

CITY COMMISSION MEETING

November 4, 2020 at 1:30 PM

CITY COMMISSION / MUNICIPAL COURT ROOM
518 MECHANIC, EMPORIA, KS

Agenda

Meeting Items

1. Members Present:
2. Consent Agenda
3. Public Comment
4. Consider Awarding Bid for One New Dump Truck
5. Consider the Appointment of a Member to the Regional Development Association of East Central Kansas
6. Consider Submission of Application to the Kansas Housing Resources Corporation for Emergency Solutions Grant
7. Report from City Manager on Activities
8. City Commission Reports and Comments
9. Executive Session
10. 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 48hours before the event at 620-343-4285 or jlynch@emporia-kansas.gov*

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: Consent Agenda

SUBJECT:

Consent agenda:

The items listed on the Consent Agenda are considered by the Governing Body to be routine business items. Approval of the items may be made by a single motion, second and majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, at his/her request, it will be removed from the Consent Agenda and considered separately.

- a. Consider minutes of the Regular Meeting held on October 21, 2020.
- b. Consider ratification of Payroll Ordinance for the period ending on October 23, 2020.
- c. Consider Change Order No. 2 for the Peyton Street Watermain Improvements Project WM1902.

RECOMMENDATION:

- a. Approve Minutes
- b. Approve Payroll
- c. Approve Change Order

BACKGROUND SUMMARY:

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 2c

SUBJECT: Consider Change Order No. 2 for the Peyton Street Watermain Improvements Project WM1902.

RECOMMENDATION: Approve Change Order No. 2 for the Peyton Street Watermain Improvements Project WM1902 for an additional amount of \$1,858.19.

BACKGROUND SUMMARY:

Attached are the change order quantities for the Peyton Street Watermain Improvements Project WM1902. The original bid amount was \$345,635.00. This Change Order for \$1,858.19 would increase the final contract dollar amount to \$347,493.19.

Attached is Change Order No. 2 and line item explanations.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

CHANGE IN PLANS NO. 2
ON CONTRACT WITH GREELEY EXCAVATING LLC. FOR THE CONSTRUCTION OF
PEYTON STREET WATER MAIN IMPROVEMENTS PROJECT NO. WM1902
(SOUTH AVENUE TO 6TH AVENUE)

Date: October 1, 2020

This change in plans, made in accordance with the provisions of Paragraph 9, GS-4, General Conditions under the above Contract, provides for a change in the contract total due to estimated quantities being different than the actual quantities used in the construction of the Peyton Street Water Main Improvements Project No. WM1902 (South Avenue to 6th Avenue).

<u>QUANTITY</u>	<u>UNIT</u>	<u>ITEM & UNIT PRICE IN WORDS</u>	<u>IN FIGURES</u>	<u>AMOUNT</u>
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QUANTITIES ADDED:

13	SY	Pavement Remove and Replace (Asphalt) @ Two Hundred Four dollars (Unit Price in Words)	\$204.00	\$2,652.00
10	LF	Curb and Gutter (2'-6" Combined) (Remove and Replace) @ Sixty-five Dollars (Unit Price in Words)	\$65.00	\$650.00
7	CY	Flowable Fill (Low Strength) @ Ninety Dollars (Unit Price in Words)	\$90.00	\$630.00

TOTAL ADDED TO PROJECT:	<u>\$3,932.00</u>
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QUANTITIES DELETED:

6	Days	Liquidated Damages @ Five Hundred Dollars (Unit Price in Words)	\$345.64	\$2,073.81
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TOTAL DELETED FROM PROJECT:	<u>\$2,073.81</u>
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TOTAL CHANGE ORDER ADDED TO PROJECT:	<u>\$1,858.19</u>
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CONTRACTOR: Greeley Excavating, LLC

BY: Clifford J. Penner
OWNER or AUTHORIZED REPRESENTATIVE

APPROVED BY: THE CITY OF EMPORIA, KS

BY: _____
MAYOR

Date: _____

Attest: _____
CITY CLERK

PEYTON STREET WATER MAIN IMPROVEMENTS
PROJECT NO. WM1902
(South Avenue to 6th Avenue)

CHANGE ORDER EXPLANATION

During construction of the Peyton Street Water Main Improvements Project No. WM1902 (South Avenue to 6th Avenue), changes and adjustment of quantities were made which resulted in an increase of the contract in the amount of \$1,858.19.

