



**MEETING OF THE CITY COMMISSION - AGENDA
WEDNESDAY, AUGUST 3, 2022 AT 11:00 AM
CITY COMMISSION CHAMBER**

ORDER OF BUSINESS

CALL MEETING TO ORDER

Mayor Becky Smith

MEMBERS PRESENT

Vice Mayor Giefer
Commissioner Brinkman
Commissioner Harter
Commissioner Sauder

PROCLAMATIONS

PUBLIC FORUM

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.

NEW BUSINESS

1) Appoint Member to the Natural Resources Advisory Board.

Presented by: Mayor Becky Smith, Commissioner Sauder

Recommended Action: Approve Appointment

2) Award KDOT CCLIP SP Project No. 56U-2390-01, City Project No. PV2201

Presented by:

Jim Ubert, City Engineer

Recommended Action:

COMMUNICATIONS

Presented by Trey Cocking, City Manager.

CONSENT AGENDA

Presented by Trey Cocking, City Manager.

- 1) Approve the minutes of the July 20, 2022, City Commission Meeting.
- 2) Ratification and Approval of the Payroll Ordinances for the period ending July 15, 2022.
- 3) Set Bid Time and Date for Zoo Parking Lot.

INFORMATIONAL ITEMS

Presented by Trey Cocking, City Manager.

- 1) Agenda Items for all Upcoming Commission Meetings.

GOVERNING BODY COMMENTS

Mayor Becky Smith
Vice Mayor Danny Giefer
Commissioner Erren Harter
Commissioner Susan Brinkman
Commissioner Jamie Sauder

EXECUTIVE SESSION

- 1) **The City Commission requests an Executive Session to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships for potential economic development projects. K.S.A. 75-4319(B)(4) is the authority for this recess into Executive Session.**
Recommended Action: Recess into Executive Session to discuss proprietary information of third parties for potential economic development projects for 10 minutes, inviting Special Projects Manager Jim Witt, and stating at which time the open meeting will resume.

RECESS

Recess to Conference Room 1AB for Study Session

STUDY SESSION AGENDA ITEMS

- 1) Carnegie Library Discussion
- 2) Library Board Discussion
- 3) Budget Discussion

ADJOURNMENT



Commission Action Report

Title: Appointment of a Member to the Natural Resources Advisory Board

Proposed Agenda Date: August 3rd, 2022

Presented By: Becky Smith, Mayor, and Jamie Sauder, City Commissioner

BACKGROUND:

The Natural Resources Advisory Board currently has one vacancy. One application was recently received for this position, from Nadia Qureshi. The candidate was interviewed by the assigned City Commission representatives on July 22, 2022.

DISCUSSION:

N/A

FINANCIAL CONSIDERATIONS:

N/A

OTHER CONSIDERATIONS:

Since this appointment is filling an open, unexpired term, the initial term would expire on December 31, 2022.

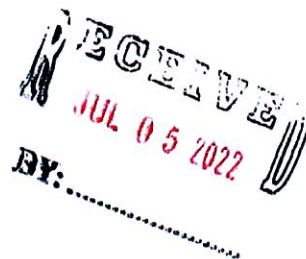
RECOMMENDED ACTION:

Approve the appointment of Nadia Qureshi

ATTACHMENTS:

Board Application

APPLICATION FOR ADVISORY BOARD MEMBERSHIP



DATE: 07/05/2022

NAME: Nadia B Qureshi
First Name MI Last Name

ADDRESS: 215 Locust St
Street
Americus KS 66835
City State ZIP

Email: nqureshi@sekworks.org

PHONE: 9139095187

PLACE OF EMPLOYMENT: Southeast KANSASWORKS

HOW LONG HAVE YOU BEEN A RESIDENT OF EMPORIA? 3 years

ADVISORY BOARD(S) YOU ARE INTERESTED IN:
NATURAL RESOURCES ADVISORY BOARD (NRAB)

**BRIEFLY DESCRIBE WHY YOU WOULD LIKE TO PARTICIPATE ON
THE**

ADVISORY BOARD(S) MENTIONED ABOVE:

In combination of working and volunteering, I have roughly 7 years of experience with JCPRD through the Nature Centers. Nature, wildlife, and environmental stewardship are my greatest passions, and I have lots of ideas to contribute to promoting these green values in Emporia.

OTHER ACTIVITIES AND INTERESTS:

I enjoy being outdoors, public speaking, coordinating activities, creating, networking, taking care of plants & animals, and learning more about our local wildlife and ecosystem.

In Lieu of Signature, Click Here



Commission Action Report

Title: Award KDOT CCLIP Surface Preservation Project Bid, Project No. PV2201

Proposed Agenda Date: August 3rd, 2022

Presented By: Jim Ubert, City Engineer

BACKGROUND:

The City entered into Agreement 77-21 with KDOT Bureau of Local Projects on May 4th, 2022 for this project. That agreement states that KDOT will fund 90% of Total Actual Costs of Construction and Construction Engineering (CE) not to exceed \$300,000. The city will be responsible for 10% of Total Actual Costs of Construction and Construction Engineering (CE) until the Secretary's funding limit is reached, 100% of Total Actual Costs of Construction and Construction Engineering (CE) after the Secretary's funding limit is reached, 100% of the Cost of Preliminary Engineering, Right of Way, and Utility Adjustments, and 100% of Non-Participating Costs.

