-year projections. He stated the presented budget has a mill levy of 43.50 in order to levy taxes and pay expenditures.

Commissioner Harter made a motion to adopt the 2024 budget and 5-year budget. Commissioner Smith seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Brinkman, aye.

**CITY COMMISSION
(2024 Annual Appropriations)
Ordinance Number 23-25)**

AN ORDINANCE APPROPRIATING THE AMOUNTS SET UP IN EACH FUND IN THE BUDGET FOR THE CALENDAR YEAR 2024, PROVIDING FOR THE PAYMENT OF ALL CLAIMS AND CHARGES AGAINST THE ACCOUNTS PROVIDED FOR THEREIN, to which the City Clerk assigned Ordinance Number 23-25, was presented to the Governing Body for their consideration.

City Manager Cocking stated historically, the City of Emporia and other cities in the state used a bi-monthly appropriation ordinance which ratified expenditures after the fact. He stated across the State of Kansas, a number of cities were using this post-facto process and starting to adopt annual appropriation ordinances with the adoption of the budget. The annual appropriation ordinances are particularly useful in emergency situations or other situations where governing bodies are unable to generate a quorum. The City adopted its first annual appropriation ordinance last year. The annual appropriation ordinance allows the Finance Director with the consent of the City Manager and City Clerk to make payments for all claims and charges against the city in a fiscal year. City staff are required to follow the purchasing policy and bring Capital Improvements Items over \$25,000.00 to the Commission for approval. He stated staff was recommending the approval of the annual appropriation ordinance for accounts payable and payroll for 2024.

Commissioner Sauder made a motion to approve Ordinance Number 23-25 Annual Appropriations. Commissioner Smith seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Brinkman, aye.

**SEWER MAINTENANCE
(Close Out CDBG Lift Station Improvements Project No. 21-PF-020)
(Public Hearing)**

Assistant City Manager Detter, was recognized and addressed the Governing Body. He stated the City of Emporia is required to hold a public hearing for the purpose of closing out CDBG Project #21-PF-020 for the Lift Station #2 located at 1304 East

Street. The project consisted of the replacement of two flooded suction style centrifugal solids handling wastewater pumps, interior piping, valve replacement, electrical and HVAC improvements, backup generator installation, exterior building improvements, replacement of security fence, control and communications improvements related to construction activities. He stated a final monitoring letter from Kansas Department of Commerce CDBG Project detailing the final monitoring of the project, including the completion of the project after two months of construction and the project meeting the national objective of benefitting low-moderate-income persons.

Mayor Brinkman then declared the public hearing opened.

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

**ECONOMIC DEVELOPMENT
(Tax Abatement for Michelin)
(Public Hearing)
(Ordinance Number 23-24)**

AN ORDINANCE EXEMPTING CERTAIN PROPERTY FROM AD VALOREM TAXATION FOR ECONOMIC DEVELOPMENT PURPOSES IN EMPORIA, LYON COUNTY, KANSAS, to which the City Clerk assigned Ordinance Number 23-24, 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 has been working with representatives of Michelin on a recent expansion of their facility. The addition is for research and development and other office activities. Michelin currently employs more than 300 employees and actively seeking additional employees. She stated the Commission will need to conduct a public hearing on this exemption and approve Ordinance Number 23-24 authorizing a ten-year real property tax abatement.

Mayor Brinkman then declared the public hearing opened.

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

City Attorney Montgomery stated the proposed ordinance will authorize a ten-year real property tax exemption.

Commissioner Harter made a motion to approve Ordinance 23-24, an ordinance granting tax abatement for expansion of Michelin. Commissioner Giefer seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; Commissioner Smith, aye; and Mayor Brinkman, aye.

