

CITY COMMISSION MEETING AGENDA

CITY COMMISSION / MUNICIPAL COURT ROOM
518 MECHANIC, EMPORIA, KS
March 18, 2020 at 7:00 p.m.

1. Members present: Mayor Giefer

<u>Vice Mayor Gilligan</u>	<u>Commissioner Geitz</u>
<u>Commissioner Smith</u>	<u>Commissioner Brinkman</u>
<u>City Manager McAnarney</u>	<u>City Clerk Sull</u>
<u>Asst. City Mgr. Massey</u>	<u>City Attorney Montgomery</u>
2. Mayor and City Commission Reports and Comments.
3. Consent Agenda
4. Public Comment
5. Ordinance for Cinco De Mayo Beer Garden.
6. Agreement with ERC to Operate Jones aquatics Complex for 2020 Season.
7. Award 19 PathG Safe Routes to Healthy Food Project.
8. Report from City Manager on City Activities.



**If you need accommodations due to a disability to participate in this event, meeting, or activity, or alternative format of written materials contact Jeff Lynch, City of Emporia ADA Coordinator at least 48 hours before the event at 620-343-4285 or email jlynch@emporia-kansas.gov*

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 2

SUBJECT: Mayor and City Commissioners Reports and Comments

RECOMMENDATION:

BACKGROUND SUMMARY

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

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

1) Monthly Local Retail Sales Tax Receipts Update

	2019	2020	Increase of \$22,887.37 for the month, and Overall decrease of 0.74% from year 2019
	\$444,258.69	\$467,146.06	
YTD	\$ 869,501.19	\$ 863,100.58	

2) City Share from County Tax

	2019	2020	Decrease of \$5,634.70 for the month, and Overall decrease of 2.36% from year 2019
	\$245,172.19	\$239,537.49	
YTD	\$ 455,489.04	\$ 444,734.76	

3) Building Permits issued from 2/1/2020 to 2/29/2020 for new construction, remodeling / repairs and demolition.

Total number of building permits issued through Code Services:	31
Total of valuations associated with those building permits:	\$ 357,576.00
Total number of dollars collected for Building Permit Fees:	\$ 3,803.00
Construct - single family dwellings	0
Demo - single family dwellings	0

Flint Hills Mall CID for February	\$ 21,650.62
Year to Date Total	\$ 40,556.22

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 3

SUBJECT:

Consent agenda:

The items listed on the Consent Agenda are considered by the Governing Body to be routine business items. Approval of the items may be made by a single motion, second and majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, at his/her request, it will be removed from the Consent Agenda and considered separately.

- a. Consider minutes of the Meeting held on March 4, 2020.
- b. Consider ratification of Payroll Ordinance for the period ending on March 13, 2020.
- c. Consider Set Bid Time and Date for 2020 Street Rehabilitation Project No. PV2001.
- d. Consider Set Bid Time and Date for the Peyton Street Watermain Improvements Project No. WM1902.
- e. Consider Set Bid Time and Date for Emporia Municipal Airport Runway Seal Coat Project.
- f. Consider Set Bid Time and Date for Slurry Seal and Chip Seal Project.

RECOMMENDATION:

- a. Approve Minutes
- b. Approve Payroll
- c. Approve Time and Date
- d. Approve Time and Date
- e. Approve Time and Date
- f. Approve Time and Date

BACKGROUND SUMMARY:

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 3c

SUBJECT: Set 2:00 p.m., Tuesday, April 7, 2020, as the time and date to receive bids for the 2020 Street Rehabilitation Project No. PV2001.

RECOMMENDATION: Set bid time and date

BACKGROUND SUMMARY:

The 2020 Street Rehabilitation Project will consist of resurfacing streets at multiple locations around the City. Included within this project are the following sections of roadway:

Streets included in Base Bid:

- 12th Avenue (Mary St. to Whittier St.)
- Burlingame Rd. (12th Ave. to Riley Ave.)
- South Avenue (East St. to Commercial St.)
- Deerbrook Subdivision
 - Deerbrook Lane. (18th Ave. to Antler Rdg.)
 - Deerbrook Ln. (Antler Rdg. to 20th Ave.)
 - Antler Rdg. (Deerbrook Ln. to Cul de sac)
 - Caribou Ln. (Cul de sac to Deerbrook Ln.)
 - Whitetail Ln. (Cul de sac to Deerbrook Ln.)
 - 20th Ave. (Mt. Vernon Ter. to Cul de sac)
- Landmark Addition
 - Mt. Vernon Ter. (Graphic Arts Rd. to 20th Ave.)
 - 21st Ave. (Graphic Arts Rd. to Mt. Vernon Ter.)
 - 22nd Ave. (Graphic Arts Rd. to Mt. Vernon Ter.)
- Westridge Addition
 - West View Ter. (24th Ave. to Cul de sac)
 - West View Dr. (24th Ave. to Cul de sac)
 - West Rdg. Dr. (West Ridge Ct. to Graphic Arts Rd.)
- Park Lane Estate and Dietrich Addition
 - Arrowhead Dr. (Flint Rd. to Flint Rd.)
 - Diane Ave. (Hillcrest Dr. to Darlene Way)
 - Darlene Way (DeLane Dr. to Diane Ave.)
 - DeLane Dr. (Hillcrest Dr. to Darlene Way)

The remaining streets are an add-alternate to the base bid and include:

- Clark Avenue (Dead End to East St.)
- Logan Avenue (Road M to Weaver St.)
- Peter Pan Park parking lot improvements

The project is funded out of the Multi-Year Fund.
Attached is the Invitation to Bid.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

INVITATION TO BID

Sealed bids for the **2020 Street Rehabilitation Project No. PV2001 (Multiple locations around the city)** will be received at the office of the City Clerk, City of Emporia, Kansas located upstairs at 104 E. 5th Avenue, up to **2:00 p.m. on Tuesday, April 7, 2020, and then publicly opened in the Engineering Department's Conference Room located at 522 Mechanic Street. A pre-bid conference will be held at 2:00 p.m. on Tuesday, March 31, 2020, at the same location.**

