

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	2020 Ford Interceptor		
3002 W. Hwy 50	AWD Utility	\$34,380.00	\$103,140.00
Emporia, KS	AWD Utility Hybrid	\$37,531.00	\$112,593.00
Emporia Motors	2020 Dodge Durango		
2815 W. Hwy 50	AWD Utility	\$32,330.00	\$ 96,990.00
Emporia, KS	AWD Utility Hybrid	\$32,330.00	\$ 96,990.00 **
Longbine Auto			
3012 W Hwy 50	No Bid	No Bid	No Bid
Emporia, KS			

**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