

COMMISSION MEETING

7:00 P.M.

APRIL 20, 2016

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, April 20, 2016, in the City Commission Meeting Room with Mayor Giefer presiding and Commissioners Geitz, Gilligan, Harmon and Mlynar present . Also present were City Manager McAnarney, Assistant City Manager Witt, City Clerk Sull and City Attorney Montgomery.

MAYOR AND CITY COMMISSIONERS REPORTS AND COMMENTS

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

Mayor Giefer reviewed general information for the month of January for the community which included monthly sales tax receipts, building permits and information.

The following is general information for the month of March for the community:

- 1. Monthly Local Retail Sales Tax Receipts Update

2015	2016	Increase of \$7,247.29 for the month, and Overall decrease of 1.23% from year 2015
\$348,861.03	\$356,108.32	

- 2. City Share from County Tax

2015	2016	Increase of \$29,892.42 for month, and Overall decrease of 1.71% from year 2015
\$147,232.25	\$177,124.67	

- 3. Building Permits issued from 3/1/2016 to 3/31/2016 for new construction, remodeling, repairs and demolition.

Total number of building permits issued through Code Services:	47
Total of valuations associated with those building permits:	\$2,397,072.00
Total number of dollars collected for Building Permit Fees:	\$11,139.63

Consent Agenda

Commissioner Mlynar requested that part of item a, minutes of the Executive Session, be removed from the Consent Agenda for review.

It was moved by Commissioner Gilligan, seconded by Commissioner Geitz to approve the remaining balance of the Consent Agenda listed below:

- a. Consider minutes of the Executive Session held on March 30 and Regular Meeting held on April 6, 2015.
- b. Consider ratification of Payroll Ordinance for period ending April 15, 2016.
- c. Consider Approval of March Budget.
- d. Consider the Set Bid Time and Date for new Fire Department pick up truck.

- e. Consider Change Order No. 1 for 2016 Commercial Street Fire Line Installation Project.

The vote follows: Commissioner Gilligan, Commissioner Geitz, aye; Commissioner Harmon, aye; Commissioner Mlynar, aye; and Mayor Giefer, aye.

CONSENT AGENDA
(Item c)

Commission Mlynar stated she had not had the opportunity to review the Executive Session minutes and would consider them at a different time.

CITY COMMISSION
(Public Comment)

Mark Lee, Horticulturist, was in attendance to accept a proclamation declaring April 29, 2016 as "Arbor Day" in Emporia. He stated Arbor Day was first observed with the planting of more than a million trees in Nebraska and Arbor Day is now observed throughout the nation and the world. He stated trees can reduce the erosion of our precious topsoil by wind and water, heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife. He stated trees in our city increase property values, enhance the economic vitality of business areas and beautify our community. He urged all citizens to celebrate Arbor Day to support efforts to protect our trees and woodlands and to plant trees too promote the well-being of this and future generations.

Mayor Giefer then presented the proclamation.

Sarah Wyrick, representing NRAB, was in attendance to accept a proclamation declaring April 22, 2016 as "Earth Day" in Emporia. Earth day originated on April 22, 1970 and was declared an international event on April 22, 1990. Annually over 500 million people in 141 countries hold festivals and events to talk about pollution, destruction of habitats, depletion of nonrenewable resources and global warming. The Governing Body urged the community to support and participate in special activities during that week to draw community attention to this issue.

Mayor Giefer then presented the proclamation.

**NATURAL RESOURCES ADVISORY BOARD
(Presentation of the C.A.R.E. and Community Area Recycling Excellence)**

Sarah Wyrick, NRAB Chairperson, was recognized and addressed the Governing Body. She announced the recipients of the C.A.R.E (Community Area Recycling Excellence) Awards for this year. This year's recipients are:

Individual Category:

Amy Becker - Amy was instrumental in getting Curbside Recycling established in Emporia. She founded Green Door Recycling in 2008 to demonstrate that there was a demand for the service and to fill in the gap while the city established its own service. As an active member of the city's Natural Resources Advisory Board she spearheaded the research into other cities curbside programs and presented the board's finding and recommendations to the City Commission. Amy's efforts were a crucial contribution to the City of Emporia's Curbside Recycling Program.

Organizational Category:

Sacred Heart School - The Sacred Heart School has a recycling bin in each classroom. The Parish offices also have 4 bins. On Thursday morning, student from the 5th and 6th grade collect all the bins and sort all the materials. The bags are weighed and the total weight is recorded. The bags are then placed in the school's alley where a parent volunteer, Mike Barnett, picks them up and transport them to the Recycling Center. The cardboard is put into one of the City's dumpsters for collections.