The work for the Street Rehabilitation Project will consist of the approximate quantities:

Base Bid:

Mobilization	1	L.S.
Asphalt Milling (2" Avg Depth)	41982	S.Y.
Concrete Milling (1" Avg. Depth)	5330	S.Y.
HMA (Commercial Grade) (Class A)	6509	Ton
Asphalt Patching (4" Avg. Depth)	37	Ton
Crack Filling (>1/2" to <2")	472	L.F.
Stress Relief Interlay Fabric (24" Wide)	472	L.F.
Curb & Gutter (2"-6" Combined) (AE) (Remove & Replace)	1189	L.F.
Concrete Pavement (6:Plain) (AE) (Remove & Replace)	120	S.Y.
Concrete pavement (9: Reinf.) (AE) (Remove & Replace)	4	S.Y.
Concrete Sidewalk (4"Plain) (AE) (Remove & Replace)	253	S.Y.
ADA Sidewalk Ramp	136	S. Y.
Sidewalk Removal	20	S.Y.
Curb Inlet Lid (4' x 5') (Precast) (Remove & replace)	1	Ea.
Utility Adjustment (Concrete) (Valve Box) (Water)	4	Ea.
Utility Adjustment (Concrete) (Manhole) (Sewer)	6	Ea.
Utility adjustment (Valve Box Riser) (Valve Box) (Water)	2	Ea.
Utility Adjustment (Manhole Riser) (manhole) Sewer)	1	Ea.
Pavement Marking (Thermoplastic) (White) (6") (Solid)	961	L.F.
Pavement Marking (Thermoplastic) (White) (6") (Broken)	464	L.F.
Pavement Marking (Thermoplastic) (Yellow) (4") (Solid)	337	L.F.
Pavement Marking (Thermoplastic) (4") (Broken)	80	L.F.
Pavement Parking (Thermoplastic) (Yellow) (4") (Double)	346	L.F.
Pavement Marking (intersection Grade) (White) (Left Arrow)	8	Ea.
Pavement marking (Intersection Grade) (White) (Straight Arrow)	3	Ea.
Pavement Marking (Intersection Grade) (ONLY)	4	Ea.
Temp Seed and Mulch	1	L.S.
Temp Slope Barrier (Silt Fence)	50	L.F.
Inlet Sediment Barrier	1	Ea.
Sediment Removal (Set Price)	1	C.Y.
Permanent Seeding, Fertilizer and Mulch	1	L.S.
Traffic Control	1	L.S.
Flagger (set Price)	1	Hr.

Add Alternate 1:

Mobilization	1	L.S.
Contractor Construction Staking	1	L.S.
Surface Grading	909	L.S.
Asphalt Milling (2" Avg. Depth)	115	S.Y.
HMA (Leveling Course) (BM=1))1" Avg. Depth)	366	Ton
HMA (Commercial Grad) (Class A)	770	Ton
Asphalt Patching (4" Avg. Depth)	27	Ton
Curb & Gutter (2'-6" Combined) (AE) (Remove & Replace)	156	L.F.
Concrete Pavement (9" Reinf.) (AE) (Remove & Replace)	70	S.Y.
8" PVC Pipe	56	L.F.
Ditch Grading	268	L.F.
Temp Seed and Mulch	1	L.S.
Temp Slope Barrier (Slit Fence)	50	L. F.
Permanent Seeding, Fertilizer and Mulch	1	L.S.
Traffic Control	1	L.S.

Add Alternate 2:

Mobilization	1	L.S.
Contractor construction staking	1	L.S.
Clearing & grubbing	1	L.S.
Common Excavation	115	C.Y.
Compaction of Earthwork	55	C.Y.
Saw Cutting (Full Depth) (Existing Mat for Curb Toe)	450	L.F.
Combined Material (AB-3) (6" Compacted)	350	S.Y.
Curb and Gutter (2'-6" Combined) (AE)	520	L.F.
Concrete Pavement (6" Plain) (AE)	140	S.Y.
HMA Overlay (4" Avg. Depth)	332	Ton
Concrete Sidewalk (4" Plain) (AE)	250	S.Y.
Concrete Sidewalk Ramp (No Panel)	4	S.Y.
Temporary slope barrier (Silt Fence)	200	L.F.
Traffic Control	1	L.S.
Contractor construction staking	1	L.S.

Plans and bid documents are on file at the office of the City Engineer, 522 Mechanic Street, P.O. Box 928, Emporia, KS 66801 (620-343-4260). The cost for plans and bid documents is thirty-five dollars (\$35), which is nonrefundable. If the Contractor prefers plans and bid documents sent by UPS, there is an additional required fee of five dollars (\$5). Also, the Contractor may request an electronic copy of plans and bid documents for a flat rate fee of twenty dollars (\$20). The City of Emporia 2014 Master Set of Specifications (for all projects) is available upon request for a cost of \$20 for a hard copy. A contractor either shall have a current set of City Master Specs or have a signed contractor's acknowledgement on file with the City Engineer's Office that they have read and shall abide by the 2014 Master Set of Specifications on the City Web page in order to bid City of Emporia projects. Each bid shall be accompanied by a certified check, a cashier's check, or an approved bidder's bond in an amount of not less than five percent (5%) of the total amount of the bid. Any bid bond must be with a surety and guaranty company authorized to do business in the State of Kansas and acceptable to the City as Surety.

The Bidder to whom the Contract is awarded will be required to furnish statutory bond in the amount of one hundred percent (100%) of the Contract, and performance and maintenance bond in the amount of one hundred

percent (100%) of the Contract; the bonds to be acceptable to the City of Emporia, Kansas, and conform to the requirements of the Contract documents.

The City of Emporia, Kansas, reserves the right to reject any or all bids and to waive defects in bids. No bids will be withdrawn for a period of sixty (60) days after the time set for opening of bids.

If you need accommodations due to a disability to participate in this event, meeting, or activity, or alternative format of written materials contact Jeff Lynch, City of Emporia ADA Coordinator at least 48 hours before the event at 620-343-4291 or e-mail jlynch@emporia-kansas.gov.

