

COMMISSION MEETING

11:00 A.M.

SEPTEMBER 21, 2022

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, September 17, 2022, with Mayor Smith presiding and Commissioners Brinkman, Giefer, Harter and Sauder present. Also present were City Manager Cocking, 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 stated your name and address prior to making comments.

**DAVID TRAYLOR ZOO
(2022 AZA Accreditation)**

Lisa Keith, Zoo Director; Zoo and Park staff; and members of EFOZ were recognized and addressed the Governing Body. She stated every five years the David Traylor Zoo goes through the accreditation process that is conducted by the Association of Zoos and Aquariums (AZA). The accreditation process includes a detailed application and a meticulous on-site inspection of trained zoo and aquarium professionals. The inspecting team observes all aspects of the facility's operation, including animal care and welfare; keeper training; safety for visitors, staff and animals; education programs; conservation efforts, veterinary programs financial stability, risk management; visitor services; and more. After the final interview at a formal hearing in front of the Accreditation Commission, the AZA Accreditation was granted to the David Traylor Zoo.

The Commission thanked the David Traylor Zoo Team, staff and members of Emporia Friends of the Zoo for their hard work and dedication.

CITY COMMISSION
(Application Moderate Income Housing Grant - \$650,000.00)
(Kansas Housing Resources Corporation)
(Resolution Number 3678)

Jim Witt, Special Project Coordinator, was recognized and addressed the Governing Body. He stated this grant is offered by the Kansas Housing Resources Corporation for the development of housing for moderate-income occupants. The City has utilized this program in the past with a grant that produced the construction of six new home from 2017 through 2020. A developer group is requesting \$650,000.00 from the corporation. The application for funding from the Kansas Housing Resources Corporation is due by October 1, 2022.

Cory Haag, Haag Development, and Ross Vogel, Heartland Housing, were recognized and addressed the Governing Body. They stated the current proposal for this year's grant includes the construction of 24 two-bedroom, one bath duplex housing units. Four buildings housing two units each will be constructed at 412, 416 E. 12th Avenue, called Winston Lofts; 1124 and 1128 Union Street, called Senate Lofts; and 1106 and 1110 Mechanic Street, called Mallory Square. This project will remove six dilapidated structures to accommodate the new construction.

Jim Witt stated if the MIH funding is approved as part of the total financial package the City intends to issue \$4,000,000.00 of Industrial Revenue Bonds in accordance with Kansas statutes as part of the financial package to construct the new units. He stated the obligations from the City will be described in the financial considerations plus services related to building inspections. The adopted City goal for 2022-2023 include a commitment to expand housing opportunities through new construction and this project will meet that goal. He stated staff was recommending approval of the resolution to apply for the MIH grant.

Commissioner Giefer made a motion to approve Resolution Number 3678, a resolution authorizing the City of Emporia to apply for a \$650,000.00 moderate income housing grant. Commissioner Brinkman

seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Sauder aye; and Mayor Smith, aye.

BONDS
(Authorize General Obligation Bonds - \$6,905,000.00)
(Multiple Capital Improvements in the City.)
(Ordinance Number 22-43)
(Resolution Number 3679)

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS, AUTHORIZING ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2022, IN THE PRINCIPAL AMOUNT OF \$6,905,000.00, FOR THE PURPOSE OF FINANCING THE COSTS OF MULTIPLE CAPITAL IMPROVEMENTS IN THE CITY; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING PRINCIPAL OF AN INTEREST ON SAID BONDS; AUTHORIZING OTHER RELATED DOCUMENTS AND ACTIONS; AND MAKING COVENANTS WITH RESPECT THERETO, to which the City Clerk assigned Ordinance Number 22-43, was presented to the Governing Body for their consideration.

Greg Vahrenberg, representing Raymond James & Associates, Inc., was recognized and addressed the Governing Body. He stated a public sale of the City's General Obligation Bonds Series 2022 was held at 9:00 a.m., this same date. He stated five bids were received as follows:

Bidder	True Interest Cost
Piper Sandler & Co.	3.351874%
Robert W. Baird & Co., Inc.	3.419086%
Stifel, Nicolaus & Co., Inc.	3.525243%
FHN Financial Capital Markets	3.650017%
First National Capital Markets, Inc.	3.797360%

He stated it was determined the Bonds should be awarded to Piper Sandler & Co. whose bid represented the lowest true interest cost to the City. The general obligation bonds, Series 2022 is to finance the costs of multiple capital improvements that include:

Aviation Fuel Truck
Street Department Bucket Truck

Street Sweeper
Backhoe for Street Department
Vactor Truck
30th Avenue from Crestview Drive to Prairie Street
Highland Street Improvements
Industrial Park Land Purchase
Red Brick Street Improvements
Americus Road Sewer Main
S Arundel Street Sewer Main
Actuators and Turbidity Meters at the Water Treatment Plant
Water Intake and Dam Repair

He stated the resolution is prescribing the form and details of and authorize the sale and delivery of general obligation bonds, Series 2022, in the amount of \$6,905,000.00. He stated he was recommending approval of accepting the bid from Piper Sandler & Co.; approve Ordinance 22-43 and approve Resolution Number 3679.