Quantities Added:

1. Pavement Remove and Replace (Asphalt) –
This change represents an overrun of 13 S.Y. This item increased due to an additional (9 Sq. Yds.) of pavement needing removed for tie in at Station 11+96.46. Also, during directional bore, the drill hit an existing rock wall below road surface at Station 11+10.00. The contractor had to excavate this area which required (4 Sq. Yds.) of pavement to be removed and replaced.

2. Curb and Gutter (2'-6" Combined) (Remove and Replace) –
This change represents an overrun of 10 L.F. This item increased due to additional curb needing removed and replaced at Station 50+10.00 (2 Lin. Ft.), Station 52+58.39 (4 Lin. Ft.) and Station 62+80.00 (4 Lin. Ft.).

3. Flowable Fill (Low Strength) –
This change represents an overrun of 7 C.Y. This item increased due to directional bore hitting an existing rock wall below road surface at Station 11+10.00 and the contractor had to excavate this area which required (7 Cu. Yds.) of Flowable Fill.

Quantities Deleted:

1. Liquidated Damages –
Total Working Days allowed for the contract is 30 Days. Substantial Completion was recorded at 41 Days. Only 6 days of the 11 were charged as liquidated damages due to equipment failure which slowed progress for the first week. These 5 days were not charged as liquidated damages.

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 3

SUBJECT: Public Comment

RECOMMENDATION:

BACKGROUND SUMMARY:

Citizen Appearance Procedures

Presentations by individuals during "Citizen Appearance" portion of the Commission agenda shall be limited two minutes each. No personal attacks, comments or opinions shall be expressed or made against or about any member of the Commission, Mayor, City Employee, individual group or corporation.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 4

SUBJECT: Consider Awarding Bid for One New Dump Truck.

RECOMMENDATION: Award one new Ford F750 with bed to Merle Kelly Ford for \$95,082.00.

BACKGROUND SUMMARY:

Following is a bid tabulation for a new dump truck.

	Year	Make	Model	Price
Longbine Autoplaza 3012 W. 50 Emporia, KS		No Bid		
John North Ford 3002 W. 50 Emporia, KS.	2021/22	Ford	F650 29,000 GVW	\$96,116.00
Merle Kelly Ford 3501 S Santa Fe St. Chanute, KS	2021/22	Ford	F750 31,000 GVW	\$95,082.00
Emporia Kenworth 1130 Overlander Rd. Emporia, Ks 66801		Bid packet was late and not opened		

5 other bid packets were sent in addition to the 4 listed above.

The low bid of the F750 has larger capacity axle and springs which is better for our use. Staff including the Street Supervisor (Jeff Meek) recommends purchasing the F750 from Merle Kelly Ford.

The bid submitted from John North Ford was actually prepared by Olathe Ford because Olathe Ford is a medium duty truck dealership, John North is not. This information is included because of our local preference policy. While there is only \$1,034.00 to local, the "local" bid may not be as local as it appears on the bid tabulation.

The replaced truck will be transferred to the wastewater plant and the truck from the wastewater plant will be sold at auction.

The budgeted amount for this purchase is \$100,000.00 in the recent bond fund.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 5

SUBJECT: Consider the appointment of a member to the Regional Development Association of East Central Kansas.

RECOMMENDATION: Approve the appointment of a member to the Regional Development Association of East Central Kansas.

BACKGROUND SUMMARY:

The Regional Development Association of East Central Kansas currently has one opening for the board. An application has been received from Brad Kraft and it has been reviewed by staff and meets eligibility requirements.

Mr. Kraft's application is attached for your review.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

APPLICATION FOR ADVISORY BOARD MEMBERSHIP

DATE: 10/01/2020

NAME:	Bradley	T	Kraft
	First Name	MI	Last Name

ADDRESS:	2200 East Bayfront Court		
	Street		
	Emporia	KS	66801
	City	State	ZIP

Email: brad.kraft@hopkinsmfg.com

PHONE: 6203408405

PLACE OF EMPLOYMENT: Hopkins Manufacturing Corporation



HOW LONG HAVE YOU BEEN A RESIDENT OF EMPORIA? 20

ADVISORY BOARD(S) YOU ARE INTERESTED IN:
REGIONAL DEVELOPMENT ASSOCIATION OF E. CENTRAL KS BOARD (RDA)

**BRIEFLY DESCRIBE WHY YOU WOULD LIKE TO PARTICIPATE ON THE
ADVISORY BOARD(S) MENTIONED ABOVE:**

RDA has done great work contributing to the health and vibrancy of the community; this makes Emporia a more attractive place to do business and attracts employees for all of us. I would like to be a part of this good work and believe that my experience as an employer in Emporia can be of value on the RDA board.

