

COMMISSION MEETING

7:00 P.M.

JULY 15, 2020

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, July 15, 2020, with Mayor Giefer presiding and Commissioners Brinkman, Geitz, Gilligan and Smith present. Also present were City Manager McAnarney, Assistant City Manager Massey, 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. **The following is general information for the month of June for the community:**

- 1. Monthly Local Retail Sales Tax Receipts Update

	2019	2020	
	\$402,590.85	\$393,788.13	Decrease of \$8,802.72 for the month, and
YTD	\$ 2,413,729.26	\$ 2,418,125.99	Overall increase of 0.18% from year 2019

- 2. City Share from County Tax

	2019	2020	
	\$ 193,377.71	\$203,615.11	Increase of \$10,237.40 for month, and
YTD	\$1,185,663.61	\$1,240,499.18	Overall increase of 4.62% from year 2019

- 3. Building Permits issued from 6/1/2020 to 6/30/2020 for new construction, remodeling, repairs and demolition.

Total number of building permits issued through Code Services:	95
Total of valuations associated with those building permits:	\$1,467,915.00
Total number of dollars collected for Building Permit Fees:	\$ 12,848.75
Construct - single family dwellings	1
Demo - single family dwellings	1

Flint Hills Mall CID for June	\$ 14,753.12
Year to Date Total	\$ 94,321.42

Consent Agenda

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

- a. Consider minutes of the Regular Meeting held on July 1, 2020.
- b. Consider ratification of Payroll Ordinance for the period ending on July 3, 2020.
- c. Consider the Approval of June Budget.

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

**CITY COMMISSION
(Public Comment)**

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

**CITY COMMISSION
(Board Appointment)**

Flint Hills Technical College Advisory Board:

It was moved by Commissioner Geitz, seconded by Commissioner Gilligan that Brian Potter be appointed to the Flint Hills Technical College Advisory Board for a term that expires on June 30, 2024. The vote follows: Commissioner Geitz, aye; Commissioner Gilligan, aye; Commissioner Smith, aye; Mayor Giefer, aye; and Commissioner Brinkman, nay.

**WATER SERVICE
(Rural Water District #2 Coffey County)
(Water Supply Agreement)**

City Attorney Montgomery was recognized and addressed the Governing Body. She stated Rural Water District #2 Coffey County has signed a Water Supply Agreement. The contract provides for purchase of water by the water district at a minimum of 2 million gallons and a maximum of 4 million gallons per month. Water use in excess of 4 million gallons per month incurs a 10% penalty. The purchase rate is established by City Code Section 28-42. She stated this agreement provides that the City has discretion to approve the sale of water to a major water consuming business locating within the water district territory. Either party may request to reopen the agreement due to a material change in circumstances. The term of this contract shall be ten (10) years from the date of execution until July 15, 2030, unless renewed or extended by mutual written consent of the parties. She stated staff was recommending approval and authorizing the Mayor to sign the Water Supply Agreement.

Commissioner Gilligan made a motion to approve the Water Supply Agreement with Rural Water District #2 Coffey County and authorize the Mayor to sign the agreement. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Brinkman, aye;

Commissioner Geitz, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

ENGINEERING
(Industrial Park III)
(2020 Street Resurfacing & Drainage Improvements Project NO. PV2004)
(KDOT Project No. 56 KA-5730-01)
(Bid)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated one bid was received for the Industrial Park III 2020 Resurfacing & Drainage Improvements Project No. PV2004. The following is the bid received and the Engineer's Estimate.

Contractor	Base Bid	Add Alternate No. 1 Bid	Add Alternate No. 2 Bid	Grand Total Base, Add Alternate 1 & 2
APAC-KS, Inc. Shears, Div.	\$500,923.71	\$35,311.57	\$49,281.15	\$585,516.23
Engineer's Est.	\$570,558.30	\$33,540.00	\$50,205.00	\$654,303.30

The project includes collector streets and storm sewer system on Weaver Street, from BNSF RR to Logan Avenue and K-99 Highway, South Avenue, Weaver Street to East Street and Logan Avenue, Weaver Street to Warren Way. The project includes mill and overlay of asphalt surface, subgrade improvements in selected areas, curb and gutter, valley gutter and some storm sewer. He stated the project is funded with the City's KDOT Federal Fund Exchange Money (35%) and KDOT Economic Development Money (75%). He stated this project is not to exceed \$700,000. Staff is recommending awarding the project to APAC-KS, Inc., Shears Division for the Base Bid plus both Bid Alternates 1 & 2 for the total amount of \$585,516.23. He stated this amount is within the Engineer's Estimate and the City's overall budget for the project.

