



MINUTES OF THE MISSION CITY COUNCIL MEETING

October 26, 2022

The Mission City Council met in a regular meeting on Wednesday, October 26, 2022 at 7:00 p.m. The meeting was called to order by Mayor Flora. The following councilmembers were in attendance: Hillary Thomas, Trent Boultinghouse, Mary Ryherd, Lea Loudon, Debbie Kring, Kristin Inman, Ben Chociejj and Ken Davis.

Mayor Flora explained that in consideration of on-going COVID-19 health concerns, the meeting was also offered virtually through Zoom, if preferred. The public was invited to participate in the meeting by using the instructions included in the City Calendar item listed on the front page of the website. For those participating virtually, they had the option of utilizing the "chat" feature to voice their comments which would be read aloud. The members of the public in person were encouraged to raise their hand and stay at their seats to be called on. The Mayor requested that anyone commenting please state their name and city of residence as well as to be conscientious of others talking and to speak clearly and slowly.

REVISED AGENDA

The Council considered a revised agenda. **Moved by Boultinghouse, seconded by Chociejj** to approve the October 26, 2022 City Council meeting Agenda as revised. Voting AYE: Boultinghouse, Davis, Thomas, Chociejj, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

Mayor Flora welcomed to the meeting Boy Scout Carter Wright, who was attending the meeting as part of a citizenship project merit badge for Eagle Scouts. Mr. Wright introduced himself and his troop, Troop 199.

Mayor Flora also introduced Harper Thomas, daughter of Councilmember Thomas, who was visiting the meeting as well.

PUBLIC HEARING

There were no Public Hearings.

SPECIAL PRESENTATION

There were no Special Presentations.

ISSUANCE OF NOTES AND BONDS



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There were no Issuance of Notes and Bonds, however Mayor Flora noted that later in the agenda there will be a discussion of a potential upcoming bond issue for action in November.

CONSENT AGENDA

Moved by Thomas, seconded by Davis to adopt the Consent Agenda as presented.

- 4a. Minutes of the September 7, 2022 Special City Council Meeting, September 21, 2022 City Council Meeting and September 28, 2022 Special City Council Meeting
- 4b. Resolution Declaring Items Surplus
- 4c. Pavement Condition Inventory Update
- 4d. Maintenance Agreement Rushton Elementary School
- 4e. Maintenance Agreement 58/Nall Apartment Project

Voting AYE: Boultinghouse, Davis, Thomas, Chociej, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

PUBLIC COMMENTS

There were no Public Comments.

PLANNING COMMISSION

Rezoning - five (5) parcels at the southeast corner of W. 58th Terrace and Nall Avenue from "PBP" and "MS-2" zoning districts to "DND" (Downtown Neighborhood District) zoning district – Planning Commission Case #22-20

Preliminary development plan for a townhome development at the southeast corner of W. 58th Terrace and Nall Avenue (Mission Vale) – Planning Commission Case #22-21

Preliminary Plat 5819 Nall Townhomes (southeast corner of W. 58th Terrace and Nall Avenue – Planning Commission Case #22-25

City Planner Karie Kneller presented on three items from the Planning Commission together related to the Mission Vale townhome project. The location of the project is the SE corner of W. 58th terrace and Nall Avenue and



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currently consists of five continuous parcels. Ms. Kneller shared several reasons why the applicant chose these parcels for the project, including revitalization of a previously vacant section of land close to the downtown district, the ability to promote a pedestrian oriented environment, and in response to market demands. Two parcels were recently cleared by the property owner for the project, with the rest of the parcels having been vacant for at least five years. Ms. Kneller reviewed the current zoning for the properties and the conditions of the 2007 Comprehensive Plan and the 2022 draft update to the Comprehensive Plan classifications, including a desire for urban housing types, the need for increased tax base, and a goal of attaining quality redevelopment, which are parts of those plans. The Climate Action KC Plan also encourages transit related development and bikeability to achieve net zero carbon emissions. The PC considered the application for rezoning and determined the rezoning meets the City's criteria.