**CITY COMMISSION
(Kretsinger Development Agreement with Ignite, LLC)
(Reinvestment Housing Incentive District)**

Jim Witt, Special Projects Coordinator, was recognized and addressed the Governing Body. He stated the location of the Kretsinger tract is NE corner of S. Exchange and Sodens Road consisting of 16.86 acre tract, commonly referred to as north of the Zoo. The process started in 2020 as the Ignite Group started to look for property that could be developed to address the housing issues in Emporia. Since that time, the partnership includes Ignite, LLC, Emporia Chamber of Commerce and the City. Through a process of resolutions, public hearings and approval from the State, the area was approved as a formal and eligible RHID. He stated the Development Agreement is a requirement of the City's Housing Policy to move forward. This agreement details the responsibilities of the City and Developer with regard to the 55 single family lot subdivision as approved by the Planning Commission. Within the Agreement, the Developer provides a specific amount of financial guarantee to the City that is contingent upon development performance. Also included are the fiscal commitments of the City. In Article 2.5 Final Approval Required, the Commission retains sole discretion on the Project including award or rejections of construction bids for City Infrastructure Improvements if bids come in high or other unforeseen expenses. Article 5 contains the priorities for reimbursement via RHID funds. He stated the City is not responsible for private infrastructure improvements that includes electric, gas, telephone and cable/fiber services. The Development Agreement addressed all milestones that must be met. He stated the City will issue General Obligation bonds for the actual costs of water, sewer, street and drainage improvements with projects to be approximately 3 to 3.5 million dollars. The City's

financial obligations are bond payments and will be in the first position once RHID revenue starts to generate.

Commissioner Smith asked if in the Development Agreement the City waived all personal guarantees and lines of credit.

SPC Witt stated several months ago Ignite, LLC and Emporia Chamber of Commerce informed them they were not able to obtain a Letter of Credit given their standing.

Commissioner Smith stated if every lot is built out they will receive their money back plus additional, and if they don't build every lot then the City purchases the lot back so their risk is monetary.

Commissioner Sauder made a motion to approve Kretsinger Development Agreement with Ignite, LLC as presented. Commissioner Harter seconded the motion.

Commissioner Giefer stated he would be voting no on this agreement and read the following statement:

"Most of the concerns that I had several years ago are the same issues that I have today. Having to run streets, sidewalks, and utilities more than ¼ mile down the road with no other development that can be tagged on to this one. Current infrastructure cost is around \$68,000 per house if it is fully developed. At this time we currently do not know if we will need a \$277,000 lift station. Locating this housing development on the North side of the Wastewater Treatment Plant is not a desirable location when we have thousands of more suitable buildable and out of the flood plain. Locations that are in the inner part of the city or on the outskirts of town that could have been purchased at a lower cost with also lower cost to develop. 2 months ago the City Manager, Commissioner Smith and myself made a trip to Wichita to meet with the largest housing developer in the Wichita area Richie Development to get some insight on what we are getting into and help Commissioner Smith and myself make up our minds being that neither one of us are experts on housing development. When we showed the owner and his dad the former owner the overhead view of the location they wanted to know what the building was in the upper left hand corner (Wastewater Treatment Plant). Both of their immediate responses were that they would be out on this deal. They said that they never build next to utility plants because of the numerous complaints. To me this project never made sense from the beginning. To many other locations would have been better, cheaper and probably would have been complete by now because could have used existing infrastructure. Such as the Wanamaca location, infilling in core of our city, which already have streets, water, sewer and sidewalks all in place. This is too much of a financial risk for our taxpayers – over 4 million dollars when the final figures come in. For this and other reasons not to mention I will be casting my vote as a no vote! I think we can do better."

There was a call for the vote as follows: Commissioner Sauder, aye; Commissioner Harter, aye; Commissioner Giefer, nay; Commissioner Smith, nay; and Mayor Brinkman, aye.

**CITY COMMISSION
(West 6th Addition)
(Establish Reinvestment Housing Incentive District)
(Resolution Number 3704)**

Commissioners Sauder and Harter removed themselves from any discussion.

Taylor Wash, Director of Special Projects, was recognized and addressed the Governing Body. She stated a Public Hearing is a requirement of the RHID statutes. The Kansas Department of Commerce certified the eligibility of this area as a potential RHID district. This proposed development is the community's first proposed RHID utilizing the 2023 amendments passed by the legislature. This area qualifies under the infill provision of the revised RHID program. She stated West 6th Addition is a proposed subdivision on West 6th Avenue. The plat/PUD and plan will be presented to the Planning Commission in October 2023. The present development plan includes 24 single-family lots with private water and sewer lines installed by the developer. She stated the plan does not include any expenditure of city funds to serve the 24 units. Existing sewer and water mains along with 6th Avenue are the public infrastructure components which will serve the development. She stated this proposed Resolution will establish a Public Hearing for the Reinvestment Housing Incentive District on West 6th Avenue on October 18, 2023.

Commissioner Smith made a motion to approve Resolution Number 3704, a resolution establishing a Public Hearing for Reinvestment Housing Incentive District on West 6th Avenue for October 18, 2023. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; and Mayor Brinkman, aye.

**CITY COMMISSION
(Increasing the Transient Guest Tax 1%)
(Ordinance Number 23-26)**

AN ORDINANCE AUTHORIZING AND LEVYING A TRANSIENT GUEST TAX AND REPEALING ORDINANCE NO. 16-42 OF THE ORDINANCES OF THE CITY OF EMPORIA, KANSAS, to which the City Clerk assigned Ordinance Number 23-26, was presented to the Governing Body for their consideration.

Lelan Dains, Director of Visit Emporia, was recognized and addressed the Governing Body. He stated Kansas Law authorizes cities to implement a transient guest tax on gross receipts derived from or paid by a transient guest for sleeping accommodations to provide revenue to promote tourism and conventions. Kansas Statutes relating to transient guest tax are not uniform to all cities, and the City of Emporia has exempted itself and provided substitute provision through Charter Ordinance No. 43. This proposed ordinance authorized an increase in the Transient Guest Tax rate to 8%. A portion of tax equaling at least one-half of one percent shall be used to help defray the City's tourism and convention related expenses.

Following further discussion, Commissioner Smith made a motion to approve Ordinance Number 23-26 authorizing and levying a Transient Guest Tax. Commissioner Harter seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Harter aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Brinkman, aye.

**ENGINEERING
(Mechanic Street Parking Lots Reconstruction)
(600 and 700 Blocks Project No. PK2101)
(Bids)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the parking provided in the 600 and 700 block of Mechanic Street parking lots serve as a community hub for large events that Emporia hosts throughout the year. Both lots are in need of reconstruction due to the age and deterioration of the concrete. Additionally, ADA-accessible parking spots will be added. He stated bids were received as follows:

BID TABULATION FOR 600 & 700 BLOCK PROJECT NO. PK2101

Contractor	Base Bid	Add Alt No. 1	Add Alt No. 2	Total Bid
Bruce Davis Const. LLC	\$ 807,999.85	\$17,103.80	\$12,663.30	\$ 837,766.95
Vogts Parga Construction	\$ 859,818.15	\$22,065.10	\$18,337.90	\$ 900,221.15
Coffman Construction	\$ 928,542.20	\$ 9,853.20	\$ 6,929.90	\$ 945,325.30
Burlington Construction	\$1,001,483.84	\$ 9,270.00	\$ 5,426.00	\$1,016,179.84
Engineer's Estimate	\$ 723,516.00	\$18,680.00	\$11,878.00	\$ 754,074.00

He stated funding will be provided by the Multi-Year Fund. Staff recommends awarding the bid to Bruce Davis Construction for the base bid only in the amount of \$807,999.85.

Commissioner Harter made a motion to award the Mechanic Street Parking Lots Reconstruction of 600 and 700 Block Project No. PK2101 to Bruce Davis Construction, LLC for the base bid only in the amount of \$807,999.85. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Smith, aye; and Mayor Brinkman, aye.

