

Commission Meeting

11:00 a.m.

January 3, 2024

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, January 3, 2024, with Mayor Brinkman presiding and Commissioners Giefer, Harter, Sauder, and Smith present. Also present were City Manager Cocking, City Clerk Sull and City Attorney Montgomery. Assistant City Manager Detter 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. Please state your name and address prior to making comments.

No comments were made at this time.

**CITY COMMISSION
(Board Appointment)**

Emporia Human Relations Commission:

It was moved by Commissioner Smith seconded by Commissioner Sauder that Mandey Serig be appointed to the Emporia Human Relations Commission to fill an unexpired term that expires on June 1, 2025. The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Harter aye; and Mayor Brinkman, aye.

**EMPORIA POLICE DEPARTMENT
(Remodel Lobby)
(Bids)**

Kevin Hanlin, Director of Public Lands and Facilities, was recognized and addressed the Governing Body. He stated at a previous meeting the Commission

reviewed the concept of design for the Police Department Remodel. The purpose of the remodel is to open more space for staff workers behind the counter and protect the area to a level 3 ballistic walls and service windows. He stated the work is similar in scope to the improvements made in the Municipal Court lobby and the Water Service lobby. The bidding of the project consisted of a base bid for installation of new walls, windows and counters for the police department reception area. There were also three alternate bids for the existing police department offices to receive new carpet and base; for the existing corridor to receive new epoxy and base and the existing court reception lobby to receive new epoxy and base to modernize the entire space. The bids are as follows:

Contractor	Base Bid	Alt #1	Alt #2	Alt #3	Total Bid
Evergreen Construction	\$264,369.	\$8,047.	\$12,620.	\$7,200.	\$292,236.
Mitchell-Markowitz Construction	\$320,165.	\$7,820.	\$11,760.	\$5,650.	\$345,395.
Vogts Construction	\$363,000	\$6,500.	\$ 9,000.	\$6,500.	\$385,000.
Ben Moore Studio Architecture & Planning					\$374,470.

He stated there could be an area of carpet that may have asbestos mastic under the carpet. Additional testing may be required during demolition and if asbestos mastic is found there may be additional cost incurred for removal. This project is funded through Civic ADA/Multi-Year and the budgeted amount of \$400,000. He stated the City is also eligible to participate in tax credits from the State Historic Office that could potentially be 23% to 24% back of the project costs after expenses are paid that could be used for selected items. He stated the Civic Building is not an historical site but is within the Historic District to qualify for tax credits. Staff is recommending awarding the Police Department remodel bid to Evergreen Construction in the amount of \$292,236.

Commissioner Smith made a motion to award the Emporia Police Department remodel bid to Evergreen Construction in the amount of \$292,236. Commissioner Giefer seconded the motion.

Commissioner Harter asked when the project is scheduled to start and finish.

Mr. Hanlin stated approximately July 20, 2024, with a 90-day completion time, with no unforeseen additional projects.

Following further discussion, there was a call for the vote as follows:
Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Harter aye;
Commissioner Sauder, aye; and Mayor Brinkman, aye.

Consent Agenda

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

- a. Minutes of Regular Commission Meeting Held on December 23, 2023.
- b. License Agreement for 305 W. 18th Avenue.

The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Giefer, 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 JANUARY 17, 2024, MEETING.

- Award Sunset Lake Stormwater Pond Improvement.

STUDY SESSION

- Discuss the Update of City Park Rules.
- Discuss Approval of the New Bandstand in Fremont Park.
- Discuss the 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 to discuss confidential matters of a third party for a potential development project resuming the open meeting in the City Commission Meeting Room, this same date, at 11:28 a.m. and invite Dean Grant, Public Works Director and Tayler Wash, Director of Special Projects. 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 11:28 a.m., this same date in the City Commission Meeting Room, Mayor Brinkman stated they had discussed confidential matters of a third party for a potential development project and no action was taken.

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 11:45 a.m. and invite Tayler Wash, Special Projects Director. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Brinkman, aye. Commissioner Giefer and Commissioner Smith were not present at the time of the vote.

Upon reconvening the meeting in Regular Session, at 11:45 a.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.

**2023 CITY COMMISSION
(State of the City Speech)
(Mayor Susan Brinkman)**

As we close out the business of the City of Emporia for 2023, it is customary for the Mayor to offer an annual update and assessment of the state-of-the-city. Our accomplishments and challenges over the previous twelve months have been numerous.

