

Commission Meeting

11:00 a.m.

April 3, 2024

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, April 3, 2024, with Mayor Giefer presiding and Commissioners Brinkman, 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.

Mickey Edwards, Executive Director of SOS, was in attendance to accept a proclamation declaring the month of April as “National Child Abuse and Neglect Prevention Month” in Emporia. She stated child abuse and neglect are serious problems affecting every segment of the community and finding solutions requires input and action from everyone in our community. Child abuse can have long-term psychological, emotional, and physical effects that can have lifelong consequences for victims of abuse. By providing safe, stable, and nurturing relationships for our children, free of violence, abuse, and neglect, we can ensure that Kansas’ children will grow to their full potential as the next generation of leaders. Working together as a community to increase awareness about child abuse and contribute to promoting the social and emotional well-being of children and families in a safe, stable, nurturing environment. She urged the citizens of Emporia to recognize this month by dedicating the task of improving the quality of life for all children and families.

Mayor Giefer then presented the proclamation.

Roxanne VanGundy, Director of Lyon County Communications Center, was in attendance to accept a proclamation declaring the week of April 14 through 20, 2024, as

“National Public Safety Telecommunicators Week” in Emporia. She stated when an emergency occurs the prompt response of police officers, firefighters, and paramedics is critical to the protection of life and preservation of property. The safety of police officers, firefighters and paramedics is dependent upon the quality of accuracy of information obtained from citizens who contact the Lyon County Emergency Communications Center. Public Safety Telecommunicators are the first and most critical contact citizens have with emergency services. She stated each Communications Officer has exhibited compassion, understanding and professionalism during the performance of their job in the past year and National Public Safety Telecommunicators is in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

Mayor Giefer then presented the proclamation.

Pauline Stacchini, Executive Director Emporia Public Library, was in attendance to accept a proclamation declaring the week of April 7 through 13, 2024, as “National Library Week” in Emporia. She stated libraries offer the opportunity for everyone to connect with others, learn new skills, and pursue their passions, no matter where they are on life’s journey. Libraries have long served as trusted institutions ensuring access to information and services for all members of the community regardless of race, ethnicity, creed, ability, sexual orientation, gender identify, or socio-economic status. Libraries adapt to the ever-changing needs of their communities and play a pivotal role in economic development by providing resources and support for job seekers, entrepreneurs and small businesses. Libraries are an essential public good, protect the right to education and literacy and promote the free exchange of information and ideas. She encouraged all residents to visit their library and celebrate the adventures and opportunities they unlock for us every day. Ready, Set, Library!

Mayor Giefer then presented the proclamation.

Brandi Galbreath, Community Housing Coordinator, was in attendance to accept a proclamation declaring the month of April as “Fair Housing Month” in Emporia. She

stated the City is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all. Equal housing opportunity is a condition of life in our city that can and will be achieved. They express the hope that this year's observance will promote fair housing practices throughout the City.

Mayor Giefer then presented the proclamation.

**CITY COMMISSION
(Emporia West Plaza Community Improvement District - CID)
(Public Hearing)**

Taylor Wash, Director of Special Projects, was recognized and addressed the Governing Body. She stated state statute authorizes the governing body of any municipality to adopt an ordinance establishing a community improvement district (CID) after receipt of a proper petition and holding a public hearing. At a previous City Commission meeting a petition was accepted for this project and a public hearing was scheduled. She stated this hearing will be the final step as provided for in Kansas statutes necessary to enact the 2% sales tax. After the hearing is closed, the Commission will then formalize the 2% tax by ordinance. She stated there are no impacts to city finances, however, the city does receive a 3% administrative fee to cover internal costs related to the administration and distribution of the tax.

Mayor Giefer then declared the public hearing open.

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

**CITY COMMISSION
(Emporia West Plaza Community Improvement District – CID)
(Ordinance Number 24-11)**

AN ORDINANCE OF THE CITY OF EMPORIA ESTABLISHING THE EMPORIA WEST PLAZA COMMUNITY IMPROVEMENT DISTRICT; AUTHORIZING THE MAKING OF CERTAIN PROJECT IMPROVEMENTS RELATING THERETO; APPROVING THE ESTMATED COSTS OF SUCH PROJECT IMPROVEMENTS; AND LEVYING A 2.0% CID SALES TAX; PROVIDING FOR THE METHOD OF FINANCING THE SAME, to which the City Clerk assigned Ordinance Number 24-11, was presented to the Governing Body for their consideration.