OTHER ACTIVITIES AND INTERESTS:

Current:

United Way of the Flint Hills Board of Trustees

ESU Business School Advisory Board

Boy Scouts of America Jayhawk Area Council Board

Boy Scouts of America Sojadi District Committee and former District Chair

Auto Care Industry Association - Board Member and Chair, member Finance, Audit, Events Committees

Previous

FHTC Board of Trustees and Chair - City representative

In Lieu of Signature, Click Here

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 6

SUBJECT: Consider submitting an application to the Kansas Housing Resources Corporation for Emergency Solutions Grant on behalf of local agencies.

RECOMMENDATION: Approve submittal of grant application.

BACKGROUND SUMMARY:

Two local non- profit agencies, Family Promise of the Flint Hills and Plumb Place, provide assistance to our local homeless population, and are seeking this funding to assist them in their efforts. This funding would provide emergency shelter, food and needed essential services such as case management, life skills training, counseling, and assistance in obtaining housing and employment for their homeless participants.

As discussed in the May 1, 2020 City Commission Study Session, the City will require all participating agencies to have their financial records reviewed on a regular basis by a professional accounting/bookkeeping firm. Agencies will be required to provide certification of qualified expenses, liability of all sub-recipient agencies to repay the City for any repayment of funds or penalties, and designation of a responsible party to ensure all appropriate financial documents are supplied to the City or State in a timely manner upon request.

The two agencies submitting an application in this round have been reviewed for qualifications by answering a questionnaire and undergoing follow-up interviews by program staff. Both agencies appear to meet initial minimum requirements. If the applications are approved by KHRC, the City will administer the grants. Each agency will be required to follow State and City requirements for certification of eligible expenses prior to dispersal of funds. Any funds not dispersed will be returned to the state at the end of the funding period.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

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



2020
KANSAS EMERGENCY SOLUTIONS GRANT APPLICATION

SECTION I: SUB RECIPIENT APPLICANT INFORMATION (City, County)

Sub Recipient is responsible for the administration of the ESG and coordination of the ESG programs in the geographical jurisdiction.

A. Applicant Information

Sub Recipient City of Emporia
Authorized Representative Danny Giefer Title Mayor

Address: 522 Mechanic St., P.O. Box 928

Kansas 6801 48-6026579
State Zip Code Federal I.D. Number

Contact to whom questions about this application should be directed: Jeff Lynch, Community Development Coordinator
Telephone (620) 343-4285 Fax (620) 341-4337
E-mail Address jlynch@emporia-kansas.gov

B. Total ESG REQUEST (all applying agencies)

ESG Agency	Street Outreach	Shelter	Homeless Prevention	Rapid Re-Housing	HMIS	Totals
Family Promise	\$	\$ 80,000.00	\$	\$ 20,000.00	\$	\$ 100,000.00
Plumb Place	\$ 2,000.00	\$ 40,000.00	\$	\$	\$ 630.00	\$ 42,630.00
	\$	\$	\$	\$	\$	\$ 0.00
	\$	\$	\$	\$	\$	\$ 0.00
	\$	\$	\$	\$	\$	\$ 0.00
	\$	\$	\$	\$	\$	\$ 0.00
Sub Totals	\$ 2,000.00	\$ 120,000.00	\$ 0.00	\$ 20,000.00	\$ 630.00	\$ 142,630.00

C. Counties

1.) Lyon 4.) Morris
2.) Coffey 5.) Osage
3.) Chase 6.) Greenwood

D. PERFORMANCE OUTCOME MEASURES

The U. S. Department of Housing and Urban Development (HUD) is instituting performance measures to gather information to determine the effectiveness of programs funded with CDBG, ESG, HOME and HOPWA. Information obtained on the local level will be reported to HUD which will enable HUD to describe performance results at the National Level. HUD's outcome performance measurement system has three objectives and three outcomes which are listed below.

1. Select one of the following that best fits your project objective:

- ☒ Suitable living environment
- ☐ Decent affordable housing
- ☐ Creating economic opportunity

2. Select at least one of the following that describes the outcome your project will achieve:

(NOTE: Outcomes show how programs benefit a community or people served.)