Of all city business, none is more important than our personnel. No city can claim a high degree of functioning, provide 24/7 365 services, or make progress on economic, safety, recreation, and fiscal goals, without fully dedicated employees whose compensation and quality of work life are adequately addressed. I am pleased we were able to implement and fund a comprehensive compensation study this year to attract and retain a diverse and talented family of employees.

Well-balanced economic development in 2023 continues to keep our city revenues stable during the year, we welcomed three new tenants to the Pavilions, received \$5 million from the state for Emporia industries, made progress on housing development with two new subdivisions bringing 82 single family homes online in the coming year in addition to 32 new infill housing units. Additionally, construction is underway for a new hotel and 200-guest event center.

Small business is the heart and soul of every community and 2023 brought us 2.5 million dollars in alternative funding for our small business owners. Additionally, we hosted the State's first ever Makers Space Summit and E-Tech Start-up camp focused on product-based entrepreneurship. Finally, Emporia was the first city in Kansas to successfully complete an upper story RHID project.

Financial matters are often where city conversations begin. The commission was thoughtful in the budgeting process this year to ensure appropriate levels of reserve while allocating spending into the community for growth and common good. Our city retained a AA credit rating in 2023 while lowering the mill levy rate to rate a 2024 budget.

Aging infrastructure continues to be a challenge for the commission and remarkably frustrating to our residents and businesses. No city wants to be in the news for setting a water main break record but we hold this dubious distinction with 41 breaks over five days in September; an event of such significance we activated the Incident Command System to identify mitigation strategies. I am grateful to the many city employees and the underground utilities crew who spent far more time repairing our infrastructure this fall than they spent with their families. If there is a silver lining it would be our knowledge of how better to plan for improvements going forward so that we do not leave our city in a deteriorating state for future generations. The rehabilitation of our 12th Ave water tower in 2023 is the first of many improvements and when considered with our successful negotiation with the State for water rights at Council Grove Reservoir, I feel confident of a continuous supply of efficiently delivered clean water to Emporians for decades to come.

The City of Emporia has a long and solid history of supporting our parks and rec amenities. 2023 continued this tradition with significant upgrades to our municipal ball golf course, the creation of a parks superintendent to maintain our numerous disc golf facilities, and the movement of our skatepark from idea to design. Additionally, the commission spent many hours of engagement with our school district and recreation commission to move forward on a next generation recreation facility in our community. 2024 is looking quite promising for rec enthusiasts of all demographics.

Community engagement is paramount for Emporia's continued growth. For the commission, conducting city business, it is critical to know the demographics and psychographics of our community. This cannot be handled with surveys but requires elected leaders to be present. Our community is 30% Hispanic and Latino and in our schools, 52% of the students identify as multi-racial including Hispanic. As such, I was pleased to see much progress in full community engagement with our Latino/Hispanic citizens. Multiple welcome speeches from the city were delivered in the Spanish language including the first ever by a Mayor at the Dia de la Independencia celebration, and from our Visit Emporia director at the League of Latin Legends softball tournament. Another first, 100% of the organizations participated in the To Your Health fair created Spanish language materials, and finally, our Emporia Spanish Speakers were selected as a Kansas Health Foundation Building Power and Equity partner. We are well on our way to becoming a bilingual city that celebrates and respects the importance of inclusion.

"La participacion de la comunidad es fundamental para que Emporia siga creciendo. Para hacer negocios en nuestra ciudad, es importante conocer la demografia y la forma de pensar de nuestra comunidad. Esto no se puede solucionar solo con encuestas, necesitamos la presencia de lideres elehidos. En nuestra comunidad, el treinta por ciento es de origen Latino, y en nuestras escuelas, el cincuenta y dos por ciento de los estudiantes se identifican como multirraciales, incluyendo Latinos. Me alegra ver que ha habido un gran progreso en la participacion de nuestros

habitantes Latinos. Hubo varios discursos de bienvenida en español por parte de líderes de la ciudad, incluso el alcalde en el Día de la Independencia y nuestro director de Visit Emporia en el torneo de softbol Latin Legends. Otro primer que tuvimos Emporia Spanish Speakers fue seleccionado como socio de Kansas Health Foundation Building Power and Equity. Estamos en camino de convertirnos en una ciudad bilingüe que celebra y respeta la importancia de la inclusión.

And finally, I want to recognize our strides in continuing to make Emporia a safe, engaging, and healthy community for all of our residents. Among the accomplishments in 2023, we allocated dollars to improved safety equipment for our EPD, we established a Homeless Advisory Board to proactively address housing insecurity, we've started the process for a new 21st century fire station, and we revamped the entire process for engaging all citizens in public service on our boards and commissions.