CITY COMMISSION

(Consider Authorization of Emergency Shelter Grant Application)

City Manager McAnarney stated the City of Emporia is traditionally submitted an application to the Kansas Department of Housing for monies from the Emergency Shelter Grant Program. He stated the City of Emporia will serve as the sponsoring agency for the grant if they are funded. The grant application will request funding as follows:

S.O.S.

Essential Services	\$25,000.00*
Plumb Place	
Essential Services	\$40,000.00*
TOTAL	\$65,000.00*

*approximate application amount

He stated the local match for this grant application will be supplied by the agencies through the value of their facilities, operation expenses, volunteer hours or United Way allocations. The City will serve as a clearing housing for the emergency shelter funds. The City will be legally responsible for the proper expenditure of the funds. The due date for the application for the 2016 Emergency Shelter Grant applications is April 29, 2016.

Commissioner Geitz made a motion to approve the submission of the Emergency Shelter Grant application to the Kansas Department of Housing Emergency Shelter grant agreement for S.O.S., Inc. and Plumb Place. Commissioner Harmon seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Harmon, aye; Commissioner Gilligan, aye; Commissioner Mlynar, aye; and Mayor Giefer aye.

ENGINEERING
(Permanent Sidewalk Easement and Public Right-of-Way Agreement)
(30th Avenue Sidewalk Improvement Project)

Jerry Menefee, City Engineer, stated as part of the development and construction of the 30th Avenue Sidewalk Improvement Project, it was determined that the original plans had to be altered. He stated the sidewalk alignment was adjusted so as to work around existing utilities and make the sidewalk safer and more user friendly. Due to the redesign the Engineering Department obtained a 10' permanent sidewalk easement from the owners of the property located at 2920 Crestview Drive. He stated it was discovered that the properties adjacent to 30th Avenue in the Crestview Lakes 4th Addition had 30' of public right of way, while the remaining properties along 30th Avenue has 40' of right of way along the south side of the roadway. He stated it was agreed to by the property owners and the City to correct this irregularity in the right of way and an additional 10' of right of way was obtained for the affected properties. He stated staff was recommending accepting a permanent sidewalk easement and three public right of way agreements.

Commissioner Gilligan made a motion accepting a permanent sidewalk easement and three public right of way agreements to the City.

Commissioner Harmon seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Harmon, aye; Commissioner Geitz, aye; Commissioner Mlynar, aye; and Mayor Giefer, aye.

CITY COMMISSION
(Redevelopment Project Plan for Tax Increment Financing)
(Emporia Pavilions)
(Public Hearing)

Assistant City Manager Witt was recognized and addressed the Governing Body. He stated this public hearing on the Redevelopment Project Plan is the final step in the creation of the Tax Increment Financing District for the Emporia Pavilions and is a requirement of KSA 12-1772. The area where the project is to be constructed as an eligible area as defined in the TIF act and created the 2015 Redevelopment District. Following that action the developer of the proposed Emporia Pavilions completed a Redevelopment Project plan which meets the requirements of KSA 12-1772. The Redevelopment Plan was submitted on February 16th and was presented to the City Commission for consideration on March 2, 2016. The Commission in accordance with state law passed Resolution #3579 setting the hearing date on the Project Plan for April 20, 2016 and the public notice for the hearing was published on April 8, 2016. He stated now is the time for the public hearing to be conducted, as per state statute, and all interested persons shall be given an opportunity to be heard. Following the hearing two other actions items related to this development will be considered. The Redevelopment Project Plan must have a 4-1 vote to pass. The second consideration is granting a PUD, Planned Unit Development, for the property as recommended by the Planning Commission.

Mayor Giefer stated there anyone interested in speaking during the public hearing are asked to limit their comments to three minutes, which would be monitored by the City Clerk.

Mayor Giefer then declared the public hearing open.

Those speaking in opposition of the Redevelopment Project Plan TIF were: Jean Bolson, 2832 Sonora Dr.; Chuck Grimwood, owner of Mark II Lumber; Phil Dillon, 919 Neosho St.; and John Ingold, owner of Express Tire

& Auto, LLC.