THE CITY OF EMPORIA, KANSAS
Kerry Sull
City Clerk

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 3d

SUBJECT: Set 2:30 p.m., Tuesday, April 7, 2020, as the time and date to receive bids for the Peyton Street Watermain Improvements (South Ave to 6th Ave.) City of Emporia Project No. WM1902.

RECOMMENDATION: Set bid date and time.

BACKGROUND SUMMARY:

This watermain project will construct a new main between South Avenue and 6th Avenue, connecting to the recently completed watermain crossing under BNSF (City waterline reconstruction for Bunge spurline project). The project will be paid for with KDHE SRF money.

Attached is the Invitation to Bid.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

INVITATION TO BID

Sealed bids for the **Peyton Street Watermain Improvements (South Avenue to 6th Avenue) Project No. WM1902, KDHE Project No KPWSLF 2968.** will be received at the office of the City Clerk, City of Emporia, Kansas located at 104 E. 5th Avenue, up to **2:30 p.m. on Tuesday, April 7, 2020,** and then publicly opened in the **Engineering Department's Conference Room** located at **522 Mechanic Street.** A pre-bid conference will be held at **3:00 p.m. on Tuesday, March 31, 2020,** at the same location.

The work for the Water Main Improvements Project will consist of the approximate quantities:

Base Bid:

Mobilization	1	L.S.
Construction Staking	1	L.S.
10" Water Main (Certa-Lok C-900 /RJ) (In Place)	2449	L.F.
10" x 10" x 10" Tapping Tee w/ Valve	2	Ea.
12" x 10" Reducer	2	Ea.
10" 45 Degree Bend	4	Ea.
Sanitary Sewer Concrete Encasement	20	L.F.
Pavement Remove and Replace (Asphalt)	9	S.Y.
Pavement Remove and Replace (9" Concrete) (Reinforced)	64	S.Y.
Pavement Remove and Replace (6" Concrete) (Plain)	8	S.Y.
Curb and Gutter (2'-6" Combined) (Remove and Replace)	6	L.F.
Flowable Fill (Low Strength)	61	C.Y.
Traffic Control	1	L.S.

Add Alternate:

Mobilization	1	L.S.
Construction Staking	1	L.S.
12" Water Main (Certa-Lok C-900 /RJ) (In Place)	2449	L.F.
10" x 10" x 10" Tapping Tee w/ Valve	2	Ea.
12" x 10" Reducer	2	Ea.
12" x 45 Degree Bend	4	Ea.
Sanitary Sewer Concrete Encasement	20	L.F.
Pavement Remove and Replace (Asphalt)	9	S.Y.
Pavement Remove and Replace (9" Concrete) (Reinforced)	64	S.Y.
Pavement Remove and Replace (6" Concrete) (Plain)	8	S.Y.
Curb and Gutter (2'-6" Combined) (Remove and Replace)	6	L.F.
Flowable Fill (Low Strength)	61	C.Y.
Traffic Control	1	L.S.

Plans and bid documents are on file at the office of the City Engineer, 522 Mechanic Street, P.O. Box 928, Emporia, KS 66801 (620-343-4260). The cost for plans and bid documents is twenty dollars (\$20), which is nonrefundable. If the Contractor prefers plans and bid documents sent by UPS there is an additional required fee of five dollars (\$5). Also, the Contractor may request an electronic copy of plans and bid documents for a flat rate fee of twenty dollars (\$20).

Each bid shall be accompanied by a certified check, a cashier's check, or an approved bidder's bond in an amount of not less than five percent (5%) of the total amount of the bid. Any bid bond must be with a surety and guaranty company authorized to do business in the State of Kansas and acceptable to the City as Surety.

Bidders on this work will be required to comply with the [presidents Executive Order No. 11246 (Equal Employment Opportunity) as amended. Requirements for bidders and contractors under this order are explained in the specifications.

"Bidders must fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled Responsibilities of participants Regarding Transactions. Contractors, subcontractors, or suppliers that appear on the Excluded Parties List System at 222.sam.gov are not eligible for award of any contracts funded by the KDHE State Revolving Fund programs."

All contracts and subcontracts exceeding \$100,000 at any tier under a KPWSLF Loan Agreement shall comply with the Anti-Lobbing Act, Section 319 of Public law 101-121, and file an Anti-Lobbying Certification form, and the Disclosure of Lobbying Activities for, if required, to the next tier above.

Bidder on this work, including sub-contractors or vendors, will be required to comply with the Kansas Act Against Discrimination (K.S. A. 44-1001 et. seq.) and the Kansas Age Discrimination in Employment Act (K. S. A. 44-1111 et. seq.).

The Bid to whom the Contract is awarded will be required to furnish statutory bond in the amount of one hundred percent (100%) of the Contract, and performance and maintenance bond in the amount of one hundred percent (100%) of the Contract; the bonds to be acceptable to the City of Emporia, Kansas, and conform to the requirements of the Contract documents.

The City of Emporia, Kansas, reserves the right to reject any or all bids and to waive defects in bids. No bids will be withdrawn for a period of sixty (60) days after the time set for opening of bids.

If you need accommodations due to a disability to participate in this event, meeting, or activity, or alternative format of written materials contact Jeff Lynch, City of Emporia ADA Coordinator at least 48 hours before the event at 620-343-4291 or e-mail jlynch@emporia-kansas.gov.

THE CITY OF EMPORIA, KANSAS
Kerry Sull
City Clerk

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 3e

SUBJECT: Set 2:00 p.m., Thursday, April 16, 2020 as time and date to receive bids for the Airport Runway Seal Coat Project.

RECOMMENDATION: Set bid time and date.

BACKGROUND SUMMARY:

The City was awarded a grant from KDOT to seal coat and remark the runway at our municipal airport (EMP). The project cost for construction is \$415,000.00 with KDOT paying \$373,000.00 (90%) and the City paying \$41,500.00 (10%). Lochner designed the project, put together the specifications and bid documents and will advertise for bidders.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 3f

SUBJECT: Set 2:00 p.m., Wednesday, April 22, 2020 as time and date to receive bids for the Slurry Seal and Chip Seal Project.

