

CITY COMMISSION MEETING

AGENDA

CITY COMMISSION / MUNICIPAL COURT ROOM

518 MECHANIC, EMPORIA, KS

December 22, 2021 at 11:30 a.m.

1. Members present: Mayor Gilligan

<u>Vice Mayor Smith</u>	<u>Commissioner Sauder</u>
<u>Commissioner Giefer</u>	<u>Commissioner Brinkman</u>
<u>City Manager Cocking</u>	<u>City Clerk Sull</u>
<u>Asst. City Mgr. Massey</u>	<u>City Attorney Montgomery</u>
2. Consider Approval of Ordinances for Wastewater Rate & Extra Strength Sewer Rate Increases.
3. Consider Approval of Resolution for the Increase of 2022 Golf Rates.
4. Executive Session.



**If you need accommodations due to a disability to participate in this event, meeting, or activity, or alternative format of written materials contact City of Emporia Jeff Lynch, ADA Coordinator at least 48 hours before the event at 620-343-4285 or jlynch@emporia-kansas.gov*

AGENDA ITEM SUMMARY

MEETING DATE: December 22, 2021

ITEM NUMBER: 2

SUBJECT: Consider Approval of Ordinances for Wastewater Rate & Extra Strength Sewer Rate Increases.

RECOMMENDATION: Approve rate increases for 2022 through 2026.

BACKGROUND SUMMARY:

The proposed ordinances address rate increases necessary to cover the increase in bond payments for the wastewater treatment plant improvements and other wastewater infrastructure projects. To maintain required reserve level of 20%, a 6% increase to the base and consumption rate increases is recommended. Additional rates will also be required for the next four years.

Two ordinances have been provided for the rate increases. One ordinance is to approve a 6% rate increase for 2022 effective January 1, 2022. A second ordinance has been included to approve a 6% rate increase for 2022, 6% for 2023, 5% for 2024, 3% for 2025 and 3% for 2026. If approved the ordinance for multiple years will be reviewed annually.

Extra strength sewer rate is recommended to be increased the same percentage as the wastewater. Two ordinances have been provided for this rate increase. One ordinance is to approve a 6% rate increase for 2022 effective January 1, 2022. A second ordinance has been included to approve a 6% rate increase for 2022, 6% for 2023, 5% for 2024, 3% for 2025 and 3% for 2026. If approved the ordinance for multiple years will be reviewed annually.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
SAUDER _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

ORDINANCE NO 21-__

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS PERTAINING TO SEWER RATES;
AMENDING SECTION 28-149 EXTRA STRENGTH SURCHARGE.

BE IT ORDAINED by the Governing Body of the City of Emporia, Kansas;

Section 1. Section 28-149 of the Code of the City of Emporia, Kansas, is hereby amended to read as follows:

"Sec. 28-149. Extra Strength Surcharge:

An extra strength surcharge is hereby established for those nonresidential users who produce sewage with a BOD index above 300 or an SS index above 300, in accordance with the following formula:

$$S = V_s \times 8.34 [\$0.09638 (\text{BOD}-300) + \$0.08901 (\text{TSS}-300)]$$

Wherein the following definitions apply:

S = Surcharge in dollars monthly

V_s = Sewage volume in million gallons per month

8.34 = Pounds per gallon of water

\$0.09638 = Unit charge for BOD in dollars per pound

BOD = Biochemical oxygen demand five (5) day strength index in milligrams per liter by weight

300 = Normal BOD strength in milligrams per liter by weight

\$0.08901 = Unit charge for TSS in dollars per pound

TSS = Total Suspended solids strength index in milligrams per liter by weight

300 = Normal TSS strength in milligrams per liter by weight

Revenue received from the user charge portion of the extra strength surcharge shall be deposited in the sewer fund and utilized in the same manner as other operation and maintenance funds.

Revenue received from the capital charge portion of the extra strength surcharge shall be deposited in the sewer fund and administered in the same manner as other capital charge revenue. (1962 Code, § 19-310; Ord. 963, § 1, 8-1-1979; Ord. 974, § 2, 10-3-1979; Ord. 1082, § 1, 2-3-1982; Ord. 99-2, § 1, 1-20-1999; Ord. 00-06, § 1, 1-5-2000; Ord. 01-04, § 1, 1-17-2001)

Section 2. Section 28-149, as amended, shall be incorporated into the Code of Ordinances of the City of Emporia.