The preliminary development plan includes 19 townhome units, each 2 bedrooms. The Mission Municipal Code requirements are all met with this project with the exception of a small deviation for the rear setback at the drive and is recommended for approval with conditions A-K as outlined in the packet.

The Applicant will construct sidewalks on all sides, landscaping, shade trees and electric vehicle charging capabilities within garages. There were no incentives requested in connection with this project. Staff has required that stormwater infrastructure tie in be detailed in the final plat and development plan to be approved by Staff prior to construction. The preliminary plat details utility easements and that the property contains sufficient public right of way. There is no dedication of right of way with this Plat.

Moved by Davis, seconded by Chociej to approve the rezoning of five (5) parcels at the southeast corner of W. 58th Terrace and Nall Avenue from "PBP" and "MS-2" zoning districts to "DND" (Downtown Neighborhood District) zoning district.

Voting AYE: Boultinghouse, Davis, Thomas, Chociej, Ryherd, Inman, Loudon and Kring. **Motion Carried.**



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Moved by Chociey, seconded by Davis to approve the Preliminary development plan for a townhome development at the southeast corner of W. 58th Terrace and Nall Avenue (Mission Vale)

Voting AYE: Boultinghouse, Davis, Thomas, Chociey, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

Moved by Ryherd, seconded by Kring to approve the Preliminary Plat of 5819 Nall Townhomes (southeast corner of W. 58th Terrace and Nall Avenue)

Voting AYE: Boultinghouse, Davis, Thomas, Chociey, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

Preliminary and final plat SMSD Horizons (5900 Lamar) – Planning Commission Case# 22-26

Ms. Kneller presented the previously unplatted property. Upon submittal for interior and minor exterior renovations, Staff requested a plat and a sufficient right of way for future public works projects along Johnson Drive. All requirements of the Municipal Code have been satisfied and approval has been recommended by the Planning Commission.

Moved by Kring, seconded by Davis to approve the preliminary and final plat of SMSD Horizons (5900 Lamar)

Voting AYE: Boultinghouse, Davis, Thomas, Chociey, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

Final plat Mission Preserve (51st Street and Riggs Avenue) – Planning Commission Case #22-24

Ms. Kneller presented on the property at 51st Street between Foxridge and Riggs. The Applicant will dedicate a small portion of property to the City, as that portion of the plat encroaches on a residential property. The City will then dedicate that portion to the property owner. All dimensions are in accordance with the Municipal Code and recommended by the Planning Commission for approval.



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Councilmember Kring asked for clarification that the resident the City is dedicating the portion of land to is on board with that.

Deputy City Administrator Brian Scott responded to Councilmember Kring that as soon as the dedication is received and recorded, Staff will reach out to the neighbor on Riggs to talk about the process, likely early next year.

Mayor Flora explained that part will be City right of way and part will go to the neighbor, and Mr. Scott assured Councilmember Kring that the neighbor was on board when Staff reached out last summer.

Councilmember Davis asked for information on how the turnaround will work at the end of Riggs.

Public Works Director Celia Duran explained that due to site constraints and the size of the cul-de-sac, the turnaround has a wider bulb on the west side rather than being more symmetrical.

Moved by Loudon, seconded by Davis to approve the Final plat of Mission Preserve (51st Street and Riggs Avenue)

Voting AYE: Boultinghouse, Davis, Thomas, Chociey, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

COMMITTEE REPORTS

Finance and Administration Committee

Councilmember Boultinghouse reported that the Finance & Administration Committee met on October 12 and considered three items. The meeting minutes and a resolution declaring items as surplus were approved under the Consent Agenda. An ordinance imposing a 3/8-percent citywide retailers' sales tax for parks and recreation and approval of the 2023 legislative advocacy contract with Little Government Relations, LLC will be considered under the Regular Agenda.

