

Commission Meeting

11:00 a.m.

October 11, 2023

The Governing Body of the City of Emporia, Kansas, met in Special Session, Wednesday, October 11, 2023, with Mayor Brinkman presiding and Commissioners Harter and Sauder were present. Commissioner Giefer was present via phone. Commissioner Smith was absent. 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
(Hope VI Main Street Grant Application)
(Resolution Number 3709)**

Assistant City Manager Detter was recognized and addressed the Governing Body. He stated this request is for Resolution 3709 for the Hope VI Main Street Grant Application. The resolution would authorize the Mayor to sign the proper documentation for the City of Emporia to submit an application for the grant. He stated the City of Emporia has been approached by Ben Moore of 502 Lofts, LLC to apply for the Hope VI Main Street Grant Program through the Department of Housing and Urban Development for a total of \$500,000.00. The Hope VI Main Street Program's goal is to redevelop and preserve historic or traditional Main Street area properties by replacing unused commercial space in building with affordable housing units. The goal of this potential grant is to transform the second story and garden level of 502 Commercial Street into a collection of elegant and modern apartments, leaving the main level as commercial space.

City Attorney Montgomery was recognized and addressed the Governing Body. She stated the proposed Memorandum of Agreement between the City of Emporia and Ben Moore, 502 Lofts, LLC (Developer) is a preliminary agreement. It states the terms under which the City is willing to apply for the Grant. It states that the Hope VI grant seeks to rejuvenate the historic downtown district with new housing. Under the grant the City would be the applicant receiving the funds of the amount applied for of \$500,000.00. The local cost share match is 5%, which is paid by the Developer, not the City. She stated the City is not committing financially to anything in this agreement other than if the funds are received the funds will be utilized for this particular project.

Assistant City Manager Detter stated that Garrett Nordstrom did review the narrative on the grant. He stated it is anticipated that Garrett Nordstrom will be involved with the project if the grant is awarded.

Commissioner Giefer asked how the grant would be monitored to make sure it was administered correctly.

Assistant City Manager Detter stated if the grant is awarded there will be some agreement with our current Grant Administrator to help with this grant.

City Attorney Montgomery stated the Memorandum of Agreement does also state: *"Should grant funds be awarded, Developer agrees to complete the Project and shall meet all obligations and requirements of the Hope VI Program requirements. Should HUD require reimbursement of Hope VI grant funds for any reason, Developer shall be responsible for reimbursement."*

Ben Moore, 502 Lofts, LLC and Developer, was recognized and addressed the Governing Body. He then briefly reviewed the plan for the building at 502 Commercial Street. He stated the plan includes the 2nd floor to have 2, 2-bedroom units and 1, 1-bedroom unit and the garden floor will include 2, 2-bedroom units and 2, 1-bedroom units and the 1st floor will be commercial space use. Changes will be made to the outside and code upgrades requirements will be met. He stated this grant will work with Emporia income levels and 3 units will be income based and 4 units will be at market rate.

Mayor Brinkman asked if the apartments were wheelchair ADA accessible.

Mr. Moore stated there are different levels of ADA compliant and these units will meet the ADA requirements for the blind or deaf.

Taylor Wash, Special Projects Director, was recognized and addressed the Governing Body. She stated the next step is all the supporting documentations have been prepared by the Developer and his team and it is ready to be uploaded into the portal. The other components are the documents that will be required to be signed by the Mayor and those will be uploaded into the grant portal as well. There is no defined date when the grant award will be announced but there is a 90-day review period before any awards are made. If awarded, HUD will finalize the specific terms and quarterly progress reports will need to be made, however, that will be monitored by the grant administrator duties.

Following further discussion, Commissioner Harter made a motion to approve Resolution Number 3709, a resolution authorizing the City of Emporia to make application for the Hope VI Main Street Program and authorize the Mayor to sign the Memorandum of Agreement with Ben Moore, 502 Lofts, LLC regarding the Hope VI Grant. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; and Mayor Brinkman, aye.


CITY COMMISSION
(Development Agreement with Emporia Land Development, LLC)
(Agreement Concerning Distribution of TIF and CID Revenue)
(Pavilions Project)

Jim Witt, Special Projects Coordinator, was recognized and addressed the Governing Body. He stated the City entered into a Development Agreement with Emporia Land Development, LLC in April of 2016. The agreement set forth the incentives related to sales tax is a Community Improvement District (CID) and the Tax Increment Financing District (TIF). The Agreement included the process of reimbursement to the LLC via the City Finance Office. He stated Emporia Land Development, LLC is finalizing a transition to a new lending institution, Nodaway Vally Bank, to begin construction of Phase 3 of the Pavilions Project. Phase 4 of the Pavilion Project should begin in the 3rd or 4th quarter of 2024. This will provide a mechanism that the bank can use to have the TIF and CID revenue funds sent to the bank instead of the partnership if the bank chooses. He stated

this does not require any financial commitment or additional time for the City. The City receives a 3% administrative fee for reimbursements.

Commissioner Harter made a motion to approve the Agreement Concerning Distribution of TIF and CID Revenue for the Pavilion Project. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; and Mayor Brinkman, aye.

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



Susan Brinkman, Mayor

ATTEST:


Kerry Sull, City Clerk