Section 3. The provisions of this ordinance shall take effect on January 1, 2022 after publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Emporia,
Kansas, this 22nd day of December 2021.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk

ORDINANCE NO. 21- __

AN ORDINANCE OF THE CITY OF EMPORIA, KANSAS PERTAINING TO SEWER RATES; AMENDING SECTION 28-144 SCHEDULE OF CHARGES.

BE IT ORDAINED by the Governing Body of the City of Emporia, Kansas;

Section 1. Section 28-144 of the Code of the City of Emporia, Kansas, is hereby amended to read as follows:

“Sec. 28-144 Schedule of Charges:

The following schedule of charges, which includes a portion designated as the user charges, will be implemented. The user charge portion is to be for the payment of costs of operation and maintenance (including replacement) of the wastewater collection and treatment system.

- (1) *Monthly Service Charge:* A monthly service charge for all metered users is established as follows:

Meter Size (Inches)	Inside City	Outside City
5/8	21.33	42.65
3/4	21.83	43.65
1	22.12	44.24
1 ½	22.98	45.96
2	29.91	59.83
3	44.59	89.19
4	63.89	127.77
6	114.18	228.37
8	180.42	360.85
10	267.75	535.49

Exception: Those single-family residences with meters larger than five-eighths inch (5/8”) will be charged at the five-eighths inch (5/8”) rate.

- (2) *Residential Metered Quantity Charge:* Additional quantity charges for the residential classification, as defined in section 28-142 of this division, shall be based upon the average monthly billable water usage during the months of January thru March, at the following rates:

Inside City	Outside City
\$4.14 per 1,000 gallons	\$8.29 per 1,000 gallons

All residential users for which an average cannot be established from usage for January thru March shall be billed on the basis of eighty-five percent (85%) of their monthly usage of water until such average can be established.

- (3) *Metered Quantity Charge For All Classifications Except Residential*: Additional quantity charges for all classifications except residential shall be based upon one hundred percent (100%) of metered water usage, except as provided for in section 28-150 of this division, at the following rates:

Inside City	Outside City
\$4.14 per 1,000 gallons	\$8.29 per 1,000 gallons

Section 2. Section 28-144, as amended, shall be incorporated into the Code of Ordinances of the City of Emporia.

Section 3. The provisions of this ordinance shall take effect on January 1, 2022 after publication in the official City newspaper.

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Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk

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“Sec. 28-149. Extra Strength Surcharge:

An extra strength surcharge is hereby established for those nonresidential users who produce sewage with a BOD index above 300 or an SS index above 300, in accordance with the following formula:

$$S = V_s \times 8.34 (\text{BOD rate} - 300) + (\text{TSS rate} - 300)$$

Wherein the following definitions apply:

S = Surcharge in dollars monthly

V_s = Sewage volume in million gallons per month

8.34 = Pounds per gallon of water

	2022	2023	2024	2025	2026
BOD	0.09638	0.10216	0.10727	0.11049	0.11380

\$=Unit charge for BOD in dollars per pound

BOD = Biochemical oxygen demand five (5) day strength index in milligrams per liter by weight

300 = Normal BOD strength in milligrams per liter by weight

	2022	2023	2024	2025	2026
TSS	0.08901	0.094351	0.099068	0.10204	0.105101

\$=Unit charge for TSS in dollars per pound

TSS = Total Suspended solids strength index in milligrams per liter by weight

300 = Normal TSS strength in milligrams per liter by weight

Revenue received from the user charge portion of the extra strength surcharge shall be deposited in the sewer fund and utilized in the same manner as other operation and maintenance funds.