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

**CITY COMMISSION
(Redevelopment Project Plan for Tax Increment Financing)
(Emporia Pavilions)
(Ordinance Number 16-12)**

AN ORDINANCE APPROVING AND ADOPTING A REDEVELOPMENT PROJECT PLAN FOR THE 2015 REDEVELOPMENT DISTRICT IN THE CITY OF EMPORIA, KANSAS (EMPORIA PAVILIONS, LLC PROJECT) AND APPROVING RELATED DOCUMENTS, to which the City Clerk assigned Ordinance Number 16-12, was presented to the Governing Body for their consideration.

Assistant City Manager Witt was recognized and addressed the Governing Body. He stated any project approved under the TIF statute shall be completed within 20 years of approval of the project plan as stated in KSA 12-1772(c)(3)(g). In conjunction with this ordinance the Development Agreement will also be adopted that incorporates to yet to be defined CID project for the Pavilions into the financial repayment schedule for the project. He stated the ordinance will not take effect until the City completes the CID process. This was a determination made by staff in conjunction with the bond counsel.

It was the consensus of Commissioners Geitz, Gilligan, Mlynar and Mayor Giefer that this was a positive step for growth and opportunity within the community. Their role as commissioners is to help find the best opportunities for growth and fulfill the needs of the community. They have listened to the citizens and the majority of the citizens would like to see this project succeed. They reminded the public that there is zero debt obligation for the City, which will protect Emporia from financing any part of this project.

Following further discussion, Commissioner Gilligan made a motion to approve Ordinance Number 16-12, an ordinance adopting the Redevelopment Project Plan for Emporia Pavilions. Commissioner Geitz seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Geitz, aye; Commissioner Mlynar, aye; Mayor Giefer, aye; and Commissioner Harman, nay.

PLANNING AND DEVELOPMENT
(MAPC Excerpts of Regular Meeting Held 3-22-16)
(Application No. 2016-05 - Request of Emporia Land Development, LLC)
(Final Planned Unit Development - Emporia Pavilion TIF Project)

Excerpt of the March 22, 2016 Planning Commission Meeting Minutes:

The Planning Commission met in regular session on Tuesday, March 22, 2016, with Chair Thomas presiding. Members Bucklinger, Fowler, Miller, Pontius, Sauder, Springeman and Wade were present.

APPLICATION 2016-05. A request of Emporia Land Development, LLC for a Final Planned Unit Development of a commercial development on a tract of land in the southwest quarter of the northwest quarter of Section 5, Township 19 South, Range 11 East of the 6th P.M., Lyon County, Kansas, as authorized by Section 16-501 of the Emporia-Lyon County Metropolitan Planning Area Zoning Regulations.

Staff confirmed jurisdiction over this application.

No ex parte communication was declared.

Monty Miller recused himself since he represents the current owners of the property.

STAFF REPORT: In March of 2014 the preliminary PUD application did not pass by the Planning Commission but was approved by the City Commission in March of 2014, (see attached Ordinance no. 14-07).

Excerpts for 2/25/2014 Minutes: Member Bucklinger moved to deny Application 2014-04, a request of Emporia Land Development, LLC, for a Preliminary Planned Unit Development of commercial development on a tract of land in the southwest quarter of the northeast quarter of Section 5, Township 19 South, Range 11 East of the 6th P.M., Lyon County, Kansas, as authorized by Section 16-501 of the Emporia-Lyon County Metropolitan Planning Area Zoning Regulations based upon it being an inappropriate application for this area. Member Fowler seconded. Motion carried 5-2. Members Thomas and Wade voted in opposition to the motion.

The Planning Commission on July 28th 2015 discussed changes to the preliminary PUD to see if the PUD was still in substantial

compliance in order to move into the final PUD. Staff reviewed the requirements for a final PUD and found that the changes made by the applicant were acceptable without resubmitting a preliminary PUD or holding a public hearing. The Planning Commission Board supported Staff's information regarding the Emporia Pavilions.

On February 23, 2016 the Planning Commission made a recommendation regarding the land use for the Emporia Pavilion TIF project that the proposed use was in compliance with the City of Emporia Comprehensive Plan. The Planning Commission was following state statute in doing this.

Staff Report: This is a request for consideration of the final Planned Unit Development known as the Emporia Pavilions, or Emporia Shopping Plaza. The applicant is in compliance with the local and state regulation for this application.