RECOMMENDATION: Set bid time and date.

BACKGROUND SUMMARY:

City staff will be accepting bids for both slurry seal and chip seal resurfacing of the selected streets in 2020.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 4

SUBJECT: Public Comment

RECOMMENDATION:

BACKGROUND SUMMARY:

Citizen Appearance Procedures

Presentations by individuals during "Citizen Appearance" portion of the Commission agenda shall be limited two minutes each. No personal attacks, comments or opinions shall be expressed or made against or about any member of the Commission, Mayor, City Employee, individual group or corporation.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 5

SUBJECT: Ordinance for Cinco de Mayo Beer Garden

RECOMMENDATION: Approve Ordinance for Cinco de Mayo Beer Garden

BACKGROUND SUMMARY:

The Cinco de Mayo block party sponsors and Casa Ramos are requesting a temporary exemption from the prohibition of the sale and consumption of alcoholic beverages for the Cinco de Mayo celebration to be held on May 2, 2020. The requested exemption would include an area from the 600 block through the 700 block of Commercial Street and West 7th Avenue between Merchant Street and Commercial Street in the east half of the block from 10:00 a.m. to 10:00 p.m. on that date.

The proposed ordinance includes requirements that all alcoholic beverages remain within City fencing to be approved by the Chief of Police, that no one under the age of 21 may possess or consume alcohol, and that Casa Ramos must meet all City and state requirements for a temporary extension of premises.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

ORDINANCE NO. _____

AN ORDINANCE EXEMPTING AN AREA FROM THE 600 BLOCK THROUGH THE 700 BLOCK OF COMMERCIAL STREET AND WEST 7TH AVENUE BETWEEN MERCHANT STREET AND COMMERCIAL STREET IN THE EAST HALF OF THAT BLOCK IN THE CITY OF EMPORIA FROM THE PROHIBITION ON THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES FOR THE CINCO DE MAYO CELEBRATION EVENT MAY 2, 2020

WHEREAS, sponsors of the Cinco de Mayo block party special event and Casa Ramos have requested an exemption from the prohibition of sale and consumption of cereal malt beverages (CMB) and/or alcoholic liquor in an area from the 600 block through the 700 block of Commercial Street and West 7th Avenue between Merchant Street and Commercial Street in the east half of that block in connection with the Cinco De Mayo celebration event;

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS:

SECTION 1. Pursuant to K.S.A. 2011 SUPP. 41-719, as amended, the Governing Body temporarily exempts an area from the 600 block through the 700 block of Commercial Street and West 7th Avenue between Merchant Street and Commercial Street in the east half of that block, with the exact location to be approved by the Chief of Police or designee, from the prohibition on the sale and consumption of cereal malt beverage (CMB) and alcoholic liquor when it is being sold or consumed in conjunction with the Cinco De Mayo celebration event on May 2, 2020, between the hours of 10:00 a.m. and 10:00 p.m., as authorized by the city manager and subject to any other laws or ordinances regulating the possession, sale and/or consumption of enhanced CMB and alcoholic liquor.

SECTION 2. Sale and consumption shall be allowed within an area delineated by City of Emporia fencing in a manner approved by the Chief of Police or designee which clearly distinguishes the area where alcoholic beverages are permitted. No one under the age of 21 shall possess or consume alcoholic beverages and event sponsors shall be held strictly accountable for any violations. No alcoholic beverages shall be consumed in vehicles while on the street at any special event.

SECTION 3. No person shall remove any alcoholic liquor or enhanced CMB from inside the boundaries of the special event as delineated by signs, posted map or other means which reasonably identify the boundaries of the special event.

SECTION 4. Licensees must meet all the requirements for a temporary extension of premises for the sale of alcoholic beverages by the city and the state.

SECTION 5. This ordinance shall become effective upon publication in the official city newspaper.

PASSED AND APPROVED this 18th day of March 2020.

Danny Giefer, Mayor

ATTEST:

Kerry Sull, City Clerk

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 6

SUBJECT: Consider the approval of an agreement with the Emporia Recreation Commission to operate the Jones Aquatics Complex for the 2020 season.

RECOMMENDATION: Approve the agreement.

BACKGROUND SUMMARY:

For many years, the Emporia Recreation Commission has operated the Jones Aquatics Complex for the City of Emporia, Kansas. Attached in the agreement between the City of Emporia and the Emporia Recreation Commission for the 2020 season. The agreement remains the same as in past years. The City of Emporia will pay for the utilities under this agreement. The Emporia Recreation Commission is hoping to recover all of their hard costs under this agreement and do not charge for administrative services (hiring, payroll, aquatics complex director time) under this agreement. The agreement has been approved by the Emporia Recreation Commission.

A copy of the agreement is attached for your review.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

JONES AQUATIC CENTER AGREEMENT

Between

THE CITY OF EMPORIA, KANSAS

And

THE EMPORIA RECREATION COMMISSION

THIS AGREEMENT made this 18th the day of March 2020, by and between the CITY OF EMPORIA, KANSAS, a municipal corporation, hereinafter referred to as "CITY," and THE EMPORIA RECREATION COMMISSION, organized and existing under the statutes of Kansas, hereinafter referred to as "the ERC."

WITNESSETH:

WHEREAS, the CITY constructed and owns the Jones Aquatic Center, 4202 West 18th Avenue, Emporia, Kansas; and

WHEREAS, the ERC administers recreation programs for the City and for USD 253; and

WHEREAS, the Jones Aquatic Center is a part of the recreational program administered and operated by the ERC; and

WHEREAS, the CITY and the ERC now desire to formalize the agreement with respect to the administration, operation and maintenance of the Jones Aquatic Center;

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND AGREEMENTS HEREIN CONTAINED, THE PARTIES HERETO AGREE AS FOLLOWS:

1. Upon the following terms and conditions, the CITY and ERC agree that the ERC shall be responsible for the daily operations of the Jones Aquatic Center (JAC) each year between Memorial Day to Labor Day, with exact dates authorized by the City.