Taylor Wash, Director of Special Projects, was recognized and addressed the Governing Body. She stated the petition to establish this CID was submitted by the property owners, Emporia West Plaza on March 6, 2024. A public hearing was held prior to the consideration of this ordinance. If adopted, the entire site will have a 2% CID sales tax at the request of the owner. She stated this is a pay-as-you-go project that by statute will expire 22 years from the date that the State Director of Taxation begins collecting such tax. The tax is implemented on a quarterly basis and the Kansas Department of Revenue requires that all paperwork be submitted 90 days prior to the quarter in which collections begin. There are no financial impacts on city finances, the City does receive a 3% administrative fee to cover internal costs related to the administration and distribution of the tax. The City Finance Director will administer and distribute the sales tax receipts to the owners in accordance with City policies after receiving the monthly allocation from the Kansas Department of Revenue. She stated staff recommends adoption of Ordinance Number 24-11 for the Emporia West Plaza CID.

Commissioner Harter made a motion to approve Ordinance Number 24-11, an ordinance establishing the Emporia West Plaza Community Improvement District. Commissioner Smith seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Sauder aye; and Mayor Giefer, aye.

CITY COMMISSION (Board Appointments)

Emporia Public Library Board:

It was moved by Commissioner Brinkman seconded by Commissioner Harter that Heather Caswell and Sarah Wyrick be reappointed to the Emporia Public Library Board for terms that expire April 30, 2028. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

Community Housing Board/Emporia Land Bank:

It was moved by Commissioner Brinkman seconded by Commissioner Harter that Carlos Garate be appointed to the Community Housing Board/Emporia Land Bank to fill an unexpired term that expires on May 31, 2025. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

**SANITATION
(Rear Load Solid Waste Collections Truck)
(Equipment Purchase)**

Dean Grant, Director of Public Works, was recognized and addressed the Governing Body. He stated the Solid Waste Collections has a 2010 truck with a Crane Carrier chassis and a 2016 Pak Mor body, which has 132,487 miles and over 16,000 hours on it. Staff would like to purchase a new 2023 Battle Motors chassis with a 2024 Leach Alpha III rear load body from Key Equipment. He stated the estimated delivery for the new truck is late 2024. Pursuant to the City of Emporia Purchasing Policy, this purchase would be made utilizing a cooperative agreement through Sourcewell. The purchase price of the 2023 Battle Motors chassis with 2024 Leach Alpha III rear load body is in the amount of \$254,797.50. There is \$285,000.00 budgeted in the Solid Waste Capital Improvements Projects for the purchase of the rear load truck and the truck will be paid from the Solid Waste Fund. He stated staff recommends approval of the purchase of a new rear load 110 truck from Key Equipment in the amount of \$254,797.50.

Commissioner Harter made a motion to approve the purchase of a new rear load 110 truck from Key Equipment in the amount of \$254,797.50. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

Consent Agenda

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

- a. Minutes of Regular Commission Meeting Held on March 20, 2024.
- b. Memorandum of Understanding and Cooperation with Emporia State University.

The vote follows: Commissioner Sauder aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, 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 APRIL 16, 2024, MEETING.

- Earth Day Proclamation.
- Arbor Day Proclamation.
- Appoint Member to Emporia Human Relations Commission.
- Award Eagle Pond Renovation Project.
- Award Southeast Transmission Waterline Materials.
- Change Order for Mechanic Street Parking Lot.
- Lockwood Heights (W. 6th Avenue) RHID.

STUDY SESSION

Quaker Park Update.
Discuss Sewer Ordinance.

CITY COMMISSION (Public Comment)

This is the time for the 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 recess into Executive Session for preliminary discussion of the acquisition of real property resuming the open meeting in the City Commission Meeting Room, this same date, at 11:44 a.m. and invite Tayler Wash, Director of Special Projects and Jim Witt, Interim RDA President. Commissioner Harter seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

Upon reconvening the meeting in Regular Session at 11:44 a.m., this same date, in the City Commission Meeting Room, Mayor Giefer stated they had preliminary discussion of the acquisition of real property and no action was taken.

Commissioner Smith made a motion to recess the meeting until 12:00 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 Strategic Visioning Session Two.

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

Danny Giefer, Mayor

ATTEST:

Kerry Sull, City Clerk