A PUD is a zoning tool that combines the platting process with the land use amendment process. PUD's are designed to join residential, commercial and industrial development into urban locations while protecting existing neighborhoods. Article 16 of the Emporia Zoning Regulations define a PUD "...to encourage the expansion of urban areas incorporating the best features of modern design while conserving the value of the land; and to provide a procedure which relates the type, design and layout of development to the particular site and the particular demand at the time of development in a manner consistent with the preservation of property values within established neighborhoods".

The PUD district is an overlay zone, which means the zoning current at the time of an approved PUD will remain, but the additional uses and developments provided in the PUD will be permitted. In this case, the current R1 zoning will continue with the land, but development of commercial uses will be permitted as to what is shown on the PUD.

SECTION 16-4 APPLICATION PROCESS

16-401. The process for PUD approval is a two step process. The applicant shall submit application for preliminary approval to the Planning Commission which shall conduct a public hearing on the application. The recommendation of the Planning Commission shall be submitted to the appropriate Governing Body for approval. The developer may then submit a final plan on the entire project or for designated areas to the Planning Commission for approval. The recommendation of the Planning Commission on the final plat is then submitted to the appropriate Governing Body for its final approval and/or

acceptance of street rights-of-way and utility easements.

SECTION 16-6 FINAL PLAN

16-601. a. After approval of a preliminary plan by the Governing Body, the applicant shall submit an application for final approval. The application may include the entire planned unit development or may be for a section thereof. The application shall include five (5) copies of such drawings, specifications, easements, conditions as set forth in the approval of the preliminary plan and with requirements of this article.

b. A plan submitted for final approval shall be deemed to be in substantial compliance with the approved preliminary plan, provided any modification of the plan does not:

1. Vary the proposed gross residential density or intensity of use by more than five percent (5%) or involve a reduction in the area set aside for common open space, nor the substantial relocation of such area; or

2. Increase by more than ten percent (10%) the floor area proposed for any building; or

3. Increase by more than five percent (5%) the height of the proposed building; or

4. Substantially change the design of the plan so as to significantly alter, as determined by the Planning Commission including such items as pedestrian or vehicular traffic flow or different land uses.

c. A public hearing need not be held for approval of a final plan if it is in substantial compliance with the approved preliminary plan, and a public hearing need not be held to consider modifications of water, stormwater, sanitary sewers or other utilities. The Planning Commission shall forward its recommendation to the appropriate Governing Body for its final approval.

d. In the event the final plan contains substantial changes from the approved preliminary development plan, the applicant shall resubmit an amended preliminary plan which shall be considered in the same manner prescribed in the article for original approval.

The PUD is to consist of two anchor stores at the north end of the tract and five minor pads at the south end of the tract near

24th Avenue. All uses for the tract are proposed commercial. The PUD will be developed as one large tract.

From the traffic study, the most notable change will come to 24th Avenue with street improvements to include curb and gutter and left and right turning lanes from Industrial Road to the east side of the tract. The applicant is proposing a traffic signal at 24th Ave and Industrial. There is also a proposed entrance/exit for north Industrial Road extension and on 24th Ave.

The other street improvement is the extension of Industrial Road approximately 330 feet north of 24th Avenue. The street and right-of-way will be located on public property that is part of Dryer Park. The improvement will only serve traffic needs for the development and there are no plans to extend Industrial Road beyond this point. The interior extension of Industrial Road will be privately maintained by the developer.

A 5 foot sidewalk is identified to extend from Industrial Road to the east property line on the north side of 24th Avenue.

Stormwater detention is a very important key to the development of this area. As part of the 2015 Becker Addition Channel Drainage Study completed by BG Consultants, there has been an in-depth analysis of the drainage through the Pavilion Site Plan and they found there was a small increase in future flow for the 2 and 5 year events, but 25 to 100-year events will be reduced through the proposed Emporia Pavilion detention facilities.

A landscaping screen will be provided on the on the east and north sides of the tract. Screening will consist of conifer plantings six to eight feet in height and having an 80% screening density at the time of planting, which conforms to the Zoning Regulations. Both screening areas will be required to be installed at the time of construction completion on the commercial lots. Additional landscaping has been provided in all parking areas.

Staff has reviewed the PUD and has found it to be compliant with Article 16, Section 16-6 of the Zoning Regulations. Staff recommends approval of the final PUD because it is still in substantial compliance with the proposed preliminary plan.