2. The JAC shall be used and occupied by the ERC exclusively for community recreation and competitive purposes with responsibility to organize and promote use of the swimming pool and other facilities. In the use of the premises, the ERC shall comply with all statutes, ordinances and regulations of public authorities applicable to the aquatic center complex.

3. During possession of the aquatic center, the ERC shall be responsible for routine maintenance and up-keep of the aquatic center, security, staffing and the day-to-day operations. The ERC shall notify the CITY when major repairs are needed. Major repairs shall consist of the failure or interruption of a major system which would exceed \$1000 for repair or replacement. The ERC shall maintain a maintenance log of all repairs and improvements, major or minor, performed which information will be shared with the CITY.

The CITY shall be responsible for providing pool chemicals needed for the operation of JAC. The CITY shall be responsible for upkeep and maintenance of the grounds, driveway, parking and landscaping for JAC. The City shall maintain the pool pumping, heating and filtering equipment and establish the optimum operating levels.

4. The ERC shall not undertake any alterations, additions or improvements of the JAC without the approval of the CITY.

5. The CITY shall be responsible for the water, sewer, refuse, electric and natural gas utility charges utilized by it at the JAC during the months of June, July and August. The ERC shall be responsible for hiring, training, and compensation of full and part time workers at the JAC. The ERC shall be responsible for concession sales and staffing.

6. The CITY shall maintain general liability and casualty insurance on the equipment, buildings and grounds. The ERC shall maintain liability insurance for the operation of the facility.

7. The ERC shall recommend to the CITY the annual fee structure for the operation of the JAC. The City Commission shall consider the recommended fee structure and annual calendar for JAC. The ERC agrees to maintain an accounting of all costs and expenses for staffing and operation of the Jones Aquatic Center, and all receipts and income attributable to the aquatic center. After the conclusion of the season, on or about October 1, the ERC shall submit a final accounting. If the final accounting results in a positive balance, such amount shall be retained by the ERC. If the final accounting results in a negative balance, the City will be responsible to make up the deficit up to an amount not to exceed \$47,000.00.

8. The CITY and the ERC are subject to limits of liability according to K.S.A. 75-6104 et seq. Each party to this Agreement hereby agrees to indemnify and hold harmless the other party from claims for damages for injuries to persons or to property occasioned by the alleged negligent conduct of the party's own employees, officers or agents, arising from the operations under this Agreement.

9. If the ERC shall fail to comply with any of the terms of this Agreement, and such period shall continue for a period of thirty (30) days after notification, then in that event, the CITY may at its option, declare this agreement to be null and void. This shall not be taken to limit or prohibit any other remedies available to the CITY.

10. The waiver of the CITY of or the failure of the CITY to take any action with respect to any breach of any term, covenant, or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition, or a subsequent breach of the same or any other term, covenant or condition herein contained.

11. This Agreement supersedes all prior verbal or written statements between the parties as regards the cooperation in the operation of the aquatic center. This Agreement may be amended or supplemented by subsequent written documents signed by the parties.

12. This Agreement for a term beginning March 1, 2020 to December 31, 2020 and is renewable upon the mutual agreement of the parties.

IN WITNESS WHEREOF the parties hereto have executed this Agreement, the date and year first above written.

CITY OF EMPORIA, KANSAS

Danny Giefer, Mayor

ATTEST:

Kerry Sull, City Clerk

EMPORIA RECREATION COMMISSION
By its Board of Commissioners

Chairman
EMPORIA RECREATION COMMISSION

Jones Aquatic Center 2020 Schedule

May 23 Opening Day

May 24-August 15 Not So Dirty Kanza

May 26-28 Lifeguard Class

June Scout Night

June 1-5 Water Safety Instructor Class

June 8-12 Aquatics Camp

June 15-22 Swim Lessons

June 21 Father's Day Swim

June 26 Summer Carnival

June 29-July 9 Swim Lessons

July 10, 17, 24, 31 Summer Showdown Tournament

July 13-23 Swim Lessons

June 13-23 Junior Lifeguard Class

July 19 Library Swim

End of July Shark Week

August 3-6 Lifeguard Class

August 8 Canoe Combat

August 16 Final Fiesta

August 16 Pool Plunge

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 7

SUBJECT: Consider awarding a bid for the 2020 Sidewalk Improvements Project No. 19pathg.

RECOMMENDATION: It is staff's recommendation to award the 2020 Sidewalk Improvements Project to Emporia Construction & Remodeling, Inc. for the combined base bid and the add alternate amount of \$101,176.00.

BACKGROUND SUMMARY:

At 2:00 p.m. on Tuesday, March 10, 2020, the City Engineer's Office publicly opened bids on the 2020 Sidewalk Improvements Project. The project had two plan holders but only one submitted a bid. The project shall consist of installing sidewalk and ADA curb ramps in three separate locations (*12th Avenue from Lakeview – Peyton, US-50 Hwy from Industrial – Anderson & at the intersection of 24th & Westridge.*) to allow better pedestrian access to local grocery food stores.

Contractor	Base Bid	Add Alternate	Total of Base Bid and Add Alternate
Emporia Construction & Remodeling, Inc.	\$85,798.00	\$15,378.00	\$101,176.00
Engineer's Estimate	\$71,166.00	\$12,910.00	\$84,076.00

The majority of this project will be funded through a Blue Cross and Blue Shield of Kansas "Safe Routes to Healthy Foods" grant that was awarded to the City in April of 2019.