Revenue received from the capital charge portion of the extra strength surcharge shall be deposited in the sewer fund and administered in the same manner as other capital charge revenue. (1962 Code, § 19-310; Ord. 963, § 1, 8-1-1979; Ord. 974, § 2, 10-3-1979; Ord. 1082, § 1, 2-3-1982; Ord. 99-2, § 1, 1-20-1999; Ord. 00-06, § 1, 1-5-2000; Ord. 01-04, § 1, 1-17-2001)

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PASSED AND APPROVED by the Governing Body of the City of Emporia,
Kansas, this 22nd day of December 2021.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk

ORDINANCE NO. 21- __

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BE IT ORDAINED by the Governing Body of the City of Emporia, Kansas;

Section 1. Section 28-144 of the Code of the City of Emporia, Kansas, is hereby amended to read as follows:

“Sec. 28-144 Schedule of Charges:

The following schedule of charges, which includes a portion designated as the user charges, will be implemented. The user charge portion is to be for the payment of costs of operation and maintenance (including replacement) of the wastewater collection and treatment system. These rates will be reviewed on an annual basis.

- (1) *Monthly Service Charge:* A monthly service charge for all metered users is established as follows:

Inside City

Meter Size (Inches)	2022	2023	2024	2025	2026
5/8	21.33	22.61	23.74	24.45	25.18
3/4	21.83	23.13	24.29	25.02	25.77
1.0	22.12	23.45	24.62	25.36	26.12
1.5	22.98	24.36	25.58	26.34	27.14
2	29.91	31.71	33.29	34.29	35.32
3	44.59	47.27	49.63	51.12	52.66
4	63.89	67.72	71.11	73.24	75.44
6	114.18	121.03	127.09	130.90	134.83
8	180.42	191.25	200.81	206.83	213.04
10	267.75	283.81	298.00	306.94	316.15

Outside City

Meter Size	2022	2023	2024	2025	2026
5/8	42.65	45.21	47.47	48.90	50.37
3/4	43.65	46.27	48.58	50.04	51.54
1.0	44.24	46.90	49.24	50.72	52.24
1.5	45.96	48.72	51.16	52.69	54.27
2	59.83	63.42	66.59	68.58	70.64
3	89.19	94.54	99.27	102.24	105.31
4	127.77	135.44	142.21	146.48	150.87
6	228.37	242.07	254.17	261.80	269.65
8	360.85	382.50	401.62	413.67	426.08
10	535.49	567.62	596.00	613.88	632.30

Exception: Those single-family residences with meters larger than five-eighths inch (5/8") will be charged at the five-eighths inch (5/8") rate.

- (2) *Residential Metered Quantity Charge*: Additional quantity charges for the residential classification, as defined in section 28-142 of this division, shall be based upon the average monthly billable water usage during the months of January thru March, at the following rates:

Inside City

	2022	2023	2024	2025	2026
Rate per 1,000 gallons	4.14	4.39	4.61	4.75	4.89

Outside City

	2022	2023	2024	2025	2026
Rate per 1,000 gallons	8.29	8.79	9.23	9.50	9.79

All residential users for which an average cannot be established from usage for January thru March shall be billed on the basis of eighty-five percent (85%) of their monthly usage of water until such average can be established.

- (3) *Metered Quantity Charge For All Classifications Except Residential*: Additional quantity charges for all classifications except residential shall be based upon one hundred percent (100%) of metered water usage, except as provided for in section 28-150 of this division, at the following rates:

Inside City

	2022	2023	2024	2025	2026
Rate per 1,000 gallons	4.14	4.39	4.61	4.75	4.89

Outside City

	2022	2023	2024	2025	2026
Rate per 1,000 gallons	8.29	8.79	9.23	9.50	9.79

Section 2. Section 28-144, as amended, shall be incorporated into the Code of Ordinances of the City of Emporia.

Section 3. The provisions of this ordinance shall take effect on January 1, 2022 after publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Emporia, Kansas, this 22nd day of December 2021.

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk

AGENDA ITEM SUMMARY

MEETING DATE: December 22, 2021

ITEM NUMBER: 3

SUBJECT: Consider Approval of Resolution for the Increase of 2022 Golf Rates.

RECOMMENDATION: Approve Resolution for recommended rates for 2022.

BACKGROUND SUMMARY:

Per the request of the City Commission, staff have reviewed rates at the Emporia Municipal Golf Course. Attached is a short memo from Head Golf Pro Marcus Erkel outlining the proposed 2022 rates. The proposed changes are highlighted in yellow.