Ordinance Imposing 3/8-Percent Citywide Retailers Sales Tax



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Councilmember Boultinghouse reported that in anticipation of the expiration of the parks and recreation sales tax in March 2023, the City Council spent 18-24 months working through a series of conceptual park planning processes to develop a list of preferred outdoor park improvements. Based on the needs identified, and resident's willingness to support increased investment in parks and recreation maintenance, the Council elected to ask voters to consider renewing the special sales tax at a rate of $\frac{3}{8}$ -cent, which Mission voters were presented with via a September 2022 mail ballot election.

Voter turnout for the mail ballot election was 25.73%. The election results were certified on September 27, 2022, by the Johnson County Election Office with a total of 1,820 total votes cast. The ballot measure passed with an 86% approval. The final step in the process requires the City Council to pass an ordinance to formally impose/levy the sales tax and provides for notice to be provided to the State Director of Taxation that the sales tax will become effective on April 1, 2023 and expire on March 31, 2033. The ordinance for Council consideration has been prepared by Gilmore & Bell.

Moved by Boultinghouse, seconded by Kring to approve the Ordinance authorizing the imposition of a special $\frac{3}{8}$ -percent (0.375%) Citywide Retailers' Sales Tax to finance Parks and Recreation related improvements to become effective on April 1, 2023, and sunset on March 31, 2033

Voting AYE: Boultinghouse, Davis, Thomas, Chociej, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

2023 Legislative Advocacy Services Contract with Little Government Relations, LLC

Councilmember Boultinghouse explained that since 2020, Mission, has contracted with Stuart Little of Little Government Relations, LLC (LGR) for legislative advocacy services. Mission has worked both independently and collaboratively with LGR's other NE Johnson County clients to monitor and weigh in on various issues of concern or importance during the legislative session.

The weekly updates during the session (monthly outside of the session),



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assistance with crafting testimony and the overall education and information provided about relevant legislative issues and the legislative climate have added value, helping to support and inform staff and Council on a timely basis.

Additionally, LGR has been available to participate in ongoing conferences, education and information sessions related to various pass-through funding via the CARES Act and the American Rescue Plan (ARPA) Act and to keep the City apprised of important updates and changes.

Moved by Boultinghouse, seconded by Davis to approve the 2023 agreement for legislative advocacy services with Little Government Relations, LLC., in an amount not to exceed \$10,000.

Voting AYE: Boultinghouse, Davis, Thomas, Chociey, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

Community Development Committee

Councilmember Chociey reported that the Community Development Committee also met on October 12 and considered four items. The meeting minutes, pavement condition inventory update, maintenance agreement with Rushton Elementary School, and maintenance agreement with the 58/Nall Apartment Project were approved under the Consent Agenda. No items will be considered on the Regular Agenda this evening.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

2023 Budget Resolution

City Administrator Laura Smith presented an updated 2023 budget resolution to resolve a clerical error on the State budget forms. As required, a public hearing notice was published which included maximum expenditure limits for each fund. Ms. Smith indicated she had carried the anticipated SLFRF funds in one location in the form, and after final allocations were made, Mr. Scott added the expenditures in the various line items and funds without removing the placeholder amount, which resulted in the forms deviating from the public hearing notice. Councilmembers have previously re-signed the certificate, and



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it has been resubmitted to correct the issue. Even though not legally required, because the City passes a budget resolution annually, the County asked that a new resolution be passed to match the new certificate. No numbers have changed, but in order to comply with the County's request, a new Budget Resolution is presented for consideration.

Moved by Davis, seconded by Loudon to approve the updated Budget Resolution adopting the 2022 revised and 2023 Proposed budgets for the City of Mission.

Voting AYE: Boultinghouse, Davis, Thomas, Chociej, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

Street and Park Improvements Financing

Ms. Smith presented an update on the debt issues being discussed to facilitate street and outdoor park improvements. A somewhat accelerated schedule is necessary in order for the City to take advantage of bank qualified (BQ) rates. Savings is, on average, about 25 basis points per issue with the BQ rates which is meaningful savings for the City.