- ☒ Availability/Accessibility (Applies to activities that make services, infrastructure, housing, shelter, or employment opportunities available or accessible to low income persons by improving or providing new services, etc.)
- ☐ Affordability
(This applies to making an activity more affordable for low income persons.)
- ☐ Sustainability
(Using ESG resources in a targeted area to help make that area more viable/livable.)

**3. Please describe the process to establish and select the above objectives and outcomes.
(Must be included)**

Certification: To the best of my knowledge and belief, the data in this application are true and correct. This document has been duly authorized by the governing body of the applicant. The applicant will ensure compliance with the ESG regulations of 24 CFR Part 576, the Uniform Administrative Requirements Cost Principles and Audit Requirements for Federal Awards at 2 CFR part 200, the ESG grant agreement and federal and state regulations if assistance is approved.

Signature of Authorized Official of Governing Body

Mayor

Title

11/04/2020

Date



Community Development Department
521 Market Street
Emporia, Kansas 66801
Phone: (620) 343-4285

November 4, 2020

James Chiselom, ESG Program Manager
Kansas Housing Resources Corporation
611 S. Kansas Avenue, Suite 300
Topeka, Kansas 66612

Dear Mr. Chiselom,

On behalf of the City of Emporia, I am pleased to submit the official application for the 2020 Emergency Solutions Grant Program. The City of Emporia will be the sponsoring agency for the grant application submitted on behalf of Plumb Place and Family Promise of the Flint Hills.

Like many cities, Emporia experiences serious problems that are encountered by homeless individuals in our community, and we believe that the award of this grant will help alleviate the most serious of these problems. Emporia has also experienced its share of challenges this year with the pandemic. These challenges place additional pressure on shelters/organizations such as Plumb Place, Family Promise of the Flint Hills and the homeless/needy in our community in general. We have seen positive signs that the local economy is improving, but we still have many needs in our community. The grant will provide the funds to partially fund the cost of operating and staffing the facilities and also contribute to homeless prevention.

The City of Emporia and Plumb Place have worked together for many years to provide a very important service to the residents of our community. Family Promise of the Flint Hills is new to our community and the City of Emporia supports their desire to help provide services to homeless families, provide the families a resource to gain safe and healthy housing as well as services to support their work towards self-sufficiency. The City of Emporia has also established an excellent partnership with the Kansas Housing Resource Corporation in providing emergency housing services in our community. We believe that our partnership has made a positive difference in the lives of many of our residents and urge your support of the grant application so that we may continue to combat this problem in our community.

If you have any questions or require any additional information, please feel free to contact any of the following:

Mary Richardson	Plumb Place	(620) 342-1613
Doug Epp	Family Promise of the Flint Hills	(620) 481-9725
Jeff Lynch	City of Emporia	(620) 343-4285

Thank you in advance for your consideration of the 2020 Emergency Solutions Grant Application. We look forward to your response.

Kind regards,

Danny Giefer, Mayor
City of Emporia

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 7

SUBJECT: Report from the City Manager on City Activities

RECOMMENDATION: This is a verbal report that announces upcoming events, recognizes employees for outstanding contributions and provides the public with information that may be of general interest.

BACKGROUND SUMMARY: This is an opportunity 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:

NO STUDY SESSION NOVEMBER 11TH IN OBSERVANCE OF VETERAN'S DAY

ACTION RECORD

Action: _____

Motion: _____ Second: _____

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

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 8

SUBJECT: City Commissioners Reports and Comments

RECOMMENDATION:

BACKGROUND SUMMARY:

This is a time for the City Commissioners to make comments and reports to the Public.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

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

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 9

SUBJECT: Executive Session

RECOMMENDATION:

BACKGROUND SUMMARY:

At this time, the City Commission requests an Executive Session to discuss proprietary information of businesses considering new developments.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

Abstained: _____ Vote: _____

GEITZ _____ GIEFER _____ GILLIGAN _____ SMITH _____ BRINKMAN _____

AGENDA ITEM SUMMARY

MEETING DATE: November 4, 2020

ITEM NUMBER: 10

SUBJECT: Executive Session

RECOMMENDATION:

BACKGROUND SUMMARY:

At this time, the City Commission requests an Executive Session for consultation with the City Attorney regarding a legal matter.

ACTION RECORD

Action: _____

Motion: _____ Second: _____

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