

COMMISSION MEETING

11:00 A.M.

AUGUST 3, 2022

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, August 3, 2022, with Mayor Smith presiding and Commissioners Brinkman, Giefer, and Sauder present. Commissioner Harter was present via phone. Also present were City Manager Cocking, Assistant City Manager Massey, City Clerk Sull and City Attorney Montgomery.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments.

The public is invited to make comments at this time. Please limit comments to two (2) minutes each. Hate speech, profanity, and defamation are not allowed. Please state your name and address prior to making comments.

Chuck Torres, 203 Anderson Olpe, Kansas, was recognized and addressed the Governing Body. Mr. Torres stated he was running for House of Representative as a candidate in the 76th District, which covers a portion of Emporia. He stated he was looking forward to putting in the hard work as a candidate.

No other comments were made at this time.

**CITY COMMISSION
(Board Appointment)**

Natural Resources Advisory Board:

It was moved by Commissioner Sauder seconded by Commissioner Giefer that Nadia Qureshi be appointed to the Natural Resources Advisory Board (NRAB) to fill an unexpired term that expires December 31, 2022. The vote follows: Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

PAVING
(KDOT CCLIP Surface Preservation Project)
(US-50 Hwy - 6th Ave. From Prairie St. To Neosho St.)
(Project No. PV2201 & KDOT Project No. 56 U-2390-01)
(Bid)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the City entered into an agreement with KDOT Bureau of Local Projects for this project. The agreement stated that KDOT will fund 90% of total actual costs of construction and construction engineering not to exceed \$300,000. The City will be responsible for 10% of total actual costs of construction and construction engineering after the Secretary's funding limit is reached, 100% of the cost of preliminary engineering, right of way, utility adjustments and 100% of non-participating costs.

BID TABULATION KDOT CCLIP PROJECT

Contractor	Bid
Bettis Asphalt	\$686,636.90
APAC-Kansas	\$783,007.88
Killough Construction	\$717,953.00
Engineer's Estimate	\$690,258.20

He stated staff is recommending to award the bid to Killough Construction in the amount of \$717,953.00, subject to KDOT Local Projects concurrence. Killough Construction can start the project within the contract start times. He stated the lowest bidder, Bettis Asphalt, submitted an unresponsive bid in which they could not start the project until the project would be in liquidated damages and would not finish the project until Spring of 2023. He stated the City's Share will be paid for from the Multi-Year Fund.

Follow further discussion, Commissioner Brinkman made a motion to award the bid for the KDOT CCLIP Surface Preservation Project Bid, Project No. PV2201 to Killough Construction in the amount of \$717,953.00, subject to KDOT approval. Commissioner Sauder seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner

Sauder, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

Consent Agenda

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

- a. Consider minutes of the Regular Meeting held on July 20, 2022.
- b. Consider ratification of Payroll Ordinances for the period ending on July 15, 2022.
- c. Set Bid Date & Time for Zoo Education Parking Lot Improvements Project No. Z02102.

The vote follows: Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, 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 August 17, 2022, 11:00 a.m.

- Award Bid 18th Avenue and County Road.
- Award South Arundel Sanitary Sewer Project SS1903.
- Ordinance for Bond Authorization for Flint Hills Crossing Improvements, Water Sewer and Street.
- Flint Hills Crossing Memorandum of Understanding (MOU).
- Charter Ordinance to raise Bonding Authority.
- Consider Approval of Minor Plat for Kwik Shop Addition.
- Approve 2022 49th Edition of Standard Traffic Ordinance.

Study Session:

- Update on Health Insurance
- Discuss Purchasing Policy.

- Establishing Storm Water Utility Fee.
- Discuss Uniform Public Offense Code (UPOC).
- Continued Budget Discussion.

**CITY COMMISSION
(Public Comment)**

This is the time for Mayor and City Commissioners to make comments and reports to the public. No comments were made at this time.

EXECUTIVE SESSION

Commissioner Brinkman made a motion to adjourn into Executive Session to discuss proprietary information of third parties for potential economic development projects and to invite Special Projects Manager Jim Witt, from 11:14 a.m. to 11:24 a.m., in the City Commission Meeting Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

Upon reconvening the meeting in Regular Session at 11:24 a.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had discussed proprietary information of third parties for potential economic development and no action was taken.

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

Becky Smith, Mayor

ATTEST:

Kerry Sull, City Clerk