Public Hearing: Member Bucklinger asked for clarification regarding the necessary screening, as required in Section 16-3, 16-301, f. ***When a commercial or industrial planned unit development or a commercial of industrial use within a mixed use development abuts a residential district, either adjacent to or within the planned development, a solid or semi-solid fence or wall from six (6) to eight (8) feet in height and having a***

visual density of not less than eighty percent (80%) per square foot shall be erected. Such fence or wall shall be on or within three (3) feet of the property line separating the use from the residential zone. Screen plantings may be used provided the type, size and number are shown on the final development plan and are approved by the Planning Commission. All required screening and plantings shall be maintained. Secretary Foster explained that the screening would be needed to properties directly adjacent but if there is a public right of way in between then screening would not be needed. Mr. Jim Witt, Assistant City Manager, addressed Mr. Bucklingers concern regarding the screening requirement. Mr. Witt explained that the street becomes the buffer and screening can't be within 3 feet of the residential property.

Chair Thomas reiterated that the Planning Commission Board is to determine whether the PUD is in substantial compliance, not review the development again, and send their recommendations to the City Commission.

Mr. Spencer Thompson, spoke on behalf of Emporia Land Development. Mr. Thompson acknowledged that plans do show screening, using trees, and will be placed where needed. One of the major changes, over time, has been there will be a very large buffer between the buildings and property lines to the north and to the east and it is to their benefit to put in as much screening as they can. He also assured the Board, there will be compliance with local codes and requirements. One of the big benefits of this development, as mentioned in the Staff report, for a long time, major water event, this will improve dramatically the water runoff for the surrounding areas.

Member Sauder moved to approve Application 2016-05, a request of Emporia Land Development, LLC for a Final Planned Unit Development of a commercial development on a tract of land in the southwest quart of the northwest quarter of Section 5, Township 19 South, Range 11 East of the 6th P.M., Lyon County, Kansas, as authorized by Section 16-501 of the Emporia-Lyon County Metropolitan Planning Area Zoning Regulations based upon Staff's recommendation. Member Springeman seconded. Motion approved 5-2. Members Bucklinger and Fowler voted to deny.

Joe Foster, Zoning Enforcement Officer, was recognized and addressed the Governing Body. He stated this is a request of Emporia Land Development, LLC for a Final Planned Unit Development of commercial development on a tract of land in the southwest quarter of the northeast

quarter of Section 5, Township 19 South, Range 11 East of the 6th P.M., Lyon County, Kansas, as authorized by Section 16-601 of the Emporia-Lyon County Metropolitan Planning Area Zoning Regulations. He stated the final PUD must meet the following guidelines to be in conformity with the approved preliminary PUD:

- b. A plan submitted for final approval shall be deemed to be in substantial compliance with the approved preliminary plan, provided any modification of the plan does not:
 - 1. Vary the proposed gross residential density or intensity of use by more than five percent (5%) or involve a reduction in the area set aside for common open space, nor th substantial relocation of such area; or
 - 2. Increase by more than ten percent (10%), the floor area proposed for any building; or
 - 3. Increase by more than five percent (5%) the height of the proposed building; or
 - 4. Substantially change the design of the plan so as to significantly alter, as determined by the Planning Commission, including such items as pedestrian or vehicular traffic flow or different land uses.
- c. A public hearing need not be held for approval of a final plan if it is in substantial compliance with the approved preliminary plan, and a public hearing need not be held to consider modifications of water, stormwater, sanitary sewers or other utilities. The Planning Commission shall forward its recommendation to the appropriate Governing Body for its final approval.

He stated staff reviewed the final plan and finds it to be in substantial conformance with the approved Preliminary PUD. Some modifications have been made to the final PUD. In March of 2014 the PUD application did not pass by the Planning Commission, but was approved by the City Commission in March 2014. On July 28, 2015, the Planning Commission, discussed changes to the PUD to see if the PUD was still in substantial compliance in order to move into the final PUD. He stated staff reviewed the requirements for a Final PUD and found that the changes made by the applicant were acceptable without resubmitting a PUD or holding a public hearing. He stated at their March 22, 2016 regular meeting, the Planning Commission voted 5-2 to recommend approve of the Final PUD and found it to be compliant with Article 16, Section 16-6 of the Zoning Regulations.

PLANNING AND DEVELOPMENT
(Application No. 2016-05 - Request of Emporia Land Development, LLC)
(Final Planned Unit Development - Emporia Pavilion TIF Project)
(Ordinance Number 16-13)

AN ORDINANCE APPROVING THE FINAL PLANNED UNIT DEVELOPMENT OF EMPORIA PAVILIONS AND AMENDING THE DISTRICT ZONING MAP TO DESIGNATE A CERTAIN AREA IN THE CITY OF EMPORIA, KANSAS AS A PLANNED UNIT DEVELOPMENT, to which the City Clerk assigned Ordinance Number 16-13, was presented to the Governing Body for their consideration.