Attached is the complete project bid tabulation sheet for the base bid.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

**CITY OF EMPORIA, KS
 BID TABULATION
 FOR CONSTRUCTION OF 2020 SIDEWALK IMPROVEMENTS PROJECT 19pathg**

March 10, 2020

Quantity	Units	Description	Emporia Construction & Remodeling, Inc.		CITY ENGINEER'S ESTIMATE	
			Unit	Total	Unit	Total
1	L.S.	Mobilization	\$1,500.00	\$1,500.00	\$5,000.00	\$5,000.00
78	C.Y.	Common Excavation	\$190.00	\$14,820.00	\$40.00	\$3,120.00
78	C.Y.	Embankment (Type B)(MR-90)	\$21.00	\$1,638.00	\$25.00	\$1,950.00
1	Mgal	Water (Grading) (Set Price)	\$6.00	\$6.00	\$6.00	\$6.00
50	L.F.	Curb & Gutter Combined (2'x6")(AE)(R&R)	\$54.00	\$2,700.00	\$50.00	\$2,500.00
15	L.F.	Edge Curb(6")(AE)	\$10.00	\$150.00	\$15.00	\$225.00
21	S.Y.	ADA Curb Ramp	\$200.00	\$4,280.00	\$200.00	\$4,280.00
20	S.Y.	ADA Curb Ramp w/ Panel	\$320.00	\$6,304.00	\$250.00	\$4,925.00
574	S.Y.	Concrete Sidewalk (4" Plain) (AE)	\$60.00	\$34,440.00	\$60.00	\$34,440.00
69	S.Y.	Concrete Pavement (6" Reinf) (AE) R&R	\$150.00	\$10,350.00	\$90.00	\$6,210.00
200	L.F.	Temporary Slope Barrier (Silt Fence)	\$7.00	\$1,400.00	\$6.00	\$1,200.00
5	Ea.	Inlet Sediment Barrier	\$230.00	\$1,150.00	\$150.00	\$750.00

**CITY OF EMPORIA, KS
 BID TABULATION
 FOR CONSTRUCTION OF 2020 SIDEWALK IMPROVEMENTS PROJECT 19pathg**

March 10, 2020

Quantity	Units	Description	Emporia Construction & Remodeling, Inc. Emporia, KS		CITY ENGINEERS ESTIMATE	
			Unit	Total	Unit	Total
1	L.S.	Sediment Removal (Set Price)	\$35.00	\$35.00	\$35.00	\$35.00
1	L.S.	Seeding, Fertilizer & Mulch (Permanent)	\$3,000.00	\$3,000.00	\$2,500.00	\$2,500.00
1	Hr.	Flagger (Set Price)	\$25.00	\$25.00	\$25.00	\$25.00
1	L.S.	Traffic Control	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
TOTAL AMOUNT OF BASE BID:				<u>\$85,798.00</u>		<u>\$71,166.00</u>
Quantity	Unit	Description	Unit	Total	Unit	Total
Add Alternate No. 1						
25	C.Y.	Common Excavation	\$190.00	\$4,750.00	\$40.00	\$1,000.00
11	L.F.	Curb & Gutter Combined (2'x6")(AE)(R&R)	\$54.00	\$594.00	\$50.00	\$550.00
5	S.Y.	ADA Curb Ramp w/ Panel	\$320.00	\$1,600.00	\$250.00	\$1,250.00
141	S.Y.	Concrete Sidewalk (4" Plain) (AE)	\$54.00	\$7,614.00	\$60.00	\$8,460.00
1	L.S.	Seeding, Fertilizer & Mulch (Permanent)	\$520.00	\$520.00	\$900.00	\$900.00

**CITY OF EMPORIA, KS
 BID TABULATION
 FOR CONSTRUCTION OF 2020 SIDEWALK IMPROVEMENTS PROJECT 19pathg**

March 10, 2020

Quantity	Units	Description	Emporia Construction & Remodeling, Inc. Emporia, KS		CITY ENGINEER'S ESTIMATE	
			Unit	Total	Unit	Total
1	L.S.	Traffic Control	\$300.00	\$300.00	\$750.00	\$750.00
TOTAL OF ADD ALTERNATE NO. 1:				<u>\$15,378.00</u>		<u>\$12,910.00</u>
TOTAL OF BASE BID & ADD ALTERNATE NO. 1:				<u>\$101,176.00</u>		<u>\$84,076.00</u>

AGENDA ITEM SUMMARY

MEETING DATE: March 18, 2020

ITEM NUMBER: 8

SUBJECT: Report from the City Manager on City Activities

RECOMMENDATION: This is a verbal report that announces upcoming events, recognizes employees for outstanding contributions and provides the public with information that may be of general interest.

BACKGROUND SUMMARY: This is an opportunity 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.

March 25th Study Session

- Discuss Fire Apparatus
- Review of Downtown Parking Enforcement.

Joint Luncheon w/MUPP Board

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

COMMISSION MEETING

1:30 P.M.

MARCH 4, 2020

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, March 4, 2020, in the City Commission Meeting Room with Vice-Mayor Gilligan presiding and Commissioners Brinkman, Geitz, and Smith present. Mayor Giefer was absent. Also present were City Manager McAnarney, Assistant City Manager Massey, City Clerk Sull and City Attorney Montgomery.

Consent Agenda

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

- a. Consider minutes of the Regular Meeting held on February 19, 2020.
- b. Consider ratification of Payroll Ordinance for the period ending on February 28, 2020.

The vote follows: Commissioner Geitz, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Vice-Mayor Gilligan, aye.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments. No comments were made at this time.

**PARK DEPARTMENT
(Kansas Department of Wildlife, Parks and Tourism)
(2020 Annual Operations and Maintenance Assurance Agreement)**

City Manager McAnarney stated the City of Emporia has worked with the Kansas Department of Wildlife, Parks and Tourism for several projects which include project in Jones Park, David Traylor Zoo and C of E Park. He stated this agreement is required on an annual basis and staff is recommending approval for 2020.

Commissioner Smith made a motion authorizing the Vice-Mayor to sign the 2020 Annual Operation and Maintenance Assurance agreement with the Kansas Department of Wildlife, Parks and Tourism. Commissioner Geitz seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Brinkman, aye; and Vice-Mayor Gilligan, aye.

**CITY COMMISSION
(Board Appointments)**

Convention and Visitors Advisory Board:

It was moved by Commissioner Geitz, seconded by Commissioner Smith that Matthew C. Fowler be appointed to the Convention and Visitors Advisory Board for a term that expires on December 31, 2022. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; and Vice-Mayor Gilligan, aye.

Building Trades Board:

It was moved by Commissioner Geitz, seconded by Commissioner Brinkman that Shawn Garriott, Master Electrician; Carl Richardson, Master Plumber; and K.C. Crist, Master Mechanical be appointed to the Building Trades Board for terms that expire on December 31, 2023. The vote follows: Commissioner Geitz, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Vice-Mayor Gilligan, aye.