Ms. Smith reviewed reasons for why issuing debt now is important, including now having guaranteed revenue streams, cash flow needs for larger projects, the ability to take advantage of BQ rates and the possible acceleration of parks projects. She then reviewed updated debt financing scenarios which are reflect debt service payments that are manageable for the City.

Ms. Smith shared staff recommendations that included about \$3.5 million dollars in net bond proceeds for streets, most of which will be used for the Foxridge Drive Phase II project. The funding gap for the Foxridge Project is approximately \$3.9 million, so there will likely be no revenues available to consider accelerating design or construction of the residential street program.

She noted that in preparing for this bond issue, the needs of the arterial and collector streets vs. the residential streets have become clearer and will be a topic the Council needs to discuss early next year as we prepare for the 2024 budget discussions.



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Ms. Smith reviewed the park financing recommendations totaling \$3.0 million. The funds would be used for Waterworks Park and Mohawk Park Phase II. Existing sales tax revenues have been used for the Andersen Park tennis courts, Mohawk Park Phase I, the dog park and the Broadmoor Park trail which is under design currently. Using funds to rebuild Waterworks Park in conjunction with the Rushton Elementary rebuild has been a stated priority.

Ms. Smith advised that the funding scenarios were built with ten-year repayment schedules with level debt service. The next steps for the Council, should they still wish to proceed, are resolutions authorizing the bond sale and adopting a Master CIP in November. The Master CIP is necessary in order for the Council to debt finance park improvements without a vote of the public.

A bond sale would be set for November 30, with a special City Council meeting scheduled for that evening to award the bond sale. Anticipated bond closing is December 21, allowing the City to have funds on hand by year end.

Ms. Smith also presented the updated CIP and street program spreadsheet in order to illustrate the impacts of debt service payments.

Councilmember Davis asked about the divvying up of funds for the CARS matching funds programs vs. residential street program. He would like a policy discussion about how the City might commit to setting aside an amount for the residential street program equivalent to any matching dollars committed for CARS projects in a given year.

Ms. Smith explained she agreed with the need for a conversation surrounding how to structurally fund both. The City isn't just "chasing CARS projects" because there are matching funds on hand, but rather to align with recommended maintenance schedules for the streets. Making sure that intermediate maintenance is completed on the appropriate cycle helps the City avoid the full depth reconstruction cost on arterial streets, which is much more expensive. She believes that we are in a "perfect storm" of arterial streets in need of intermediate maintenance while the City also tries to make a substantial investment in residential streets. The next several months should provide additional clarity on how the City might put together a plan to balance the needs appropriately.



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Councilmember Davis stated he is worried that the residential streets take a backseat every time there is a question about funding. He would like Staff to be mindful of keeping those residential streets funded.

Ms. Smith assured Council that staff is aware of the priority on residential streets and a desire to fund at least \$2.0 million for residential streets each year. Larger projects, like Foxridge, have often been delayed as the City works to find the appropriate balance in funding residential and arterial and collector street work.

Mayor Flora brought up that, in the updated packet, the \$2.0 million residential street budget has been maintained and keeps the City on track with the planned 2023 projects. There isn't allowance for an acceleration but the 10-year residential street program is not falling behind.

Ms. Smith confirmed that Staff will be diligent in staying ahead of the design for future residential street projects.

Councilmember Thomas asked if there were any conversations in the CIP to upping the \$2.0 million earmarked for residential streets to allow for inflation as property values continue to rise.

Ms. Smith explained that is part of why the recommendation during the most recent budget process to consider moving away from tying property tax revenues to a specific number of mills. Rather, looking at the needs in the budget year to see what can be accommodated. The total budget has grown over time as assessed valuation has increased, but there may be a need to be more flexible going forward.

COMMENTS FROM THE CITY COUNCIL

Councilmember Davis offered kudos to Ms. Smith's 2Q/3Q project status report. He appreciated all of the accomplishments and their descriptions. He went on to say that he would like Staff to try and track why businesses are closing when they close, if there is a way to track that. He is interested in potentially having historical material regarding closed businesses.