Commissioner Geitz made a motion to approve Ordinance Number 16-13, an ordinance approving the Final Planned Unit Development of Emporia Pavilions and amending the district zoning map. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Mlynar, aye; Commissioner Gilligan, aye; Mayor Giefer, aye; and Commissioner Harmon, nay.

CITY COMMISSION
(City Manager's Report)

This is a verbal report that announces upcoming events, recognizes employees for outstanding contributions and provides the public information that may be of a general interest. The following information was presented at the meeting:

The **Mayor's tree** will be planted on the south side of the Emporia Public Library at 11:00 a.m. on April 29th. All citizens are welcome to attend.

Free Land Fill Days - (3100 W. South Ave.) This year's free land fill days begin Saturday April 20th and runs through Sunday May 8th. Hours M-F, 8-5. Sunday 1-5. This allows residents of Chase and Lyon County 2 free passes to the landfill during the event. (Tires will **NOT** be free).

Party for the Planet (David Traylor Zoo) Sunday 4/24/16 The David Traylor Zoo will be having its annual Party for the Planet from 1 p.m. to 3 p.m.

Chase County Earth Day Celebration (The Millstream Resort & Lodge Cottonwood Falls) Sunday 4/24/16 they will have music, a plant swap, exhibits, and much more. The fun begins at 1 p.m.

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

TENTATIVE AGENDA FOR APRIL 27TH STUDY SESSION

1. Discuss Budget Priorities 2017
2. Residency Requirements
3. Becker Drainage Basin Study
4. Water Study
5. Upcoming Beer Gardens

**CITY COMMISSION
(State of City Speech)
(Mayor Danny Giefer)**

As I come close to the end of my term as Mayor, it is traditional, that the Mayor reviews the progress of the city over the past year. I can say that it has been a very active successful and exciting year for Emporia.

Early last year the City Commission and staff met to update and set goals for the 2016 thru 2017 time frame. The goals are as follows:

1. Promote single family housing development and redevelopment.
2. Maximize economic development recourse to broaden opportunities and strengthen positive synergies for related city commission funded organizations.
3. Enhance inter/intra government cooperation by maximizing facility and human resources.
4. Examine local government opportunities to assist and support the mission and growth of the educational triad.
5. Increase water capacities and resources while meeting federal and state mandates for city related infrastructure.
6. Assess technology processes and programs.
7. Review city board and advisory committee duties, member duties and selection process.

Later this year we will be reviewing the Community Visioning plan to see if any adjustments or additions need to be made to our goals.

Our financial situation continues to be on solid ground due to good financial management. The 5 year budget continues to help up look into the

future and prioritize our spending needs. The mill levy rate continued to remain flat as it has in the past several years despite rising costs.

Sales tax receipts were strong city wide with an increase of \$181,402 from 2014 to 2015 for a 4% increase. County wide sales tax receipts were \$56,227 higher for a 2% increase. The sales tax receipts for the city and our area were strong despite a statewide downturn in sales tax receipts.

Infrastructure is a very costly part of our budget every year. It is an important service that we provide in order to keep our utilities and streets in good shape for now and in the future. This past year we spent \$2,404,600 on street rehab and slurry seal repairs. We coated more than 3 miles of sewer lines with Insituform for a total cost \$310,500. The City started the inspection and rehab of our two main 1.5 million gallon water storage tanks for a total cost of 1.2 million dollars. We found these tanks were in much needed repair. We started the engineering and design work for the replacement of our ozone generators at the Water Treatment Plant. This work will be a 2.6 million dollar project. The current equipment in place is more than 10 years past it's life expectancy with replacement parts almost impossible to find. Mandated updated to our Waste Water Treatment Plant will be discussed in the upcoming year. Those updates will be a major expense for the city. As you can see, maintaining the city's infrastructure is expensive but necessary.

On June 1 we saw the start of our curbside recycling program. So far, it has been very successful. The last 7 months of 2015 we have collected 652.49 tons from curbside recycling. This amount in the past would have been hauled off in the trash.