ACTION REQUIRED:

Approve the resolution setting the rates for the Emporia Municipal Golf Course.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
SAUDER _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

Commission-

It is the golf course's recommendation that the 2022 rates increase on the daily fees at this time. We believe, after a course comparison study, that the annual rates are in line with similar courses around the state, but that the daily fees are on the low end. After this study we feel that a slight increase would put us where we should be in comparison, as well as help offset some of the increased costs seen on our expenditure side. The following is our recommendations:

	Weekday Green Fee	Weekend Green Fee	Annual Fee	Cart Rental	Trail Fee	Annual Trail Fee	Driving Range
				18 / 9			
Emporia-Current	\$18	\$22	\$675	\$14/\$8	\$260	\$600	\$210
Senior	\$17	\$14	\$600				
Junior	\$9.50	\$9.50	\$150				
Twilight	\$12	\$14	Add. \$390				
Emporia-Proposed	\$20	\$24	\$675	\$14/\$8	\$260	\$650	\$210
Senior/Military	\$18		\$600				
Junior	\$9.50	\$9.50	\$150				
Twilight	\$14	\$16	Add. \$390				

We also would like to introduce a military discount at the same price as the senior discount. We would like to continue the tradition of honoring the military that our City does.

Please note that due to unforeseen circumstances, the GAB board was not as informed on this decision as I would have liked. In the future I hope that doesn't happen again.

RESOLUTION NO. _____

**A RESOLUTION AUTHORIZING CERTAIN RATE ADJUSTMENTS TO
THE FEE STRUCTURE AT THE EMPORIA MUNICIPAL GOLF
COURSE.**

WHEREAS, the City has determined that it is desirable and necessary to continually make improvements at the City owned public golf course.

WHEREAS, the governing body of the City finds and determines that it is desirable and necessary to adjust the user fees at the Emporia Municipal Golf in order to pay for the operation and improvements to the municipal golf course.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY
OF EMPORIA, KANSAS:**

Section 1. The City is authorized, pursuant to Section 18-165 of the Code of the City of Emporia, Kansas, 1983, to make periodical adjustments to the rate structure at the Emporia Municipal Golf Course to pay for the cost of operation and capital improvements.

Section 2. The following schedule of charges will be effective for the calendar year January 1, 2022:

Green Fees

Monday/Thursday Regular	\$20.00
Monday/Thursday - Senior/Military	\$18.00
Junior (after 2:00 p.m. on Weekends/Holiday)	\$ 9.50
Monday/Thursday Twilight	\$14.00
Friday/Saturday/Sunday/Holiday	\$24.00
Friday/Saturday/Sunday/Holiday Twilight	\$16.00
Monday/Thursday 9 hole	\$14.00
Friday/Saturday/Sunday/Holiday 9 hole	\$16.00

Annual Fees

Individual	\$675.00
Additional	\$390.00
Senior/Military	\$600.00
Junior	\$150.00

*After 2:00 p.m. on Saturday/Sunday/Holidays/Discretion of Golf Shop staff.

Trail Fees

Per Nine Holes	\$6.50
Per Eighteen Holes	\$9.50

Storage

Space and Trail Fee (Maximum two individual per space)	\$525
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Golf Cart Rental

9 Holes	\$8.00/person
18 Holes	\$14.00/person

Use of City Owned Golf Cart (May be limited due to number of City-owned golf carts)	\$650.00
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Annual Driving Range	\$210.00
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Annual Trail Fee	\$260.00
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Pull Cart Rental	\$3.50
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Driving Range	\$3.50/\$5.00
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Club Rental	\$10.50
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Section 3. This Resolution shall be in full force and effect from and after its adoption by the governing body of the City.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF EMPORIA, KANSAS
THIS 22nd Day of December 2021.

Robert F. Gilligan, Mayor

Kerry Sull, City Clerk

AGENDA ITEM SUMMARY

MEETING DATE: December 22, 2021

ITEM NUMBER: 4

SUBJECT: Executive Session.

RECOMMENDATION:

BACKGROUND SUMMARY:

At this time, the City Commission request a 25-minute Executive Session to discuss Proprietary Information of Private Businesses and to invite Special Projects Coordinator Jim Witt.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____
SAUDER _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____