FIRE DEPARTMENT (Construction Manager at Risk for Fire Station Projects) (Crossland Construction Co., Inc.)

Brandon Beck, Fire Chief, was recognized and addressed the Governing Body. He stated proposals for Construction Manager at Risk (CMAR) for the Fire Station Projects were due on July 24, 2023. Six proposals were received for the project. The proposal review committee reviewed the proposals to develop a list for in-person presentations as follows:

Bid Tabulation for CMAR

Contractor	<i>Crossland Const. Co., Inc.</i>	McCown Gordon Const	Loyd Builder, Inc.
Preconstruction Services	0%	\$5,000	\$14,500
CMAR Fee	3.00% (\$300,000 for \$10M Project)	2.5% (\$250,000 for \$10M Project)	4.5% (\$450,000 for \$10M Project)
General	\$20,677.33 per month (\$372,192 for 14 months New FS #1 & 4 months Renovation FS #2)	\$37,024 per month (\$481,312 for 13 months)	\$26,240 per month (\$341,120 for 13 months)
Project Requirements	\$40,960	N/A	N/A
Self-Preform Fee	N/A	2.5%	N/A

Insurance	N/A	N/A	0.40% (\$40,000 for \$10M Project)
Builder's Risk	N/A	N/A	0.15% (\$15,000 for \$10M Project)
Bonds	N/A	N/A	0.60% (\$60,000 for \$10M Project)
TOTAL COSTS	\$713,152.00	\$736,312.00	\$805,620.00

He stated the committee is recommending the selection of Crossland Construction Co., Inc. to develop a contract for services for the Construction Manager at Risk (CMAR) for Fire Station Projects.

Commissioner Smith made a motion to authorize staff to enter negotiations with Crossland Construction Co., Inc. for a contract for services for Fire Station Projects. Commissioner Harter seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Brinkman, aye.

Consent Agenda

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

- a. Minutes of the Regular Meeting Held on August 16, 2023.
- b. Wastewater Plant Aeration Monitoring and Control Update.
- c. Resolution Number 3705 Requesting the Lyon County Board of County Commissioners Make Certain Findings Regarding the Annexation of Property Commonly known as 1100 S. Highway 99.
- d. 24th Avenue Waterline Easement & ROW Acceptance.
- e. Ordinance Number 23-27 Authorizing Apella Night Beer Garden.

AN ORDINANCE EXEMPTING W. 9TH AVENUE BETWEEN COMMERCIAL STREET AND THE ALLEY WEST OF COMMERCIAL STREET IN THE CITY OF EMPORIA FROM THE PROHIBITION ON THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE APELLA NIGHT BLOCK PARTY SEPTEMBER 23, 2023, to which the City Clerk assigned Ordinance Number 23-27, was presented to the Governing Body for their consideration.

- f. 2023 Street Rehabilitation Change Order No. 2 for project No. PV2302.

The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Harter, 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 20, 2023 MEETING.

- Proclamation Recognizing the 100-Year Anniversary of Soden's Grove Bridge.
- Zoning Regulations Ordinance.
- Bond Resolution.
- Airport MILT Design Agreement with Lockner.
- Memorandum of Understanding with USD #253.
- Industrial Park III Waterline Easement

Study Session:

- Discussion of CVAB (TGT) Advisory Board priorities and Strategic Plan.
- Urbanside Park Discussion.
- Update with Flint Hills Technical College.

**CITY COMMISSION
(Public Comment)**

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

Commissioner Sauder made a motion to recess the meeting until 12:30 p.m. to Conference Room 1AB. Commissioner Giefer seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Brinkman, aye.

STUDY SESSION:

1. Bond Calendar Review.
2. Zoning Regulation Discussion.
3. CGI Digital Grant Fund.
4. Water System Update.

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

Susan Brinkman, Mayor

ATTEST:

Kerry Sull, City Clerk