Commissioner Smith made a motion to award the bid to APAC-KS, Inc., Shears, Division for the 2020 Street Resurfacing & Drainage Improvements Project No. PV2004 for a total base bid amount of \$500,923.51 and Add Alternate No. 1 of \$35,311.57, and Add Alternate No. 2 of \$49,281.15 for a total bid amount of \$585,516.23. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Gilligan,

aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Giefer, aye.

PAVING
(Accept Agreement KDOT CCLIP US-50 - 6th Avenue & Prairie St.)
(Intersection Improvements Project No. PV1909)
(KDOT Project NO. 50-56 KA-5412-01)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the Kansas Department of Transportation (KDOT) has awarded City of Emporia \$600,000.00 through the CCLIP program with the City's portion being 10% of the project. The CCLIP Geometric Street Improvements project will address road and traffic signal improvements at 6th Avenue and Prairie Street. The CCLIP Project is funded in KDOT fiscal year 2022 with the City's share paid out of the Multi Year Fund. He stated staff is recommending accepting the KDOT CCLIP US-50 6th Avenue and Prairie Street Intersection Improvements Project No. PV1909 and authorize the Mayor to sign the Agreement.

Commissioner Smith made a motion to accept the KDOT CCLIP US-50 6th Avenue and Prairie Street Intersection Improvement Project No. PV1909, KDOT Project NO. 50-56-KA-5412-01 and authorize the Mayor to sign the agreement. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; Commissioner Gilligan, aye; and Mayor Giefer, aye.

PAVING
(Accept Selection of BG Consultants, Inc. as Project Engineer)
(KDOT CCLIP US-50 - 6th Avenue & Prairie St.)
(Intersection Improvements Project No. PV1909)
(KDOT Project NO. 50-56 KA-5412-01)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated as part of the process for the CCLIP program it requires a selection committee to choose an engineering consultant through the quality based process. Request for Qualifications were sent out to several engineering firms. Two engineering firms responded and based on qualifications for this project staff is recommending accepting the selection of BG Consultants, Inc. He stated KDOT has also approved BG

Consultants, Inc., for project.

Following further discussion, Commissioner Smith made a motion to accept the selection of BG Consultants, Inc. as the project engineer for the contract KDOT CCLIP US-50 6th Avenue & Prairie Street Improvements Project No. PV1909, KDOT Project No. 50-56-KA-5412-01. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Giefer, 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 JULY 22th STUDY SESSION@ 9:00 A.M.

Fire Truck Purchase.
Review Non-Personnel Funds & 5-year plan.
Update of New Floodplain Map.
Discuss the Vacating of Road K.
Discuss New Website.
Discuss ICA w/Fanestil.
Discuss Sidewalk Plan at Peter Pan Park.
Pickle Ball Courts Discussion.
Discuss Park Projects.
CDGB Covid-19 Update

EXECUTIVE SESSION

Commissioner Gilligan made a motion to adjourn into Executive Session to discuss proprietary information of a potential residential developer and to invite Special Projects Manager Jim Witt from 7:25 p.m. to 7:30 p.m., in the City Commission Meeting Room. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner

Brinkman, aye; Commissioner Geitz, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

Upon reconvening the meeting in Regular Session, at 7:30 p.m., this same date, in the City Commission Meeting Room, Mayor Giefer stated they had discussed proprietary information of a potential residential developer and no action was taken.

EXECUTIVE SESSION

Commissioner Gilligan made a motion to adjourn into Executive Session for preliminary information of a potential retail/service developer and to invite Special Projects Manager Jim Witt and City Engineer Jim Ubert, from 7:30 p.m. to 7:45 p.m., in the City Commission Meeting Room. Commissioner Geitz seconded the motion. The vote follows: Commissioner Gilligan, aye; Commissioner Geitz, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and Mayor Giefer, aye.

Upon reconvening the meeting in Regular Session, at 7:45 p.m., this same date, in the City Commission Meeting Room, Mayor Giefer stated they had discussed preliminary discussion regarding a potential retail/service developer and no action was taken.

Commissioner Smith then made a motion to adjourn to Wednesday, July 22, 2020 at 10:30 a.m., in the City Commission Meeting Room. Commissioner Gilligan seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Gilligan, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Giefer, aye.

Danny Giefer, Mayor

ATTEST:

Kerry Sull, City Clerk