City Clerk Robyn Fulks gave Councilmember Davis an update on reindexing the existing business data, however we don't have a reporting way for businesses to notify the City they are closing; however, she can work to find a way to get that information.



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Councilmember Davis feels like some recent closures are due to landlord disputes and bad maintenance of properties. He would like to find a way to get the reasons for businesses closing, perhaps the Chamber of Commerce could help.

Ms. Fulks replied she would look in to obtaining that information.

Mayor Flora told the Council about the upcoming business dialogue on November 9 hosted by the City. The Chamber has been invited to participate, and invitations will be extended to businesses. The goal is to reconnect with our businesses and get a sense of the issues most important to them and how the City assist.

Councilmember Davis asked if there are inspections of business properties, or something that could be pursued, especially with the frequently changed over business properties.

Councilmember Inman agreed that she too has heard businesses are leaving due to poor maintenance of the buildings. She would like to know if that could fall under code enforcement?

Mayor Flora agreed that had been part of the discussion for scheduling the business dialogue.

Ms. Smith explained that sometimes there are issues that fall under codes, and if the City is made aware they can help, but sometimes the issues do not, and those are the stickier ones. The City has worked with some property owners over time, and hopefully options will present themselves to be able to help address the issue more comprehensively in the future.

Councilmember Chociej mentioned he believes it's beneficial to look at how the City incentivizes property owners to maintain their buildings to meet the City's comprehensive plan, to make properties more attractive to businesses and their customers, and make the buildings look nicer.

Councilmember Inman asked if there are different types of assistance the City can offer to small businesses. Some businesses just need a bit of help.

Ms. Smith mentioned the Business Improvement Grant (BIG) program. There have been challenges in expending those funds on recent years. Looking at better communication about the program, adding more dollars, changing limits, or changing matching requirements might be issues for the Council to consider. Talking to businesses and building owners about the barriers to making improvements to the property and what programs can the City design to help



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overcome those barriers will be an important part of the conversation.

Councilmember Thomas suggested staff consider a separate conversation with property owners and business owners due to different needs, and also would like to have a written survey in case folks aren't comfortable speaking up or able to attend the meeting on November 9.

Mayor Flora explained the initial meeting is targeted to the business owners, and then the City might consider other target groups.

Councilmember Davis commented that while he knows the City doesn't want to be in between a landlord/tenant dispute, he believes an ombudsman role could be helpful to gather information about concerns independently to help the City deal with business concerns. He feels like existing businesses he's spoken to have voiced concern with incentives being provided to new development, but none for smaller businesses who haven't asked for incentives. He would like to find a way to balance that so that incentives aren't only for new development.

Ms. Smith challenged that slightly, noting that the BIG Grant program has been in place since 2004 and was intentionally developed to provide resources for smaller, existing businesses when aid was provided to the Target store. It has been successful in leveraging investment in the smaller businesses, again the challenge often being finding those interested in participating in the program.

Mayor Flora highlighted the intentional outreach and communication, and very positive feedback has also been received from the small business community. Continuing to improve communication and transparency about programs will help.

Mayor Flora also discussed an economic development work session that will follow the town hall, likely in the first quarter of 2023. There will be a more focused Council discussion surrounding small business development as well.

Councilmember Davis reminded folks of the Ward IV meeting on November 8 via Zoom at 7pm.

COUNCIL COMMITTEE LIAISON REPORTS

Sustainability Commission (Kring/Thomas)

Councilmember Thomas highlighted the Commission's discussion around the Communities for All Ages gold rating and congratulated Ms. Randel on her presentation the week prior about the same. The holiday light recycling program will happen again this year, with details released soon. The Commission has passed two tons of batteries being recycled which is exciting. She also shared



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that Ms. Randel was selected for the MARC/Climate Action KC Climate and Environment Council out of hundreds of applicants.

Councilmember Kring highlighted the Community Center walk through showcasing the updates and she would like to coordinate a similar tour for the Sustainability Commission for them to see what is "behind the scenes" sustainability wise in the building.