This past year the RDA and our industrial community has a very busy year. Almost all of our manufacturers had some sort of expansion or major updates at their plants. Some examples are:

1. In July an Incentive Compliance Agreement between the City of Emporia and H.J. Baker & Bros. Co., to bring an expansion of their plant here in Emporia in Industrial Park #3. Construction should start later in 2016 with a potential of bringing up to 28 jobs over a 5 year period.
2. Fanestil's Meats, one of our oldest manufacturers, completed Phase 1 of their new state-of-the-art plants in Industrial Park #4. We are hoping that Phase 2 will be completed in the very near future. This will allow them to move their whole operation out of the flood plain.
3. Detroit Diesel's 80,000 square foot warehouse was completed and is occupied.

4. Vektek earned "Kansas Exporter of the Year". They have experienced continued growth over the past few years.
5. Simmons Pet Food completed a multi-million dollar expansion and now has over 400 full time jobs.
6. Another big success story has been Hostess Brands. Hostess new ownership transformed from no employees and no products being produced to the 2nd largest manufacturing employer in Emporia with approximately 550 full time employees. They currently produce more than 70% of their products at the Emporia location.

These are just a few of the successes for 2016.

Last year we saw positive growth in our downtown area with 4.6 million dollars spent on building rehabs, some longstanding vacancies redeveloped and new infill developments. The downtown area continues to grow as a hub for international events, entrepreneurial businesses, local dining options and improved entertainment opportunities. The Emporia Granada Theater saw close to 9,000 people who attended concerts played by Grammy Award Winning Artists, 40% of those attending were from outside the Emporia area. The Emporia Main Street program had a 9.3 million dollar impact on the downtown area in 2015, and initiated some new program to help the community continue to innovate and grow our local economy with the help of area volunteers and local investors. Local revolving loan pools have now distributed over 1 million dollars to assist business start up or expand in the Emporia community and cooperative efforts like this "Start Your Own Business" class has helped start or expand 55 regional businesses. Our downtown is helping us fulfill our promise as the most "Entrepreneurial" city in Kansas while acting as a source of community pride and a destination draw to help us improve our city's pull factor.

This past year we also had great success in events such as the Dirty Kanza bike race, which drew more than 1700 riders. The Glass Blown Open disc golf tournament, which had 900 participants, and both of these events also brought support staff and their families to our city for several days. This is not including a large amount of spectators. Both of these events had a huge economic impact to the Emporia business community. The City was a proud supporter of both events.

Transient Guest Tax revenues continue to inch upward in Emporia despite several hotel closings. With several new hotels in the works, Emporia continues to grow and increase visitor traffic. The CVB works closely with local event planners that bring in large numbers of visitors to our city. Our Transient Guest Tax was \$182,543 higher in 2015 than in 2014. This is good news because this Guest Tax is used to support many of these events in our area.

In 2015, The David Traylor Zoo, saw the start of the new Lemur Exhibit. The Zoo also had more than 87,000 visitors pass through the gate last year.

The Emporia Public Library also had a successful year with more than 182,476 guests pass through their doors in 2015.

Partnerships within the community have never been stronger. During the past year, the City, County and Emporia State University, have joined together to fund the "Community In Motion" initiative. This will provide support for the University in the form of tax dollars for scholarships for incoming students. Continued partnerships in other forms are important for our community and will continue to be sought out.

This coming year the City will be looking forward to new leadership in several key areas in our community. A new President at Emporia State University; a new Superintendent for USD 253; new Directors at the Emporia Arts Center and also at the Emporia Public Library.

One of the challenges in this upcoming year will be to solve the housing shortage in several price ranges. We hope that the new RHID program that was just put in place will spur new housing starts.

Looking back at the accomplishments over the past year, I am proud of the progress that we have made. I feel that the current City Commission is a very diverse group of individuals that work very well together. At times we disagree but are able to move forward for the best interest of the community.

Over this past year I have TRULY enjoyed serving as your Mayor. It has been an honor for me. I look forward in working with the present Commission over the next two years.

The City Commission thanks you for your support!

Commissioner Gilligan than made a motion to adjourn sine die. Commissioner Geitz seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Geitz, aye; Commissioner Harmon, aye; Commissioner Mlynar, aye; and Mayor Giefer, aye.

Danny Giefer, Mayor

Kerry Sull, City Clerk

Commissioners Geitz, Giefer, Gilligan, Harmon and Mlynar convened as the Governing Body.