**SANITATION
(Equipment Purchase - One New Solid Waste Truck)
(Bids)**

Keith Senn, Sanitation Supervisor, was recognized and addressed the Governing Body. He stated bids were received for one new solid waste truck to be used for residential pickup. This will be a replacement for a automated side load packer body and chassis. He stated we will be trading in a 2010 Crain Carrier with a 2010 LaBre side load body #310. The trade in unit has 67,038 miles and 14,000 hours on it. The bids are as follows:

BID TABULATION FOR SIDE LOAD PACKER TRUCK

Vendor	Chassis Make Model	Body Make Model	Bid Price	Trade-in Value of #310	Total Cost
Downing Sales & Service	2020 Crane Carrier	2020 Curbtender Hammer Pac	\$263,350.00	\$30,000.00	\$233,350.00
Downing Sales & Service	2020 Crane Carrier LET-2	2020 Bridgeport Ranger	\$263,802.00	\$30,000.00	\$233,802.00

Downing Sales & Service	2021 Mack LR42R	2020 Curbtender Hammer Pac	\$246,471.00	\$30,000.00	\$216,471.00
Key Equipment	2020 Crane Carrier LET-2	2020 Labrie Automiser	\$288,545.00	\$12,000.00	\$276,545.00
Eliot Equipment	2020 Crane Carrier LET-2	2020 New Way Sidewinder	\$263,995.00	\$30,000.00	\$233,995.00

He stated there is \$275,000.00 budgeted for this purchase. A total of five bids were received. Low bid was from Downing Sales & Service for a total of \$216,471.00; however, staff is not recommending purchase of the low bid. The low bid equipment is not consistent with the remainder of the the trucks and there is no local service available for the equipment. He stated staff was recommending the purchase of a 2020 Crane Carrier LET-2 chassis with a 2020 New Way Sidewinder automated packer body from Eliot Equipment for \$233,995.00 including trade-in of #316.

Following further discussion, Commissioner Smith made a motion to award the bid for one new solid waste truck to Eliot Equipment for a 2020 Crane Carrier LET-2 with a New Way Sidewinder automated packer body for the purchase price of \$233,995.00. Commissioner Brinkman seconded the motion. The vote follows; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Vice-Mayor Gilligan, aye.

**POLICE DEPARTMENT
(Equipment Purchase - Police Vehicles)
(Bids)**

Ed Owens, Interim Police Chief, was recognized and addressed the Governing Body. He stated bids were received for three new police vehicles. The old vehicles that will be replaces with the new ones will be transferred down to other departments in order to get as much extended life as possible from each vehicle. The City has disposed of trade-in vehicles earlier this year through Purple Wave Auctions. The 2020 budget for replacing three police patrol vehicles is \$162,300.00. The bids are as follows:

BID TABULATION FOR 2020 POLICE CARS

	Year/Make	Cost Each	Total for 3 cars
John North Ford 3002 W. Hwy 50 Emporia, KS	2020 Ford Interceptor		
	AWD Utility	\$34,380.00	\$103,140.00
	AWD Utility Hybrid	\$37,531.00	\$112,593.00
Emporia Motors 2815 W. Hwy 50 Emporia, KS	2020 Dodge Durango		
	AWD Utility	\$32,330.00	\$ 96,990.00
	AWD Utility Hybrid	\$32,330.00	\$ 96,990.00 **
Longbine Auto 3012 W Hwy 50 Emporia, KS	No Bid	No Bid	No Bid

**Dodge does not make a hybrid Durango. There was an error by Emporia Motors in submitting the bid.

He stated the low bid was submitted by Emporia Motors for the 2020 Dodge Durango. The patrol fleet is built of mainly AWD Ford Interceptor SUVs. To equip three new patrol vehicles is will cost approximately \$60,000.00. He stated some of the equipment can be used from the old car to the new car. If the Dodge Durango is purchased, to equip the new vehicle the cost will be significantly higher, making the Durango unaffordable. The AWD Ford Interceptor SUV's have been reliable and the performance has been exceptional. He stated last year the 2019 Ford AWD Utility Hybrid vehicles were purchased in an effort to increase fuel cost savings. Those vehicles were delayed in the delivery date and have not been put into service to compare any cost savings in fuel consumption. He stated the Hybrid SUV will be evaluated during the year and an update to the commission will be on fuel cost savings and reliability of the vehicle. He stated staff was recommending awarding the bid for three new 2020 Ford Interceptor AWD Utility, (not the Hybrid) for a total cost of \$103,140.00 to John North Ford.

Following further discussion, Commissioner Geitz made a motion to award three new 2020 Ford Interceptor AWD Utility police vehicles for a total of \$103,140.00 to John North Ford. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; and Vice-Mayor Gilligan, aye.

**SIDEWALK
(2020 Hazardous Sidewalk Program)
(Bids)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated bid were received for the 2020 Hazardous Sidewalk Program. The bid received is intended for setting unit prices for each individual project line item. Bid totals were achieved by multiplying these unit prices with initial estimated quantities from the list of individual site work projected for the 2020 Hazardous Sidewalk program.

BID TABULATION FOR 2020 HAZARDOUS SIDEWALK PROGRAM

Contractor	Base Bid
Emporia Construction & Remodeling	\$59,256.00
Engineer's Estimate	\$54,200.00

The 2020 Hazardous Sidewalk Program is budgeted at \$75,000.00. Additional quantities will be added to the contract throughout the year. The program also allows the homeowner the option to hire their own bonded contractor to replace their sidewalk at these set unit prices. He stated only one bid was submitted for the sidewalk program. Emporia Construction & Remodeling has been consistent for bidding on sidewalks within the City and staff is recommending awarding the bid for the 2020 Hazardous Sidewalk Program to Emporia Construction & Remodeling in the amount of \$59,256.00.

Commissioner Smith made a motion to award the bid for the 2020 Hazardous Sidewalk Program to Emporia Construction & Remodeling in the amount of \$59,256.00. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Vice-Mayor Gilligan, aye.