Commissioner Harter made a motion to accept the bid from Piper Sandler & Co., for the bid of 3.351874% for sale of General Obligation Bonds, Series 2022. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

Commissioner Harter made a motion to approve Ordinance Number 22-43, an ordinance authorizing General Obligation Bonds, Series 2022, in the principal amount of \$6,905,000.00. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

Commissioner Harter made a motion to approve Resolution Number 3679, a resolution prescribing the form and details of General Obligation Bonds, Series 2022, in the principal amount of \$6,905,000.00. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye;

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

**CITY MANAGER'S REPORTS
(Financials & Building Permits)**

This is the time for the City Manager to make comments and reports to the public. **The following is general information for the month of August 2022 for the community:**

1. Monthly Local Retail Sales Tax Receipts Update

	2021	2022	
	\$462,483.97	\$514,737.39	Increase of \$52,253.42 for the month, and
YTD	\$3,587,363.52	\$3,962,655.98	Overall increase of 10.46% from year 2021

2. City Share from County Tax

	2021	2022	
	\$238,741.23	\$ 263,349.85	Increase of \$24,608.62 for the month, and
YTD	\$1,816,851.08	\$2,016,686.99	Overall increase of 11.00% from year 2021

3. **Building Permits issued from 8/1/2022 to 8/31/2022 for new construction, remodeling, repairs and demolition.**

Total number of building permits issued through Code Services:	137
Total of valuations associated with those building permits:	\$ 5,960,490.00
Total number of dollars collected for Building Permit Fees:	\$ 28,564.00

Construct - single family dwellings	3
Demo - single family dwellings	0

Flint Hills Mall CID for August 2022	\$ 21,261.00
Year to Date Total	\$ 143,730.28

Consent Agenda

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

- a. Consider the minutes of the Regular Meeting held on September 7, 2022.
- b. Consider the ratification of Payroll Ordinance for the period ending September 9, 2022.
- c. CDBG Grant Extension.
- d. Change Order No. 2 for 6th Avenue Waterline Improvements Project No. WM2101.

The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

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

This is an opportunity for the City Manager 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.

At the time this Agenda was prepared, the following items were in the works for the tentative Agenda of October 5, 2022.

- Proclamation for Domestic Violence Awareness
- Uniform Public Offense Code.
- RFQ new water meter system.
- RFQ for elevated water towers and storage tanks maintenance.
- Contract with software consultants Client First.

Study Session

- Review Fireline Policy.
- Discuss Revision of Human Relations Commission Ordinance
- Discuss Implementation of Rental Registration and Revisions to current Vacant Property Ordinance.

Governing Body Comments:

Commissioner Brinkman read a prepared statement relating to the recent education program changes and loss of jobs at Emporia State University.

EXECUTIVE SESSION

Commissioner Sauder made a motion to adjourn into Executive Session to discuss a matter of attorney-client privilege, from 11:40 a.m. to 11:50 a.m., in the City Commission Meeting Room. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

Upon reconvening the meeting in Regular Session at 11:50 a.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had discuss a matter of attorney-client privilege and no action was taken.

EXECUTIVE SESSION

Commissioner Sauder made a motion to adjourn into Executive Session to discuss proprietary information of third parties for potential economic development and invite Special Projects Manager Jim Witt, from 11:50 a.m. to 12:10 p.m., in the City Commission Meeting Room. Commissioner Giefer seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Giefer, aye; and Mayor Smith, aye; Commissioners Brinkman and Harter were not present at the time of the vote.

Upon reconvening the meeting in Regular Session at 12:10 p.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 Giefer made a motion to recess the meeting until 12:30 p.m. to Conference Room 1AB. Commissioner Harter seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

RECESSES MEETING AT 12:30 P.M.

Dean Grant, Public Works Director, was recognized and addressed the Governing Body. He stated the current automated meter reading system that is used for water service billings is in need of replacement. He proposed an Advanced Metering Infrastructure (AMI) system. An AMI system will allow meter reading to be sent to the Water Services officer and give staff access to real-time meter usage data without leaving the office. Customers will have access to the same meter data as city staff through a customer portal. Customers can track usage periodically anytime. The estimated cost for an AMI system, meters, infrastructure, installation, and software is approximately \$2,500,000.00. The purchase and installation was budgeted in the 2022 CIP budget. The cost would be bonded between the Water and Sewer Funds. He stated staff would like to issue a Request for Qualifications for the purchase of an Advanced Metering Infrastructure (AMI) system and contract the installation of the system.

Following further discussion, Commissioner Harter made a motion to issue a Request of Qualifications for the purchase of an AMI system. Commissioner Giefer seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

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

Becky Smith, Mayor

ATTEST:

Kerry Sull, City Clerk