DISCUSSION:

The recommendation is to award Killough Construction (2nd lowest bidder) in the amount of \$ 717,953.00, subject to KDOT Local Projects concurrence). Killough Construction can start the project within the contract start times. The lowest bidder, Bettis Asphalt in the amount of \$686,636.90 submitted an unresponsive bid in which they could not start until the project would be in liquidated damages and would not finish until Spring 2023.

FINANCIAL CONSIDERATIONS:

The City's share will be funded out of the multi-year fund.

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Recommended action award Killough Construction for the amount of \$717,953.00, subject to KDOT approval.

ATTACHMENTS:

The KDOT CCLIP FY 2023 Surface Preservation bid tabulation.



Authority to Advertise CCLIP-SP Project

Date: 5/31/2022

City of Emporia

Project Number 50-56 U-2390-01

The Bureau of Local Projects has approved the Plans, Specifications, and Estimate (PS&E) for the referenced project. Therefore the City is hereby authorized to take bids for contract after a minimum 30-day advertisement.

This is a City-administered project utilizing State funds.

After the lowest responsible bidder has been identified, the City is required to submit the project bid tabs and other project bidding documents to the Bureau of Local Projects (via email) for review. Upon satisfactory review, authorization from the Bureau of Local Projects will be given to the City via a separate document to award the contract and issue the Notice to Proceed.

Bill Legge, P.E.
Asst. Road Team Leader
(785) 289-7200
Bill.Legge@ks.gov

CITY OF EMPORIA, KS BID TABULATION FOR CONSTRUCTION OF KDOT CCLIP RESURFACING US-50 HIGHWAY (6TH AVE) FROM PRAIRIE ST TO NEOSHO ST CITY PROJECT NO. PV2201 & KDOT PROJECT NO. 56 U-2390-01											
Bids Opened: 2:00pm on 7/26/2021											
		Bettis Asphalt		APAC-Kansas		Killough construction		CITY ENGINEER'S ESTIMATE			
Quantity	Units	Description	Unit	Total	Unit	Total	Unit	Total	Unit	Total	
1	L.S.	Mobilization	\$81,750.00	\$81,750.00	\$79,867.58	\$79,867.58	\$71,000.00	\$71,000.00	\$42,000.00	\$42,000.00	
39,944	S.Y.	Milling & Grinding (1.5" Avg. Depth)	\$2.19	\$87,477.36	\$3.28	\$131,016.32	\$3.00	\$119,832.00	\$3.30	\$131,815.20	
3,616	TONS	HMA (Commercial Grade) (Class A) (1.5 Avg. Depth)	\$107.94	\$390,311.04	\$119.40	\$431,750.40	\$105.00	\$379,680.00	\$115.00	\$415,840.00	
90	L.F.	Curb and Gutter (Combined 2'-6") (AE) (Remove & Replace)	\$75.00	\$6,750.00	\$148.52	\$13,366.80	\$75.00	\$6,750.00	\$45.00	\$4,050.00	
8	S.Y.	Concrete Pavement (9" Reinforced) (AE) (Remove & Replace)	\$333.00	\$2,664.00	\$1,182.01	\$9,456.08	\$333.00	\$2,664.00	\$160.00	\$1,280.00	
5	Ea.	Utility Adjustment (Manhole Riser)	\$377.58	\$1,887.90	\$229.57	\$1,147.85	\$400.00	\$2,000.00	\$200.00	\$1,000.00	
4	Ea.	Utility Adjustment (Valve Box Riser) (Valve Box) (Water)	\$320.40	\$1,281.60	\$143.05	\$572.20	\$250.00	\$1,000.00	\$125.00	\$500.00	
31	Ea.	Utility Adjustment (Concrete) (Manhole)	\$1,483.00	\$45,973.00	\$901.78	\$27,955.18	\$1,100.00	\$34,100.00	\$750.00	\$23,250.00	
14	Ea.	Utility Adjustment (Concrete) (Valve Box) (Water)	\$987.00	\$13,818.00	\$778.80	\$10,903.20	\$850.00	\$11,900.00	\$500.00	\$7,000.00	
2,840	L.F.	Pavement Marking (Thermoplastic) (White) (6")	\$0.80	\$2,272.00	\$2.12	\$6,020.80	\$1.80	\$5,112.00	\$1.10	\$3,124.00	
10,600	L.F.	Pavement Marking (Thermoplastic) (Yellow) (4")	\$0.70	\$7,420.00	\$1.12	\$11,872.00	\$0.95	\$10,070.00	\$1.10	\$11,660.00	
665	L.F.	Pavement Marking (Thermoplastic) (Yellow) (4") (Double)	\$1.40	\$931.00	\$2.35	\$1,562.75	\$2.00	\$1,330.00	\$2.00	\$1,330.00	
344	L.F.	Pavement Marking (Intersection Grade) (White) (24")	\$4.00	\$1,376.00	\$17.66	\$6,075.04	\$15.00	\$5,160.00	\$16.00	\$5,504.00	
54	Ea.	Pavement Marking Symbol (Intr. Gr.) (White) (Left Turn Arrow)	\$300.00	\$16,200.00	\$229.54	\$12,395.16	\$195.00	\$10,530.00	\$220.00	\$11,880.00	
1	Ea.	Traffic Signal (Loop Replacement) (Set Price)	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	
1	L.S.	Traffic Control	\$22,500.00	\$22,500.00	\$34,948.86	\$34,948.86	\$49,000.00	\$49,000.00	\$26,000.00	\$26,000.00	
1	H.R.	Flagger (Set Price)	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	\$25.00	
1	L.S.	Maintenance Bond	\$1,500.00	\$1,500.00	\$1,572.66	\$1,572.66	\$5,300.00	\$5,300.00	\$1,500.00	\$1,500.00	
TOTAL AMOUNT OF BASE BID:				\$686,636.90		\$783,007.88		\$717,953.00		\$690,258.20	



Consent Agenda

Proposed Agenda Date: August 3, 2022

Presented By: Trey Cocking, City Manager

ITEMS:

- A. Approve the minutes of the July 20, 2022, City Commission Meeting.
- B. Ratification and Approval of the Payroll Ordinances for the periods ending July 15, 2022.
- C. Set Bid Time and Date for Zoo Parking Lot.

RECOMMENDED ACTION:

Approve the Consent Agenda as presented.

ATTACHMENTS:

Consent agenda items.

COMMISSION MEETING

11:00 A.M.

JULY 20, 2022

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, July 20, 2022, with Mayor Smith presiding and Commissioners Brinkman, Giefer, Harter and Sauder present. 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 stated your name and address prior to making comments.

No comments were made at this time.

PLANNING AND DEVELOPMENT

(MAPC Excerpts of Regular Meeting Held 5-17-22)

**(Application No. 2022-01 - Request of Bluesky Dvlp. & CM2 Dvlp.)
(Rezone Property Along Michelle Street)
(South of 12th Avenue And North of 9th Avenue)
(From R-1, Low Dens. Res. to a Portion to R-3 High Dens. Res.)
(From R-1, Low Dens. Res. to a Portion to R-2 Med Dens. Res.)**

The Planning Commission met in a regular session on Tuesday, May 17, 2022, with Chair Thomas presiding. Members Bucklinger, Weaver, Barnes, and Duncan were present.
Member Colson was absent.
City staff: Justin Givens and Moriah Keen were present.

Chair Thomas called the meeting to order, five members were present.

2b. Consider an Application PC 2022-01 Requesting Rezoning of Property Located Adjacent to Michelle St. Between E. 9th Ave. and E. 12th Ave.

Chair Thomas confirmed that the Planning Commission has a quorum.

Chair Thomas asked if proper notice had been given and if the City had jurisdiction on the item. **Givens** confirmed that proper notice was originally provided at the hearing in March. The application was sent back by the City Commission for further considerations and no new notice was necessary, and the City had jurisdiction.

Chair Thomas asked if any Commissioners needed to recuse themselves or report any ex-parte communications. No commissioners needed to recuse themselves due to a conflict of interest and no ex parte communications were reported.

Givens gave the updated analysis from the staff report:

Updated Analysis:

The applicants and their agent have reevaluated the amount of property that will be lost to mitigate stormwater generated from off-site sources, as well as within their own development. Due to the reduction in developable ground, the applicants requested prior to the City Commission meeting on April 6, 2022, that a northern portion of their property be zoned R-3 so that they can increase the density of development.

Based on this request, the City Commission voted to return the item to the Planning Commission for further consideration.

The original staff report follows, as ultimately no conditions have changed within the area since the Planning Commission first considered it. Staff is attaching an excerpt of minutes from the April 6, 2022 City Commission meeting and the March 15, 2022 Planning Commission meeting.

Analysis: The applicants are proposing to develop approximately 18 single-family attached dwellings on the property. Full development plans will be forth coming if the rezoning is approved. The property is currently vacant and the south portion has been platted. A concept layout has been provided. A more detailed analysis is included in the section below.

Givens stated that the original public hearing was held during the March meeting and it is not required to have a Public Hearing.

Commissioner **Weaver** asked if the southern portion of the property is platted. **Givens** said yes and that the applicant would probably have to replat the southern portion of the property.

Commissioner **Barnes** asked if we approve the application how would the R-3 portion of the property be defined. **Givens** said that we can come up with a legal description of the area that will be zoned R-3. Chair **Thomas** asked can we say the portion

of the property that is north of 11th Ave until there is a legal description for the R-3 portion of the property.

Commissioner **Duncan** asked the Public if anyone had any comments about the application since there was no public hearing. There was no comment from the public.

Commissioner **Weaver** made a motion to approve Application PC 2022-01 to rezone the portion of the property north of E 11th Ave to R-3 and the remainder of the property R-2. Commissioner **Barnes** seconded the motion. **Approved 5-0.**

Justin Givens, Zoning Enforcement Officer, was recognized and addressed the Governing Body. He stated this was a request from Bluesky Development and CM2 Development to rezone property located on the east side of Michelle Street, south of 12th Avenue and north of 9th Avenue. It is currently zoned R-1, Low Density Residential Zoning. He stated the proposed rezoning would facilitate the development of 15 - 20 single-family attached units and multi-plex units. The applicants are working with the City to help minimize some of the flooding issues that occur in the area during high rain events. The proposed development consists of 5.6 acres of undeveloped land that is currently zone C-3 General Commercial and R-1 Low Density Residential. The applicants originally applied for R-3 High Density Zoning, however, the Planning Commission agreed that R-2 Medium Density Zoning was more appropriate for the location and scope of the proposed project. After discussion with their engineer and city staff the applicants determined that the amount of land that would be needed to mitigate stormwater issues was greater than originally planned. He stated the applicant requested that the north portion of the property be rezoned R-3 as originally requested, and the balance of the property be classified as R-2. The R-3 zoning would allow for additional housing units to be developed, minimizing the financial impact of land dedicated to stormwater management. At their May 17, 2022 regular meeting, the Planning Commission, in reconsidering the application, unanimously approved the recommended rezoning a portion of the property R-3 and the remainder of the property R-2. He stated at the original public hearing there were several residents of the surrounding area that had concerns about existing stormwater issues, the impact of

the project on street flooding as well as the impact of possible apartments adjacent to single-family homes. The area that is remaining R-2 would eliminate the potential for apartments adjacent to single-family homes and the developers will work with the city to mitigate the increase in stormwater for their property as well as additional stormwater that runs across their property.

PLANNING AND DEVELOPMENT

**(Application No. 2022-01 - Request of Bluesky Dvlp. & CM2 Dvlp.)
(Rezone Property Along Michelle Street)
(South of 12th Avenue And North of 9th Avenue)
(From R-1, Low Dens. Res. to a Portion to R-3 High Dens. Res.)
(From R-1, Low Dens. Res. to a Portion to R-2 Med Dens. Res.)
(Ordinance Number 22-34)**

AN ORDINANCE REZONING LAND IN THE CITY OF EMPORIA, KANSAS FROM C-3 GENERAL COMMERCIAL DISTRICT AND R-1, LOW DENSITY RESIDENTIAL DISTRICT TO R-2 MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT AND R-3 HIGH DENSITY RESIDENTIAL ZONING DISTRICT AND AMENDING THE DISTRICT ZONING MAP TO CONFORM WITH SAID ZONING, to which the City Clerk assigned Ordinance Number 22-34, was presented to the Governing Body for their consideration.

Commissioner Harter made a motion to approve Ordinance Number 22-34, an rezoning land from C-3 General Commercial District and R-1, Low Density Residential District to R-2 Medium Density Residential Zoning District and R-3 High Density Residential Zoning District. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

ENGINEERING

**(Americus Road Sanitary Sewer Extension Project No. SS2002)
(US Hwy 50 - Road 180)
(Change Order No. 2)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated during the construction of the Americus Road Sanitary Sewer Extension Project, additional work was needed to raise the existing 12" water line to 18th Avenue where it crosses the new 24" sanitary sewer

to meet KDHE requirements. In addition, some field changes to the project were due to differing conditions from the plans. He stated this change order resulted in an increase of \$18,135.00 to the contract price. He stated staff is recommending approval of the Change Order Number 2 for the Americus Road Sanitary Sewer Extension Project in the amount of \$18,135.00.

Following further discussion, Commissioner Brinkman made a motion to approve Change Order No. 2 for Americus Road Sanitary Sewer Extension Project No. SS2002 in the amount of \$18,135.00. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye; Commissioner Harter, aye; Commissioner Giefer, aye; Commissioner Sauder, aye; and Mayor Smith, aye.

CITY COMMISSION
(Relating to Meetings of the Governing Body)
(Ordinance Number 22-35)

AN ORDINANCE RELATING TO MEETINGS OF THE GOVERNING BODY; AMENDING CHAPTER 2-10 OF THE MUNICIPAL CODE OF THE CITY OF EMPORIA, KANSAS, BY THE ADDITION OF NEW SECTION 2-10; MEETINGS OF THE GOVERNING BODY, to which the City Clerk assigned Ordinance Number 22-35, was presented to the Governing Body for their consideration.

City Attorney Montgomery was recognized and addressed the Governing Body. She stated during the strategic planning sessions this year, the City Commission discussed changing their regular meetings to a uniform time. The City Commission has held meetings at 11:00 a.m. for the past two months on a trail basis. This proposed ordinance establishes regular meetings of the City Commission on the first and third Wednesdays of each month at 11:00 a.m. Regular meetings may be rescheduled by majority vote and special meeting may be called by the Mayor, by two (2) members of the City Commission, or by the City Manager. She stated staff is recommending approval of Ordinance Number 22-35 relating the meetings of the Governing Body.

Commissioner Harter made a motion to approve Ordinance Number 22-35, an ordinance relating to meeting of the Governing Body. Commissioner Giefer seconded the motion. The vote follows: Commissioner Harter, aye;

Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Sauder, 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 June 2022 for the community:**

1. Monthly Local Retail Sales Tax Receipts Update

	2021	2022	
	\$476,228.07	\$568,506.49	Increase of \$92,278.42 for the month, and
			Overall increase of 11.96% from year 2021
YTD	\$2,663,268.14	\$2,981,742.56	

2. City Share from County Tax

	2021	2022	
	\$ 238,737.69	\$ 285,108.25	Increase of \$46,370.56 for the month, and
			Overall increase of 12.64% from year 2021
YTD	\$1,344,923.57	\$1,514,918.47	

3. **Building Permits issued from 6/1/2022 to 6/30/2022 for new construction, remodeling, repairs and demolition.**

Total number of building permits issued through Code Services:	162
Total of valuations associated with those building permits:	\$ 3,180,435.00
Total number of dollars collected for Building Permit Fees:	\$ 24,986.88

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

Flint Hills Mall CID for June 2022	\$ 23,795.57
Year to Date Total	\$ 103,392.10

Consent Agenda

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

- Consider the minutes of the Regular Meeting held on July 6, 2022.
- Consider the ratification of Payroll Ordinance for the period ending July 1, 2022.

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 August 3, 2022.

- Award KDOT CCLIP SP Project NO. 56U-2390-01, City Project No. PV2201.
- Ordinance Bond Authorization Flint Hills Crossing Improvements, Water, Sewer & Street.
- Consider Approval of Minor Plat for Kwik Shop Addition.
- consider Approval of Development Agreement with Red Brick, LLC.

Study Session

- Discuss Purchasing Policy
- Discuss Ordinance Cross Connection/Online Backflow Management System.
- Discuss Establishing Storm Water Utility Fee.
- Budget Discussion

EXECUTIVE SESSION

Commissioner Brinkman 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 and Dominic Eck, with Gilmore & Bell, from 11:14 a.m. to 11:59 a.m., in the City Commission Meeting Room. Commissioner Harter seconded the motion. The vote follows: Commissioner Brinkman, aye;

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

Upon reconvening the meeting in Regular Session at 11:59 a.m., this same date in the City Commission Meeting Room, Commissioner Harter made a motion to continue the Executive Session with all of the same people from 12:00 p.m. to 12:15 p.m. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Giefer, aye; and Mayor Smith, aye. Commissioner Brinkman was not present at the time of the vote.

Upon reconvening the meeting in Regular Session at 12:15 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 12:20 p.m. to Conference Room 1AB. Commissioner Sauder seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

RECESSES MEETING AT 12:00 P.M.

**CITY COMMISSION
(City of Emporia Logo Redesign)
(Request for Qualifications)**

Christine Johnson, Communication Manager, was recognized and addressed the Governing Body. She stated the City will consider submissions of a new logo for rebranding. Request for Qualifications will be used to solicit creative, qualified professional or design firms with experience in community branding and logo redesign. She stated local graphic designers can review the RFQ and submit a proposal. This will be an open and competitive process for all who submit designs, including designs the submission of designs from Crowd sourcing.

Following further discussion, the Commission agreed to send out requests for qualifications from professional designers and receive design ideas from Crowd sourcing to be reviewed by the Commission at a later date.

**CITY COMMISSION
(Exceeding the Revenue Neutral Rate)
(Resolution Number 3675)**

City Manager Cocking and Janet Harrouff, Director of Administrative Services, were recognized and addressed the Governing Body. They stated the Revenue Neutral Rate for the City of Emporia was calculated as 39.57 mills by the Lyon County Clerk. During the process for budget discussion, the proposed budget for the City of Emporia will require the levy of property tax rate exceeding the Revenue Neutral Rate and this proposed resolution expresses the City's intention to exceed the Revenue Neutral Rate with a proposed mill levy of 45.00 mills. This resolution sets a public hearing regarding its intention to exceed the RNR for September 7, 2022 at 11:00 a.m.

Following further discussion, Commissioner Harter made a motion to approve Resolution Number 3675, a resolution regarding the Governing Body's intent to levy a property tax exceeding the Revenue Neutral Rate and set a public hearing for September 7, 2022 at 11:00 p.m. Commissioner Sauder seconded the motion. The vote follows: Commissioner Harter, aye; Commissioner Sauder, aye; Commissioner Brinkman, aye; Commissioner Giefer, nay; and Mayor Smith, aye.

**CITY COMMISSION
(Approval of 2022 Salary Increase)**

City Manager Cocking stated due to inflation with higher cost of living; the ability to retain skilled and motivated work force; and in order to attract new employees, a 4% increase in pay has been built into the salary scales for 2022. He stated the pay scales are still

behind what they should be based on cost of living averages and this will help in the continued effort to adjust the salary scales.

Following further discussion, Commissioner Brinkman made a motion to approve a 4% increase in salaries to be reflected in the August 12, 2022 paycheck. 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 Sauder then made a motion to adjourn. Commissioner Giefer seconded the motion. The vote follows: Commissioner Sauder, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Harter, aye; and Mayor Smith, aye.

Becky Smith, Mayor

ATTEST:

Kerry Sull, City Clerk



Commission Action Report

Title: Set Bid Date & Time Zoo Education Center Parking Lot Project No. ZO2102

Proposed Agenda Date: August 3rd, 2022

Presented By: Jim Ubert, City Engineer

BACKGROUND:

The David Traylor Zoo Education Center parking lot project will expand access and available parking for patrons. The current parking options for Emporia's only zoo is limited, with most options being parallel parking or gravel lot.

DISCUSSION:

N/A

FINANCIAL CONSIDERATIONS:

Funding will come from the multi-year fund.

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Set Bid Date & Time for Zoo Education Center Parking Lot Project on August 30th, 2022 at 2:00 pm.

ATTACHMENTS:

Invitation to Bid.

INVITATION TO BID

Sealed bids for the **Zoo Education Parking Lot Improvements (Project No. ZO2102)** will be received at the office of the City Clerk, City of Emporia, Kansas located at 104 E. 5th Avenue, up to **2:00 p.m.** on **Tuesday, August 30, 2022**, and then publicly opened in the **Engineering Department's Conference Room** located at **522 Mechanic Street**. A pre-bid conference will be held at **2:00 p.m.** on **Tuesday, August 23, 2022**, at the same location.

The work for the Zoo Education Parking Lot Paving Improvements Project will consist of the approximate quantities:

Base Concrete Bid:

Mobilization	1	LS
Contractor Construction Staking	1	LS
Clearing & Grubbing	1	LS
Combined material (AB-3) (6" Compacted)	414	TON
Combined Curb & Gutter (2'-6" Combined) (AE)	555.7	LF
Concrete Pavement (6") (Reinforced) (AE)	1050.6	SY
Concrete Pavement (8") (Reinforced) (AE)	10	SY
Concrete Sidewalk (4") (AE)	6.3	SY
Concrete Sidewalk Ramp (No Panel)	3.9	SY
Sediment Removal (Set Price)	1	CY
Traffic Control	1	LS

Base Asphalt Bid:

Mobilization	1	LS
Contractor Construction Staking	1	LS
Clearing & Grubbing	1	LS
Combined material (AB-3) (6" Compacted)	414	TON
Combined Curb & Gutter (2'-6" Combined) (AE)	555.7	LF
Concrete Pavement (6") (Reinforced) (AE)	15	SY
Concrete Pavement (8") (Reinforced) (AE)	10	SY
HMA (Commercial Grad) (Class A) (8" Avg. Depth)	460	TON
Concrete Sidewalk (4") (AE)	6.3	SY
Concrete Sidewalk Ramp (No Panel)	3.9	SY
Sediment Removal (Set Price)	1	CY
Traffic Control	1	LS

Plans and bid documents are on file at the office of the City Engineer, 522 Mechanic Street, P.O. Box 928, Emporia, KS 66801 (620-343-4260). The cost for plans and bid documents is thirty dollars (\$30), which is nonrefundable. If the Contractor prefers plans and bid documents sent by UPS, there is an additional required fee of ten dollars (\$10). Also, the Contractor may request an electronic copy of plans and bid documents for a flat rate fee of twenty dollars (\$20). The City of Emporia 2018 Master Set of Specifications (for all projects) is available upon request for a cost of \$20 for a hard copy. A contractor either shall have a current set of City Master Specs or have a signed contractor's acknowledgement on file with the City Engineer's Office that they have read and shall abide by the 2014 Master Set of Specifications on the City Web page in order to bid City of Emporia projects.

Each bid shall be accompanied by a certified check, a cashier's check, or an approved bidder's bond in an amount of not less than five percent (5%) of the total amount of the bid. Any bid bond must be with a surety and guaranty company authorized to do business in the State of Kansas and acceptable to the City as Surety.

The Bidder to whom the Contract is awarded will be required to furnish statutory bond in the amount of one hundred percent (100%) of the Contract, and performance and maintenance bond in the amount of one hundred percent (100%) of the Contract; the bonds to be acceptable to the City of Emporia, Kansas, and conform to the requirements of the Contract documents.

The City of Emporia, Kansas, reserves the right to reject any or all bids and to waive defects in bids. No bids will be withdrawn for a period of sixty (60) days after the time set for opening of bids.

If you need accommodations due to a disability to participate in this event, meeting, or activity, or alternative format of written materials contact Jeff Lynch, City of Emporia ADA Coordinator at least 48 hours before the event at 620-343-4291 or e-mail jlynch@emporia-kansas.gov.

THE CITY OF EMPORIA, KANSAS
Kerry Sull
City Clerk



Commission Action Report

Title: Informational Items

Proposed Agenda Date: August 3, 2022

Presented By: Trey Cocking, City Manager

BACKGROUND: 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.

DISCUSSION: At the time this Agenda was prepared, the following items were in the works for the tentative Agendas of the August 17, 2022 meetings.

Commission Meeting:

- Award Bid 18th Avenue and County Road.
- Award South Arundel Sanitary Sewer Project SS1903.
- Ordinance Bond Authorization Flint Hills Crossing Improvements, Water, Sewer & Street.
- Flint Hills Crossing MOU.
- Charter Ordinance Bonding Authority.
- Consider Approval of Minor Plat for Kwik Shop Addition.
- Standard Traffic Ordinance.

Study Session:

- Update on Health Insurance.
- Discuss Purchasing Policy.
- Establishing Storm Water Utility Fee.
- Uniform Public Offense Code.
- Budget Discussion.

FINANCIAL CONSIDERATIONS:

N/A

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

N/A

ATTACHMENTS:

N/A



Commission Action Report

Title: Executive Session

Proposed Agenda Date: August 3, 2022

BACKGROUND:

The City Commission requests an Executive Session to discuss data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships for potential economic development projects. K.S.A. 75-4319(B)(4) is the authority for this recess into Executive Session.

DISCUSSION:

N/A

FINANCIAL CONSIDERATIONS:

N/A

OTHER CONSIDERATIONS:

N/A

RECOMMENDED ACTION:

Recess into Executive Session to discuss proprietary information of third parties for potential economic development projects for 10 minutes, inviting Special Projects Manager Jim Witt, and stating at which time the open meeting will resume.

ATTACHMENTS:

N/A

Memo

TO: City Commission
FROM: Janet Harrouff /Trey Cocking
DATE: August 3, 2022
SUBJECT: 2023 Budget/ 5-year budget

The 2023 and 5-year budget for all funds will be discussed at the Study Session on Wednesday.

General Fund – The health insurance increase was changed from 5% to 10%, a \$29,427 increase. The estimated rate increase was received on July 27th from our broker.

Special Street - The health insurance increase was changed from 5% to 10%, a \$2,836 increase. The estimated rate increase was received on July 27th from our broker.

Water Fund - The health insurance increase was changed from 5% to 10%, a \$2,683 increase. The estimated rate increase was received on July 27th from our broker.

Wastewater Fund - The health insurance increase was changed from 5% to 10%, a \$1,885 increase. The estimated rate increase was received on July 27th from our broker.

Solid Waste Fund - The health insurance increase was changed from 5% to 10%, a \$7,698 increase. The estimated rate increase was received on July 27th from our broker.

The remaining funds did not have any changes from the July 20th packet.

The Resolution stating the City of Emporia's intent to exceed the Revenue Neutral Rate (RNR) was submitted with a 45.00 mill levy maximum. The estimated value of each mill is \$201,575 for the 2023 budget year. The budget documents have been based upon a mill levy of 42.80. If the mill levy was increased some needs would be:

- Rehab additional streets
- Salary increases
- Storm water projects
- Offset bonding for future projects

5 year Budget

4% increase

7/28/22 9:55 AM

2023-2027**Revenue Detail and Expenditure Summary****GENERAL FUND**

	2019 (Actual)	2020 (Actual)	2021 (Actual)	2022 Estimated	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027
Beginning Cash Balance	\$3,700,301	\$4,155,390	\$4,300,640	\$4,535,364	\$4,628,095	\$4,265,521	\$3,588,018	\$2,831,974	\$1,870,866
REVENUE									
Ad Valorem Property Tax	\$4,330,470	\$4,309,057	\$4,641,573	\$4,979,844	\$5,440,502	\$5,603,533	\$5,771,699	\$5,944,979	\$6,123,384
Sales Tax	\$7,407,601	\$7,506,138	\$8,496,466	\$8,760,000	\$8,992,800	\$9,231,984	\$9,477,732	\$9,730,227	\$9,989,661
Franchise Tax	\$2,584,254	\$2,448,322	\$2,554,654	\$2,719,967	\$2,814,536	\$2,886,057	\$2,959,885	\$3,036,108	\$3,114,821
Other Taxes	\$696,715	\$923,060	\$721,875	\$715,490	\$731,188	\$731,188	\$731,188	\$731,188	\$731,188
Intergovernmental Taxes	\$253,582	\$279,522	\$272,554	\$322,790	\$333,006	\$342,309	\$351,984	\$362,045	\$372,509
Licenses & Permits	\$206,176	\$266,849	\$291,189	\$267,350	\$267,950	\$267,950	\$268,450	\$268,450	\$268,950
Charges for Services	\$2,315,883	\$2,601,960	\$2,301,602	\$1,987,403	\$2,105,903	\$2,105,903	\$2,105,903	\$2,105,903	\$2,105,903
Fines & Fees	\$527,514	\$459,166	\$508,360	\$522,400	\$542,300	\$542,300	\$542,300	\$542,300	\$542,300
Use of Property and Money	\$172,263	\$171,112	\$144,759	\$150,496	\$161,996	\$163,996	\$165,996	\$167,996	\$167,996
Reimbursements	\$200,999	\$190,885	\$218,280	\$165,787	\$155,756	\$158,732	\$161,919	\$164,922	\$168,045
Misc. Rev. - Administrative Transfers	\$2,806,196	\$2,850,461	\$2,825,664	\$2,551,038	\$2,543,938	\$2,543,938	\$2,543,938	\$2,543,938	\$2,543,938
Transfer from Multi Year -PEP				\$50,000			\$0	\$0	\$0
Operating Revenues	\$4,915	\$34,175	\$45,240	\$200	\$200	\$200	\$200	\$200	\$200
Nonoperating Revenues	\$41,159		\$27,597						
TOTAL RECEIPTS	\$21,547,726	\$22,040,707	\$23,049,814	\$23,192,764	\$24,090,076	\$24,578,091	\$25,081,193	\$25,598,257	\$26,128,895
EXPENDITURES									
Administration	\$827,492	\$839,264	\$1,037,122	\$1,127,098	\$1,188,807	\$1,230,280	\$1,274,785	\$1,317,852	\$1,362,622
Accounting/HR	\$369,968	\$376,635	\$362,500	\$419,864	\$433,166	\$449,085	\$465,620	\$482,297	\$499,641
IT	\$305,912	\$284,168	\$330,886	\$342,189	\$352,980	\$362,151	\$370,609	\$378,365	\$386,431
Police	\$4,002,293	\$4,028,733	\$3,967,194	\$4,211,401	\$4,442,803	\$4,604,553	\$4,793,072	\$4,952,905	\$5,115,703
Animal Control	\$130,047	\$86,811	\$140,648	\$176,996	\$242,734	\$250,579	\$254,620	\$258,823	\$263,193
Fire	\$2,446,616	\$2,627,050	\$2,656,810	\$2,888,791	\$3,017,744	\$3,073,877	\$3,179,587	\$3,288,924	\$3,403,055
EMS	\$2,777,168	\$2,982,471	\$2,935,302	\$3,264,449	\$3,587,447	\$3,692,167	\$3,838,036	\$3,937,219	\$3,940,890
Building & Neighborhood Development	\$618,019	\$502,219	\$589,229	\$829,284	\$842,956	\$866,209	\$892,296	\$919,407	\$947,581
Municipal Court	\$493,461	\$440,768	\$554,760	\$596,332	\$598,992	\$613,846	\$629,897	\$646,570	\$663,891
Engineering	\$484,319	\$440,393	\$505,015	\$520,504	\$553,513	\$634,806	\$640,091	\$667,907	\$695,795
Street	\$51,538	\$32,322	\$19,389	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
Golf Course	\$668,519	\$706,158	\$793,900	\$798,601	\$857,000	\$884,824	\$950,871	\$920,432	\$1,030,634
Park	\$1,037,560	\$809,577	\$918,376	\$1,099,113	\$1,193,800	\$1,259,253	\$1,252,904	\$1,271,801	\$1,336,994
Zoo	\$476,762	\$501,881	\$549,281	\$649,916	\$710,678	\$704,691	\$725,444	\$745,968	\$767,292
Civic Auditorium	\$975,192	\$817,952	\$875,087	\$1,070,345	\$1,070,297	\$1,090,793	\$1,114,089	\$1,136,216	\$1,159,209
Shop	\$105,918	\$75,589	\$71,441	\$121,426	\$136,071	\$202,096	\$140,421	\$149,060	\$158,024
Street Lighting	\$300,752	\$327,509	\$303,303	\$370,000	\$377,400	\$384,948	\$392,647	\$400,500	\$408,510
Appropriations	\$229,955	\$194,442	\$80,293	\$94,250	\$113,000	\$88,000	\$88,000	\$88,000	\$88,000
Airport	\$558,645	\$454,160	\$648,272	\$661,592	\$844,712	\$914,318	\$864,268	\$874,576	\$885,257
Parking Facility	\$10,008	\$21,803	\$10,223	\$25,600	\$25,800	\$26,004	\$26,212	\$26,424	\$26,641
Transfers - County Wide Sales Tax	\$2,463,819	\$2,535,236	\$2,822,749	\$3,000,000	\$3,060,000	\$3,121,200	\$3,183,624	\$3,247,296	\$3,312,242
Transfer to Industrial Development Sales Tax	\$900,000	\$925,000	\$925,000	\$925,000	\$925,000	\$925,000	\$925,000	\$925,000	\$925,000
Transfer to Equipment Reserve				\$260,000	\$264,500	\$282,300	\$257,800	\$364,300	\$257,000
Transfer to Projects	\$1,037,917	\$2,136,021	\$1,771,144	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000
Salary Contingency				(\$259,439)	(\$280,252)	(\$291,462)	(\$303,120)	(\$315,245)	(\$327,855)
Outstanding PO's	(\$288,760)		(\$155,880)						
Assume expenditures at 99%				(\$193,278)	(\$206,499)	(\$213,925)	(\$219,535)	(\$225,232)	(\$231,994)
TOTAL EXPENDITURES	\$20,983,120	\$22,146,161	\$22,712,040	\$23,100,034	\$24,452,649	\$25,255,593	\$25,837,238	\$26,559,364	\$27,173,755

5 year Budget

2023-2027

Revenue Detail and Expenditure Summary

4% increase

GENERAL FUND

	2019 (Actual)	2020 (Actual)	2021 (Actual)	2022 Estimated	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027
Revenue less expenses	\$564,606	(\$105,454)	\$337,774	\$92,730	(\$362,574)	(\$677,503)	(\$756,044)	(\$961,108)	(\$1,044,860)
Cash Basis Adjustments/Non-appropriated Balance	(\$109,518)	\$250,705	(\$103,050)	\$0	\$0	\$0	\$0	\$0	\$0
Ending Cash Balance	\$4,155,390	\$4,300,640	\$4,535,364	\$4,628,095	\$4,265,521	\$3,588,018	\$2,831,974	\$1,870,866	\$826,006
Base for Reserve calculation	\$15,910,962	\$15,896,975	\$16,859,065	\$18,875,034	\$20,163,149	\$20,887,093	\$21,430,814	\$21,982,768	\$22,639,513
15% Reserve	\$2,386,644	\$2,384,546	\$2,528,860	\$2,831,255	\$3,024,472	\$3,133,064	\$3,214,622	\$3,297,415	\$3,395,927
Amount over 15% Reserve	\$1,768,745	\$1,916,094	\$2,006,505	\$1,796,839	\$1,241,048	\$454,954	(\$382,648)	(\$1,426,549)	(\$2,569,921)
Percentage	26.12%	27.05%	26.90%	24.52%	21.16%	17.18%	13.21%	8.51%	3.65%

8% valuation increase in 2023
Assessed Valuation 3% each year
Sales Tax 3% inc each year
Multi Year Tax 2% inc
Electric franchise fee 5% inc 2022 2% inc each year
Gas Franchise Fee 10% in 2022 5% in each year
Admin fee capped for sewer - 16% other funds

Expense Items

Personnel services includes a 2.5% merit pay inc
10% increase for health insurance
Mainstreet - Changed allocation to \$50,000 decrease of \$6,500
Plumb Place \$25,000