**ENGINEERING
(Consider Accepting a General Utility Easement)
(Organ's Subdivision - Hammond Heights)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the residents of Hammond Heights have requested gas service to the portion of their addition that abuts Hammond Park. He stated Kansas Gas Service is requesting a 20-foot Utility Easement on City Park property. GeoTech, Inc., prepared the general utility easement for

Kansas Gas Service, which conveys authority for construction and maintenance of utilities within its described boundaries.

Commissioner Geitz made a motion authorizing the acceptance of the general utility easement for the purpose of construction and maintenance of utilities in a 20 foot utility easement that abuts Hammond Park. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; and Vice-Mayor Gilligan, aye.

**INDUSTRIAL REVENUE BONDS
(Emporia Downtown Redevelopment Group, LLC project)
(Roosevelt Plaza & Lofts/Legacy Lofts)
(Public Hearing)**

City Manager McAnarney stated in accordance with Kansas Statutes, the City of Emporia is required to give public notice and conduct a public hearing in conjunction with the granting a tax exemption relating to issuance of Industrial Revenue Bonds. The bonds proposed to be issued in an estimated amount not exceeding \$4,800,000.00 to finance the costs of purchasing, acquiring, constructing, furnishing and equipping a mixed use building know as Roosevelt Plaza & Lofts at 1102 Commercial Street and a three story building known as Legacy Lofts at 1102 Mechanic Street.

Vice-Mayor Gilligan then declared the public hearing opened.

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

**INDUSTRIAL REVENUE BONDS
(Emporia Downtown Redevelopment Group, LLC project)
(Roosevelt Plaza & Lofts/Legacy Lofts)
(Resolution Number 3628)**

City Manager McAnarney stated this resolution authorizes the Governing Body to exempt certain property acquired with proceeds of Industrial Revenue Bonds in the approximate amount of \$4,750,000. for Roosevelt Plaza & Lofts and Legacy Lofts. This resolution amends Resolution Number 3604 on February 21, 2018 from \$4,300,000.00 to

\$4,750,000.00 for tax exemption for up to ten years.

Commissioner Geitz made a motion approving Resolution Number 3628, a resolution authorizing the Governing Body of the City of Emporia, Kansas to exempt certain property acquired with proceeds of Industrial Revenue Bonds and amending Resolution Number 3604 for Emporia Downtown Redevelopment Group, LLC project. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; and Vice-Mayor Gilligan, aye.

**ECONOMIC DEVELOPMENT
(Cargill, Incorporated - Tax Exemption on Real Property)
(Public Hearing)**

City Manager McAnarney stated City Commissioner had previously approved an Incentive Compliance Agreement to exempt property taxed on the 2018-19 real property improvements associated with the Cargill, Incorporated business expansion. The agreement provided for a ten-year property tax exemption on the real property associated with the expansion. He stated Cargill, Incorporated has completed the expansion project and met the criteria that was established by the City Commission in the Incentive Compliance Agreement.

Vice-Mayor Gilligan than declared the public hearing opened.

Kent Heermann, President of RDA, spoke in favor of the tax exemption of the expansion of Cargill, Incorporated.

David Belpedio, representing Cargill, Incorporated, thanked City Management and City Commissioners for working with Cargill on the exemption from taxation associated with Cargill's expansion: He stated Cargill expanded to a new 50,500 sq. ft. warehouse to houses product shipped throughout the midwest; Emporia facility is the flagship Dog Food Manufacturing plant; Cargill's goal is to make higher end products; recent expansion was \$4.5M warehouse in proximity to existing manufacturing facility saving on transportation costs; currently \$1.6M is slated to be spent in 2021 for machinery and equipment; 2022 will bring investment of \$2.5M for additional expansion to house a Micro Ingredients Storage area; expand operations to a fourth shift to bring production to 7 days a week

with potential addition of 11 employees.

As no one else in attendance wished to address the Governing Body, Vice-Mayor Gillian then declared the public hearing closed.

**ECONOMIC DEVELOPMENT
(Cargill, Incorporated - Tax Exemption on Real Property)
(Ordinance Number 20-06)**

AN ORDINANCE EXEMPTING CERTAIN PROPERTY FROM AD VALOREM TAXATION FOR ECONOMIC DEVELOPMENT PURPOSES IN EMPORIA, LYON COUNTY, KANSAS, to which the City Clerk assigned Ordinance Number 20-06, was presented to the Governing Body for their consideration.

Commissioner Brinkman made a motion to approve Ordinance Number 20-06, an ordinance exempting certain property from ad valorem taxation of the real property improvements associated with the 2018-19 business expansion of Cargill, Incorporated. Commissioner Geitz seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Geitz, aye; Commissioner Smith, aye; and Vice-Mayor Gilligan, aye.

**OFF THE AGENDA ITEM
(Municipal Airport)
(House at 1278 Road K)**

Assistant City Manager Massey, was recognized and addressed the Governing Body. He stated the City of Emporia currently owns a house located at 1278 Road K due to the Municipal Airport Protection Zone project. He stated there has been a bid for \$2,000.00 to purchase and move the house from that location by Pamela Landis. He stated the City wishes to sell the house and retain ownership of land for the Airport Protection Zone project. The house is being sold "as is" and the purchaser is required to remove the house from the property by April 30, 2020. He stated staff is recommending the Vice-Mayor sign the agreement for the purchase and removal of the building for the house currently located at 1278 Road K.

Commissioner Geitz made a motion authorizing the Vice-Mayor to sign the agreement for the purchase and removal of the house currently located at 1278 Road K and to pay the City of Emporia \$2,000.00. Commissioner

Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; and Vice-Mayor Gilligan, aye.

**CITY COMMISSION
(City Manager's Report)**

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

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

Tentative Agenda for March 18th Study Session

Update on Commission Goals.

Review of Downtown Parking Enforcement.

Discuss Sidewalk Plan at Peter Pan Park.

Kansas Free for Arts/Halfway to Everywhere Festival.

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

Rob Gilligan, Vice-Mayor

ATTEST:

Kerry Sull, City Clerk