Parks, Recreation + Tree Commission (Loudon/Ryherd)

Councilmember Ryherd gave Mohawk Park updates, including removal of the old parking lot, trenched in sanitary lines with asphalt on order. The Commission spoke about going by Legacy Park to see the Parade of Hearts heart and how it could go on tour of the different parks. New trees have been planted at several sites.

Ms. Smith announced that the Parade of Hearts has extended for two more years, and the City has reported the location the heart that was displayed during the event and was purchased by the City. Mayor Flora chimed in that hopefully the enthusiasm will garner us another.

Councilmember Inman asked how much the City paid and where the funds came come.

Ms. Smith reported that the winning bid was \$3,500.00 and the funds came from the transient guest tax.

Mission Magazine Editorial Board (Boultinghouse)

Councilmember Boultinghouse reported that the board did not meet this month, so he did not have an update. He is looking forward to providing one next month.

Family Adoption Committee (Chociej)

Councilmember Chociej reported that the Family Adoption Committee met on September 29, donations have been received from links on the City website. The committee has been working on making online donations easier. Harvesters is seeing challenges as far as obtaining food options they would like to have, but the Committee will continue to work on alternatives such as gift cards or food from other stores. The Committee is exploring purchasing a freezer as



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climate control food storage needs are present. Vendors who give food won't allow outdoor food storage in a POD, and frozen items need to be kept frozen. Many volunteers have signed up for Thanksgiving. Volunteers are needed on Monday, November 21 and Tuesday, December 20. The Committee was to meet again the next morning.

MAYOR'S REPORT

Mayor Flora put before the Council Michelle Van Doren for appointment as Mission's representative to the Drug and Alcoholism Council of United Community Services of Johnson County.

Moved by Chociey, seconded by Kring to approve the appointment of Michelle VanDoren as Mission's representative to the UCS Drug and Alcoholism Council.

Councilmember Davis thanked Mayor Flora for the nomination, he believes Ms. Van Doren will do a great job, noting he nominated her due to her background in social work and work done toward her Doctorate in social work potentially making her a good fit. Mayor Flora agreed.

Voting AYE: Boultinghouse, Davis, Thomas, Chociey, Ryherd, Inman, Loudon and Kring. **Motion Carried.**

CITY ADMINISTRATOR'S REPORT

Ms. Smith briefly highlighted the September financial report to say that the City has made up or surpassed revenue estimates on sales tax that had to be repaid which is encouraging. She acknowledged tremendous work of staff as illustrated in the project status update report. It has been good for Staff to be able to celebrate and share accomplishments frequently. She noted that should the Council have questions on anything in the report, please feel free to reach out for additional information.

Ms. Smith noted that she and Chief Madden are working to finalize use of force and bias based reports updated. She offered up Chief Madden for questions on the reports.

She also went over upcoming meetings including the Committee Meetings on November 2, regular Council meeting on November 16, Special City Council



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Meeting regarding Gateway issues on November 21 and a short Special City Council Meeting on November 30 for acceptance for the bond sale bids.

In December, Committee meetings will be moved to the second Wednesday, December 14, to allow the governing body to attend the Johnson & Wyandotte County Council of Mayors Holiday Party. The December City Council Meeting will be on December 21.

Councilmember Inman asked for times for the two November Special City Council meetings.

Ms. Smith replied that the meeting on November 21 will be at 6:00 p.m., and the time for the November 30 meeting is to be determined.

Mayor Flora asked for questions on any of her updates.

EXECUTIVE SESSION

There was no need for an Executive Session.

ADJOURNMENT

Mayor Flora announced that the public video from tonight's meeting will be available through a link on the City's website - missionks.org.

Moved by Inman, seconded by Chociej to adjourn the meeting at 8:16 p.m. All present voted AYE. **Motion carried.**

Respectfully submitted by Robyn L. Fulks, City Clerk.

Solana Flora, Mayor



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Robyn L. Fulks, City Clerk