Commissioner Geitz made a motion nominating Rob Gilligan to serve as Mayor for the coming year. Commissioner Harmon seconded the motion. The vote follows; Commissioner Geitz, aye; Commissioner Harmon, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Gilligan, aye;

Commissioner Geitz made a motion nominating Bobbi Mlynar to serve as the Vice-Mayor for the coming year. Commissioner Harmon seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Harmon, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Gilligan, aye.

**CITY COMMISSION
(Approve Surety Bonds)**

Commissioner Geitz made a motion to approve Surety Bond for the City Manager McAnarney, City Clerk Sull and City Treasurer Harrouff. The City has obtained the surety bonds from Cincinnati Insurance Co. for the 2016 fiscal year. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Mlynar, aye; Commissioner Giefer, aye; Commissioner Harmon, aye; and Mayor Gilligan, aye.

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

Commissioner Harmon made a motion to designate The Emporia Gazette to be the official City newspaper, as per K.S.A. 12-1420. Commissioner Giefer seconded the motion. The vote follows: Commissioner Harmon, aye; Commissioner Giefer, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye. Commissioner Mlynar abstained.

**CITY COMMISSION
(Designate Financial Institution)**

Commissioner Geitz made a motion to designate the following financial institutions to serve as depositories of funds of the City of Emporia, per K.S.A. Supp. 9-401: Capitol Federal Savings Loan Association; Citizens Bank; Community National Bank & Trust; ESB Financial; and Lyon County State Bank. Commissioner Giefer seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Giefer, aye; Commissioner Harmon, aye; Commissioner Mlynar, aye; and Mayor Gilligan, aye.

**REGIONAL DEVELOPMENT ASSOCIATION OF EAST-CENTRAL KANSAS BOARD
(Appoint Governing Body Representative)**

Commissioner Geitz made a motion to re-appoint Mayor Gilligan as a representative of the Governing Body to participate in the activities of the Regional Development Association. Commissioner Mlynar seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Mlynar, aye; Commissioner Giefer, aye; Commissioner Harmon, aye; and Mayor Gilligan, aye.

**JOINT ECONOMIC DEVELOPMENT ADVISORY COUNCIL
(Appoint Governing Body Representative)**

Commissioner Geitz made a motion to re-appoint Commissioner Mlynar as a representative of the Governing Body to participate in the activities of the Joint Economic Development Advisory Council. Commissioner Harmon seconded the motion. The vote follows: Commissioner Geitz; aye; Commissioner Harmon; aye; Commissioner Giefer, aye; Commissioner Mlynar; aye; and Mayor Gilligan, aye.

**RECREATION COMMISSION
(Appoint Governing Body Representative)**

Commissioner Harmon made a motion to re-appoint Commissioner Giefer as a representative of the Governing Body to participate in the activities of the Emporia Recreation Commission. Commissioner Geitz seconded the motion. The vote follows: Commissioner Harmon, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Gilligan, aye.

**COMMUNITY FOUNDATION BOARD
(Appoint Governing Body Representative)**

Commissioner Geitz made a motion to re-appoint Commissioner Harmon as a representative of the Governing Body to participate in the activities of the Emporia Community Foundation Board. Commissioner Giefer seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Giefer, aye; Commissioner Harmon, aye; Commissioner Mlynar, aye; and Mayor Gilligan, aye.

**WILLIAM ALLEN WHITE COMMUNITY PARTNERSHIP
(Appoint Governing Body Representative)**

Commissioner Giefer made a motion to appoint Commissioner Geitz as a representative of the Governing Body to participate in the activities of the William Allen White State Historic Site Community Partnership Board. Commissioner Mlynar seconded the motion. The vote follows: Commissioner

Giefer, aye; Commissioner Mlynar, aye; Commissioner Geitz, aye; Commissioner Harmon, aye; and Mayor Gilligan, aye.

EMPORIA ENTERPRISES
(Appoint Governing Body Representative)

Commissioner Geitz made a motion to re-appoint Commissioner Mlynar as a representative of the Governing Body to participate in the activities of the Emporia Enterprises Board. Commissioner Harmon seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Harmon, aye; Commissioner Giefer, aye; Commissioner Mlynar, aye; and Mayor Gilligan, aye.

Commissioner Mlynar then made a motion to adjourn. Commissioner Giefer seconded the motion. The vote follows: Commissioner Mlynar, aye; Commissioner Giefer, aye; Commissioner Geitz, aye; Commissioner Harmon, aye; and Mayor Gilligan, aye.

Rob Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk