COMMISSION MEETING　　　　11:00 A.M.　　　　DECEMBER 7, 2022

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, December 7, 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 state your name and address prior to making comments.

Mayor Smith introduced Pauline Stacchini, Director of the Emporia Public Library.

INDUSTRIAL REVENUE BONDS
(12 Residential Duplexes by Capital Holdings, LLC)
(Resolution Number 3685)

Jim Witt, Special Projects Manager, was recognized and addressed the Governing Body. He stated at a previous Commission Meeting a resolution was approved authorizing an application for the Moderate Income Housing Grant in the amount of $650,000.00 from the Kansas Housing Resources Corporation. He stated the adoption of the proposed resolution is the first step in the eventual issuance of industrial revenue bonds in the amount of $3,500,000.00 for the purpose of purchasing, acquiring, constructing, furnishing and equipping twelve (12) residential duplexes containing 24 apartments located 412 E. 12th Avenue; 416 E. 12th Avenue; 1128 Union; 1106 Mechanic and 1110 Mechanic in the City of Emporia, Kansas. The proposed residential duplexes will help meet the adopted City goals for 2022-2023 to expand housing opportunities for new construction. The bond financed property will be eligible for sales tax exemption and property tax exemption for a term of ten years, subject to fulfillment of the conditions of the City's public incentives policy. The City is not liable for the principal or interest on the bonds under Kansas Statutes. He stated staff is recommends approval of Resolution Number 3685 regarding the intent to issue Industrial Revenue Bonds (IRB's) for Capital Holdings, LLC.

Commissioner Giefer made a motion to approve Resolution Number 3685 regarding the intent to issue Industrial Revenue Bonds (IRB's) in the amount of $3,500,000.00 for Capital Holding, LLC. Commissioner Harter seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

CITY COMMISSION
(Whittier Tract - Mahtropolis Addition)
(Development Agreement for RHID Project)

Jim Witt, Special Projects Manager, was recognized and addressed the Governing Body. He stated the Development Agreement is a requirement of the City's Housing Policy. The Agreement was developed with Gilmore and Bell and the developers' representatives. The Agreement details the responsibilities of the City and Developer with regard to the 27 lot subdivision. He stated within the Agreement the Developer provides a specific amount of a financial guarantee to the City that are contingent upon development performance. Also included are the fiscal commitments of the city. Article V of the Development Agreement contains the priorities for the reimbursement of RHID funds. He stated the City is not responsible for private infrastructure improvements that includes electric, gas, telephone and cable/fiber services. The City will issue general obligation bonds in an estimated amount of $1,057,000 for water, sewer, street and drainage improvements. The City's financial obligations, bond payment, are in first position once the RHID revenue begins to occur as stated in the Development Agreement under Article V. He stated staff is recommending accepting the Development Agreement for Mahtropolis RHID Project.

Commissioner Sauder made a motion to approve the Development

Agreement for Mahtropolis RHID Project. Commissioner Giefer seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

SOLID WASTE
(Review 2021 Annual Solid Waste Management Plan)
(Resolution Number 3684)

Dean Grant, Public Works Director, was recognized and addressed the Governing Body. He stated KDHE Regulation and State Statute require an annual review and 5-year updates to the current Solid Waste Management plan. This is the annual review which has been reviewed and approved by the Solid Waste Management Planning Committee at the annual meeting held November 10, 2022. This review is for Chase County, Lyon County and the City of Emporia. He stated staff recommends formal approval of the resolution the 2021 Solid Waste Management Plan to be submitted to Kansas Department of Health and Environment.

The Commission reviewed and suggested minor changes to the plan.

Commissioner Brinkman made a motion to approve Resolution Number 3684, a resolution relating to the annual review of the 2021 Solid Waste Management Plan of Chase County, Lyon County and the City of Emporia with changes noted. Commissioner Sauder seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Harter, aye; and Mayor Smith, aye.

WATER MAINTENANCE
(12th Avenue Elevated Storage Tank Maintenance)
(Request for Qualifications)

Dean Grant, Public Works Director, was recognized and addressed the Governing Body. He stated in October 2021, staff utilized the services of KLM Engineering to inspect the 1,000,000 gallon elevated storage tank located in the 800 block of 12th Avenue. The elevated storage tank was completed in 1989 and has not had any substantial work or repairs to the structure for 33 years. He stated the inspection found that the tank is in need of some structural repairs and a new interior and exterior coating to protect the structure. In addition, the tank will have a mixer installed to improve water quality, upgraded interior lighting, tank ventilation and repair or upgrades to various safety features. The estimated cost for the maintenance and repairs is $1,200,000.00. Costs will be bonded and paid from the Water Fund. He stated staff is recommending a Request for Qualifications for the maintenance of the 12th Avenue elevated storage tank.

Commissioner Giefer made a motion to approve a Request for Qualifications for the maintenance of the 12th Avenue elevated storage tank. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

CITY MANAGER'S COMMUNICATIONS

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

The demolition costs of Hornet's Point apartment building was certified to the County and placed on the tax roll for collection.

October Budget.

MUPP Board Minutes.

Community Housing Board Minutes.

Emporia Human Relations Commission Meeting Minutes.

Consent Agenda

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

a. Approve minutes of the Regular Meeting held on November 16, 2022.

b. Ratification and approval of Payroll Ordinance for the period ending on November 23, 2022.

c. 2022 Year-end Charge Offs.

d. Change Order No. 1 for KDOT CCLIP Surface Preservation Project No. PV2201.

e. Real Estate Purchase Agreement for 1542 South Highway 99.

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:

Special Commission Meeting December 12, 2022 at 11:00 a.m.

Executive Session.

Public Hearing for CDBG Downtown Commercial Rehabilitation Application 517 Merchant.

Approve updates to the Housing Development and Rural Housing Incentive District Policy.

Tentative Agenda for December 21, 2022, 11:00 a.m.

- Approval of 2023 Maintenance Contract with Emporia Public Library.
- Boundary Resolution.

- Public Hearing to Amend 2022 Budget.
- Ordinance to Amend 2022 Budget.

Study Session:

Discuss Legislative Policy.
Discuss Mowing Procedure.
Discuss Rates.
Discuss Implementation of Rental Registration and Revision of Current Vacant Property Ordinance.
Discuss Revision of Human Relations Commission Ordinance.
Request from Land Bank Urbanside Park Property.

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 Sauder made a motion to adjourn into Executive Session to discuss personnel matters of non-elected personnel, and invite City Manager Trey Cocking when asked, from 11:25 a.m. to 11:45 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 reconveying the meeting in Regular Session at 11:45 a.m., this same date, in the City Commission Meeting Room, Commissioner Brinkman made a motion to continue the Executive Session discussion with all the same people from 11:45 a.m. to 11:55 a.m. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

Upon reconveying the meeting in Regular Session at 11:55 a.m., this same date, in the City Commission Meeting Room, Mayor Smith stated they had discussed personnel matters of non-elected personnel and the following action was taken.

Commissioner Harter made a motion to give a 4% one time bonus to City Manager Cocking and as well as a $1,670.00 bonus for all qualified full time employees and pro-rate a one time bonus for hourly part-time employees, all of this to be done before the end of 2022. Commissioner Brinkman seconded the motion.

Commissioner Sauder thanked City Manager Cocking for his first year of service to the City of Emporia and all city staff for all the hard work to help keep the City running. The vote follows: Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

Commissioner Sauder made a motion to recess the meeting to 12:15 p.m., in City Conference Room 1AB. Commissioner Harter seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Smith, aye.

The following items were discussed at Study Session:

1. Carnegie Building Discussion.
2. Skate Park Update.
3. RFP for Compensation Study.
4. Proposed Changes to Housing Development and Rural Housing Incentive District Policy.
5. Permit and Inspection Fee Increase.

STUDY SESSION:

Carnegie Building Discussion.

Jim Ubert, City Engineer, stated he had preliminary estimates and conceptual drawings of the Carnegie building area for a parking lot and/or green space for future use. Costs would include demolition of the building and a new parking lot; demolition of the building and grading of land to return area into green space; and another option for demolition of building and then a terraced green space with a possible stage area that could be utilized.

It was the consensus of the Commission that the City retain ownership of the Carnegie Building and not sale the building.

Commissioner Brinkman made a motion to reject the current offer to purchase the Carnegie Building from Cassie and Jason Heffron. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

RFP for Compensation Study.

City Manager Cocking stated there were two firms that submitted RFP for the compensation study. One from CBIZ Compensation Consulting in the amount of $95,000.00 and the other from The Arnold Group in the amount of $79,500.00. Both companies were interviewed and are well qualified. References were checked for both firms with high recommendations for The Arnold Group. He stated staff was recommending the Compensation Study for the City of Emporia in the amount of $79,500.00.

Commissioner Brinkman made a motion to accept the proposal for a compensation study from The Arnold Group the amount of $79,500.00. Commissioner Giefer seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Harter, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

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

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Becky Smith, Mayor

ATTEST:

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Kerry Sull, City Clerk