Este año ha sido muy ocupado para nuestra comunidad, la trabajadores de la ciudad y esta comisión. Ha sido un honor servir como alcalde. Estamos en un buen y emocionante momento mientras seguimos hacia Veinte Veinte Cuatro, y no puedo pensar en ningún otro lugar donde quiero estar que aquí en Emporia, Kansas."

This year, that we now draw to a close, was a busy one for our community, our city staff, and this commission. It has been an honor to serve as your mayor. We are on solid and exciting ground as we move into 2024 and I cannot think of anywhere else I would rather be than right here in Emporia, Kansas.

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

Susan Brinkman, Mayor

ATTEST:

Kerry Sull, City Clerk

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Commissioners Brinkman, Giefer, Harter, Sauder and Smith convened as the Governing Body.

Commissioner Brinkman made a motion nominating Danny Giefer to serve as Mayor for the coming year. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Giefer, aye.

Commissioner Smith made a motion nominating Erren Harter to serve as Vice-Mayor for the coming year. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Giefer, aye.

**CITY COMMISSION
(Approve Surety Bonds)**

Commissioner Smith made a motion to approve Surety Bonds for the City Manager Cocking, City Clerk Sull and City Treasurer Harrouff. The City has obtained Surety Bonds from Cincinnati Insurance Co. for the 2024 fiscal year. Commissioner Sauder seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Giefer, aye.

**CITY COMMISSION
(Designate Official City Newspaper)**

Commissioner Smith made a motion to designate The Emporia Gazette to be the official City newspaper, as per K.S.A. 12-1420. The City is required by State law to designate an official newspaper, which must have a general circulation in the City. All public hearing and meeting notices, emergency orders and other official notices must be published in the official newspaper. Commissioner Harter seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Giefer, aye.

**CITY COMMISSION
(Designate Financial Institutions)**

Commissioner Harter made a motion to designate the following financial institutions to serve as depositories of funds of the City of Emporia, per K.S.A. 9-1401: Citizens State Bank; Community National Bank & Trust; ESB Financial; Lyon County State Bank and Capital Federal. Commissioner Smith seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Giefer, aye.

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

STUDY SESSION:

1. Discuss Neighborhood Revitalization Program Map Amendments.
2. Discuss Wastewater Rates.

3. Appoint Commission Members to Regional Development Associate of East-Central Kansas Board; Joint Economic Development Advisory Council; Recreation Commission; Recreation Commission Steering Committee; Fire Station Projects Steering Committee; William Allen White Community Partnership; Emporia Enterprises, Transient Guest Tax Advisory Board; Emporia Public Library Board; and Emporia Main Street.
4. Joint Legislative Statement.

Study Session Discussion:

**City Commission
Regional Development Association of East-Central Kansas Board
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Commissioner Sauder as the representative of the Governing Body to participate in the activities of the Regional Development Association of East-Central Kansas Board. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**City Commission
Joint Economic Development Advisory Council
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Commissioner Sauder as the representative of the Governing Body to participate in the activities of the Joint Economic Development Advisory Council. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**City Commission
Recreation Commission
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Commissioner Harter as the representative of the Governing Body to participate in the activities of the Recreation Commission. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye and Mayor Giefer, aye.

**City Commission
Transient Guest Tax Advisory Board
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Commissioner Harter as the representative of the Governing Body to participate in the activities of the Transient Guest Tax Advisory Board. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**City Commission
Emporia Enterprises Board
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Mayor Giefer as the representative of the Governing Body to participate in the activities of the Emporia Enterprises Board. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**City Commission
William Allen White Community Partnership
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Mayor Giefer as the representative of the Governing Body to participate in the activities of the William Allen White Community Partnership. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**City Commission
Emporia Main Street
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Commissioner Smith as the representative of the Governing Body to participate in the activities of the Emporia Main Street. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**City Commission
Fire Department Steering Task Force
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Commissioner Smith as the representative of the Governing Body to participate in the activities of the Fire Department

Steering Task Force. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**City Commission
Emporia Public Library Board
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Commissioner Brinkman as the representative of the Governing Body to participate in the activities of the Emporia Public Library Board. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**City Commission
Recreation Center Steering Task Force
Appoint Governing Body Representative**

Commissioner Sauder made a motion to appoint Commissioner Brinkman as the representative of the Governing Body to participate in the activities of the Recreation Center Steering Task Force. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

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

Danny Giefer, Mayor

ATTEST:

Kerry Sull, City Clerk