

COMMISSION MEETING**7:00 P.M.****JANUARY 20, 2021**

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, January 20, 2021, with Mayor Gilligan presiding and Commissioners Brinkman, Geitz, Giefer 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 December for the community:**

1. Monthly Local Retail Sales Tax Receipts Update

	2019	2020	
	\$413,482.82	\$417,750.68	Increase of \$4,267.86 for the month, and
			Overall increase of 0.62% from year 2019
YTD	\$ 4,960,937.71	\$ 4,991,594.83	

2. City Share from County Tax

	2019	2020	
	\$203,954.48	\$208,371.40	Increase of \$4,416.92 for month, and
			Overall increase of 2.9% from year 2019
YTD	\$2,463,818.17	\$2,535,236.18	

3. Building Permits issued from 12/1/2020 to 12/31/2020 for new construction, remodeling, repairs and demolition.

Information for December and January will be provided at the meeting on February 17, 2021.

Flint Hills Mall CID for December	18,218.66
Year to Date Total	\$ 217,146.77

Consent Agenda

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

- a. Consider minutes of the Meeting held on January 6, 2021 and the Adjourned Meeting held on January 13, 2021.
- b. Consider ratification of Payroll Ordinance for the period ending on January 1, 2021.
- c. Consider the Approval of December Budget.
- d. Consider Set Bid Time and Date for New Police Vehicles.
- e. Consider Set Bid Time and Date to receive Bids for the 30th Avenue Paving Improvements Project No. PV2006.

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

CITY COMMISSION
(Public Comment)

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

EMPORIA PUBLIC LIBRARY
(Replacement of Roof and Skylight)

Tim Frevert, Purchasing Agent, was recognized and addressed the Governing Body. He stated the replacement of the library skylight and roof was previously discussed. Staff was directed to work with an engineer/architect to design a new skylight and new roofing cover. The Request for Proposal was sent to 19 construction contractors and only one contractor attended the pre-bid conference and one bid was received. The single bid received was from Mitchell-Markowitz Construction in the amount of \$218,750.00. He stated during the initial discussion of this item, staff was directed that bids may be accepted without the item returning to the Commission for approval unless bids exceed the budgeted amount by 20%. The budgeted amount for this project is \$114,000.00. He stated the bid was considerably higher due to contractors are busy and covid has affected the cost of materials.

City Manager McAnarney stated the Multi-Year Fund will pay for the additional cost for this project.

Following further discussion, Commissioner Giefer made a motion to award the project to Mitchell-Markowitz for the replacement of the Emporia Public Library roof and skylight in the amount of \$218,750.00. Commissioner Smith seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Smith, aye; Commissioner

Brinkman, aye; and Mayor Gilligan, aye. Commissioner Geitz abstained from the vote.

CITY COMMISSION
(Consider Amending City Code Section 16-266)
(Requiring Individuals to Wear Face Masks)
(Ordinance Number 21-01)

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS REQUIRING INDIVIDUALS TO WEAR MASKS OR OTHER FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND AMENDING CITY CODE SECTION 16-266, to which the City Clerk assigned Ordinance Number 20-34, was presented to the Governing Body for their consideration.

City Attorney Montgomery, was recognized and addressed the Governing Body. She stated City Code Sec. 16-266 requiring individuals to wear face masks or other face coverings in certain circumstances is scheduled to expire January 26, 2021 at 11:59 p.m. This new ordinance proposal extends the expiration date to February 23, 2021 at 11:59 p.m. All other mask or face covering requirements pursuant to Sec. 16-266 would remain the same.

Following further discussion, Commissioner Giefer made a motion to approve Ordinance Number 21-01, an ordinance amending City Code Sec. 16-266, pertaining to face masks, extending the expiration date to February 23, 2021, at 11:59 p.m. Commissioner Geitz seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Geitz, aye; Commissioner Brinkman, aye; Commissioner Smith, aye; and 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 JANUARY 27, 2021

Chief Elected Officials Agreement & Public Meetings.
Review RHID Policies.
Update for Ordinance for Alcohol to Minors.
Discuss Buildings.
Discuss Pickle Ball Court Agreement.
Post Construction Stormwater Ordinance Discussion.
Risk and Resilience Plan and Emergency Response Plan for the Water Treatment Plant.
Discuss Development of Skateboard Park on South Avenue.
Discuss 2021 Street Rehab.
Discuss Projects to be funded with State Water Loan.

EXECUTIVE SESSION

Commissioner Brinkman made a motion to adjourn into Executive Session to discuss proprietary information of a private business and to invite Special Project Manager, Jim Witt from 7:14 p.m. to 7:39 p.m., in the City Commission Meeting Room. Commissioner Smith seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Smith, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

Upon reconvening the meeting in Regular Session, at 7:39 p.m., this same date, in the City Commission Meeting Room, Mayor Gilligan stated they had discussed proprietary information of a private business and no action was taken.

Commissioner Smith then made a motion to adjourn. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith,

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

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk