

COMMISSION MEETING

1:30 P.M.

MARCH 3, 2021

The Governing Body of the City of Emporia, Kansas, met in Regular Session, Wednesday, March 3, 2021, in the City Commission Meeting Room with Mayor Gilligan presiding and Commissioners Brinkman, Geitz, Giefer, and Smith present. Also present were City Manager McAnarney, Assistant City Manager Massey, City Clerk Sull and City Attorney Montgomery.

Consent Agenda

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

- a. Consider minutes of the Regular Meeting held on February 17, 2021.
- b. Consider ratification of Payroll Ordinance for the period ending on February 26, 2021.
- c. Consider the Approval of an Agreement with Dynamic Discs authorizing a mural painted on the Park Barn in Jones Park.
- d. Consider Change Order No. 1 for Airport Runway Seal Coat for all existing taxi lanes, the parking lot, and paved drive to the parking lot.

The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

**CITY COMMISSION
(Public Comment)**

This is the time for the public to make comments. No comments were made at this time.

**CITY COMMISSION
(Board Appointments)**

COMMUNITY HOUSING BOARD/EMPORIA LAND BANK:

It was moved by Commissioner Giefer, seconded by Commissioner Brinkman that Lynn Cunningham be appointed to the Community Housing Board/Emporia Land Bank for a term that expires May 1, 2024. The vote

follows: Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; Commissioner Smith, aye; and Mayor Gilligan, aye.

CITY COMMISSION
(Kansas Housing Resources Corporation)
(Emergency Solutions Grant)
(Family Promise of the Flint Hills)

Jeff Lynch, Community Development Coordinator, was recognized and addressed the Governing Body. He stated a local non profit agency, Family Promise of the Flint Hills, is a newly started agency which seeks to provide assistance to our local homeless population and funding to assist in their efforts. This funding would provide emergency shelter, food and other essential services such as case management, life skills training, counseling and assistance in obtaining housing and employment for their homeless participants. He stated the City will require all participating agencies to have their financial records reviewed on a regular basis by a professional accounting/bookkeeping firm. Additionally, revisions have been implemented in the grant agreement that will be executed with the agency to include certification of qualified expenses, liability of all sub recipient agencies to repay the City for any repayment of funds or penalties. He stated staff was recommending accepting the Emergency Solution Grant in the amount of \$139,333.00 from the Kansas Housing Resources Corporation on behalf of Family Promise of the Flint Hills and authorizing the Mayor to execute the necessary acceptance documents.

Commissioner Geitz made a motion to accept an Emergency Solutions Grant in the amount of \$139,333.00 from the KHRC on behalf of Family Promise of the Flint Hills and authorize the Mayor to execute the necessary acceptance documents. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

**SOLID WASTE
(New Wheel Loader for Transfer Station)
(Bids)**

Tim Frevert, Purchasing Agent, was recognized and addressed the Governing Body. He stated bids were received for a new wheel loader to be used at the Transfer Station. The current unit is a 2010 model year Case 621E with more than 7,800 hours on it. This machine is used daily and typically heavy equipment is traded at 5,000 hours. He stated four bids were received as follows:

BID TABULATION FOR WHEEL LOADER

	Make	Base Price	Trade-in	Net Cost	Delivery
Foley Tractor Co. 5104 Skyway Drive Manhattan, KS	Cat 926 Waste Hauler	\$202,644.00	\$26,500.00	\$176,144.00	180 Days
Van Keppel 3501 SW 21 st St. Topeka, KS	Volvo L70H	\$205,750.00	\$35,000.00	\$170,750.00	120 Days
Murphy Equipment 1621 N W Gage Blvd Topeka, KS	John Deere 544 P 524 P 544L w/650 hrs.	\$195,878.00 \$183,605.00 \$189,868.00	\$20,000.00 \$20,000.00 \$20,000.00	\$175,878.00 \$163,605.00 \$169,868.00	90 Days 90 Days 90 Days
Victor Phillips 1305 SW 42nd St. Topeka, KS	Case 621 G	\$196,984.00	\$34,000.00	\$162,984.00	90 - 120 Days

He stated the budgeted amount for this purchase was \$200,000.00. Staff is recommending the purchase of a Case 621 G wheel loader from Victor L. Phillips Company for the low bid of \$162,984.00.

Commissioner Smith made a motion to award the bid for a new wheel loader for the Transfer Station to Victor L. Phillips Company for a Case 621 G in the amount of \$162,984.00. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

ENGINEERING
(Authorize Agreement 50-21 with Kansas Department of Transportation)
(2022 CCLIP Project No. 56-50 U-2389-01)
(Surface Preservation Resurfacing Program)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the City received a KDOT Community Connecting Link Improvement Program (CCLIP-SP) surface preservation award for up to \$300,000.00 of funding for their FY 2022. The program pays 90% of the Total Actual Costs of Construction not to exceed \$300,000.00. He stated the City will be responsible for 100% of preliminary engineering and total actual costs of construction and construction engineering that exceed the \$300,000.00 match from KDOT. This project will include surface preservation of K-99 (Commercial Street) Highway from 3rd Avenue to 12th Avenue and US-50 (6th Avenue) Highway from Neosho Street to Mechanic Street. The City's portion will be funds out of the Multi-Year Fund. He stated staff recommends approval of agreement 50-21 with KDOT for CCLIP Surface preservation resurfacing program.

Commissioner Smith made a motion to approve agreement 50-21 with KDOT Bureau of Local Projects for Project No. 56-50 U-2389-01 CCLIP Surface Preservation Resurfacing Program. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

PAVING
(30th Avenue Paving & Construction Improvements)
(Crestview to Prairie Street - Project No. PV2006)
(Bids)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated bids were received for the 30th Avenue Paving and Construction Improvements (Crestview to Prairie Street) Project No. PV2006. There were three bidders out of seven plant holders as follows:

BID TABULATION FOR 30TH AVE. PAVING & CONSTRUCTION PV2006

Contractor	Base Bid	Add Alternate No. 1 Bid	Grand Total Base Bid & Alt 1
APAC-KS, Inc. Shear Div	\$ 791,390.59	\$28,196.30	\$ 819,586.89

Killough Construction	\$ 929,322.13	\$28,340.00	\$ 957,662.13
Bettis Asphalt & Constr.	\$1,063,626.06	\$33,918.00	\$1,097,547.06
Engineer's Estimate	\$ 782,226.40	\$44,500.00	\$ 826,726.40

The paving portion of the project is \$779,331.01, the waterline improvements is \$12,059.58, Add Alternate No. 1 is \$28,196.30 for grand total of \$819,586.89. He stated staff recommends awarding the project to APAC-KS, Inc., Shear Division for the Base Bid plus the Add Alternate for the total amount of \$819,586.89. The amount is within the Engineer's Estimate and the project will be funded with the proceeds of a bond issue.

Following further discussion, Commissioner Smith made a motion to award the project to APAC-KS, Inc., Shear Division for a total base bid amount of \$791,390.59, and an Add Alternate No. 1 Bid of \$28,196.30, for a total bid amount of \$819,586.89. Commissioner Giefer seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Giefer, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

**SIDEWALK
(2021 Hazardous Sidewalk Program)
(Bids)**

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated one bid was received for the 2021 Hazardous Sidewalk Program. The bid received is intended for setting unit prices for each individual project line item. Bid totals were achieved by multiplying these unit prices with out initial estimated quantities from the list of individual site work projected for the 2021 Hazardous Sidewalk program.

BID TABULATION FOR 2021 HAZARDOUS SIDEWALK PROGRAM

Contractor	Base Bid
Emporia Construction & Remodeling, Inc.	\$52,895.00
Engineer's Estimate	\$50,330.00

The 2021 Hazardous Sidewalk Program is budgeted at \$100,000.00, additional locations and quantities will be added to this contract throughout the year. The program allows the homeowner the option to hire their own bonded contractor to replace their sidewalk at these set unit prices. He stated

Emporia Construction & Remodeling has been consistent for bidding on sidewalks within the City and staff is recommending awarding the bid for the 2021 Hazardous Sidewalk Program to Emporia Construction & Remodeling in the amount of \$52,895.00.

Commissioner Smith made a motion to award the bid for the 2021 Hazardous Sidewalk Program to Emporia Construction & Remodeling in the amount of \$52,895.00. Commissioner Brinkman seconded the motion. The vote follows: Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

ECONOMIC DEVELOPMENT
(Consider Agreement with Kaw Valley Engineering for Design Services)
(Road 180/18th Avenue from Road G to Evergy Property)

Jim Ubert, City Engineer, was recognized and addressed the Governing Body. He stated the City has recently been approved to receive Access Management funding from Kansas Department of Transportation KDOT for construction of Road 180/18th Avenue roadway and drainage improvements from Road G to the west end of the Evergy plat. Kaw Valley is part of the design services team involved with the site improvements for Evergy's proposed 19-acre office, repair shop and lay down yard. Approval of the agreement with Kaw Valley Engineering will keep design of Road 180 street and drainage and Evergy site improvements with one design service for better coordination and scheduling. The design contract will be funded in part by the City's agreement with Evergy and the Multi-Year Fund. He stated staff is recommending approval of the agreement and authorizing the Mayor to sign the agreement.

Commissioner Giefer made a motion to approve the agreement with Kaw Valley Engineering for Design Services for Road 180/18th Avenue roadway and drainage improvements from Road G to the west end of the Evergy Plat. Commissioner Smith seconded the motion. The vote follows: Commissioner Giefer, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Geitz, aye; and Mayor Gilligan, aye.

CITY COMMISSION
(Authorize General Obligation Bonds - \$1,225,000.00)
(Acquire Equipment & Improvements to Water Treatment Plant)
(Ordinance No. 21-07)

AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF EMPORIA, KANSAS TO PAY COSTS OF ACQUIRING EQUIPMENT FOR CITY SERVICES AND MAKING IMPROVEMENTS AT THE WATER TREATMENT PLANT, to which the City Clerk assigned Ordinance Number 21-07, was presented to the Governing Body for their consideration.

Janet Harrouff, Director of Administrative Services, was recognized and addressed the Governing Body. She stated the following items have been included in the 2021 budget. Authorizations will be issued so that the City can issue bonds later in the year for these purchases.

1. Aviation fuel truck. The current fuel truck is a 1986 truck that is used to pump Avgas into the planes. The authorization is for \$175,000.00.
2. Motor grader for the street department. The authorization is for \$200,000.00.
3. Replacing the turbidimeters at Water Treatment plant for \$300,000.00.
4. Replacing the actuators at the Water Treatment plant for \$550,000.00.

She stated staff recommends approval of the ordinance authorizing the issuance of General Obligation Bonds.

Commissioner Geitz made a motion to approve Ordinance Number 21-07, an ordinance authorizing the issuance of General Obligation Bonds for aviation fuel truck, motor grader and Water Treatment Plant equipment. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

CITY COMMISSION
(Kansas Department of Commerce for Small Cities)
(Acceptance for Community Development Block Grant - \$700,000.00)

City Manager McAnarney stated in the fall of 2020, the City of Emporia applied for a Kansas Small Cities Community Development Block Grant (CDBG) Community Improvement grant in the amount of \$700,000.00. The City was notified earlier that the \$700,000.00 grant application had been awarded pending the approval of all necessary documents. The City's match will be secured from the KDHE Sewer Revolving Loan Fund and Western Consultants DBA Governmental Assistance Services will be utilized to administrate the grant on behalf of the City. He stated staff was recommending acceptance of a Kansas Small Cities Community Development Block Grant (CDBG) grant in the amount of \$700,000.00 and authorize the Mayor to sign all necessary documents.

Commissioner Geitz made a motion to accept the Kansas Small Cities Community Development Block Grant (CDBG) Community Improvement grant in the amount of \$700,000.00 and authorize the Mayor to sign the agreement and other necessary documents. Commissioner Smith seconded the motion. The vote follows: Commissioner Geitz, aye; Commissioner Smith, aye; Commissioner Brinkman, aye; Commissioner Giefer, aye; and Mayor Gilligan, aye.

PARK DEPARTMENT
(Consider Extended Park Hours - Soden's Grove)
(Glow-in-the-Dark Disc Golf Event)

City Manager McAnarney stated Dynamic Disc would like to hold a Glow-in-th-Dark Disc Golf event at Soden's Grove Park on April 24, 2021 from 11:00 p.m. to 1:00 a.m. as part of the Dynamic Discs Open week. City Code Section 18-7 sets Soden's Grove park hours from 6:00 a.m. to 11:00 p.m. with a provision to allow the City to authorize the park to remain open until 1:00 a.m. for special events. He stated staff is recommending extending park hours for the disc golf event.

Commissioner Smith made a motion authorizing extended park hours on April 14, 2021 for Glow-in-the-Dark Disc Golf Event until 1:00 a.m. Commissioner Brinkman seconded the motion. The vote follows: Commissioner

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

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

This is a verbal report that announces upcoming events, recognized employees for outstanding contributions 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 MARCH 10TH STUDY SESSION @ 9:30 A.M.

Discuss potential funding opportunities form Healthier Lyon County.
Discuss Projects for Second State Revolving Fund Drinking Water Loan.
Highland Street Improvements.
City Emporia Stormwater Management Plan.
Sewer System Connection Policy.
Discuss Agreement for JAC with ERC.

EXECUTIVE SESSION

Commissioner Geitz made a motion to adjourn into Executive Session to discuss proprietary information regarding private businesses in the City of Emporia and to invite Special Project Manager, Jim Witt and City Engineer, Jim Ubert, from 1:55 p.m. to 2:15 p.m., in the City Commission Meeting Room.

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

Upon reconvening the meeting in Regular Session, at 2:15 p.m., this same date, in the City Commission Meeting Room, Mayor Gilligan stated they had discussed proprietary information regarding private businesses in the City of Emporia and no action was taken.

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

Robert F. Gilligan, Mayor

ATTEST:

Kerry Sull, City Clerk