

The El Dorado City Commission met in a regular session on December 2, 2019 at 6:30 p.m. in the Commission Room with the following present: Outgoing Mayor Vince Haines, Incoming Mayor Bill Young, Commissioner Matt Guthrie, Commissioner Gregg Lewis, Commissioner Nick Badwey, City Manager David Dillner, City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Brad Meyer	222 E Locust	El Dorado, KS
Deanna Bonn	Everyday El Dorado	El Dorado, KS
Lee White	938 W 3 rd	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Tammy Schaffer	220 E 1 st Ave	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Emily Connell	El Dorado Main Street	El Dorado, KS
Jordan Buxton	Chamber of Commerce	El Dorado, KS
Kurt Bookout	220 E 1 st Ave	El Dorado, KS
Melody Haines & Family	300 N Star	El Dorado, KS
Damon Admire	MRE	Emerald, Texas

CALL TO ORDER

Mayor Vince Haines called the December 2, 2019 meeting to order.

INVOCATION

Salvation Army, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The Flinthills Rock and Rollers led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITION

Service Awards were presented to the following employees by Department Heads.

10 Years of Service
Larry Arnold (not present)
Neil Boyce
Michelle Linson
Tabitha Sharp
Debbie Smith

15 Years of Service
Sarah Hagen
John Thompson

20 Years of Service
Amanda Stalnaker

Mayor Vince Haines thanked the community, the citizens, his family, fellow Commissioners and City Staff for working with him over the past five years. He stated that he has enjoyed working with everyone.

The Commission and City Manager Dillner presented the Mayor with a gift and a plaque recognizing his service.

Commissioner Nick Badwey moved to adjourn the City Commission meeting sine die.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Commissioner Nick Badwey called the meeting back to order.

City Clerk Tabitha Sharp swore in Mayor Bill Young and Commissioners Gregg Lewis and Kendra Wilkinson.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comment.

Lee White, 938 W 3rd, stated that he felt that the MOU being discussed between the City and BCC regarding the Villas property was a good idea, and encouraged the Commission to pass it.

Mr. White also asked the City Commission to consider two other items: renaming the Civic Center in honor of Mayor Ed Blake in honor of his many years of service to El Dorado, and approval of an excess sales tax funds request to improve the Baseball Hall of Fame for the purpose of housing the car driven by Jim McDonald.

CONSENT AGENDA

Approval of City Commission Minutes from November 18, 2019 and Special City Commission Meeting Minutes from October 20 and November 13, 2019.

Approval of Civic Center and Train Depot rates.

Commissioner Nick Badwey moved to approve the consent agenda as amended.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

PURCHASE OF 904 NORTH ORIENT

City Engineer Scott Rickard stated that David Turner wishes to sell the property at 904 North Orient to the City of El Dorado. He stated that the property is located within the flood plain, and is undesirable for a new home owner. He stated that the removal of the structure from the floodplain is beneficial to the City and will also work well with the expansion of North Main Park as part of the Parks and Recreation Master Plan.

City Engineer Rickard stated that the County has appraised the structure at \$20,500 and staff have negotiated a price of \$14,000 with the owner.

Commissioner Matt Guthrie moved to authorize the City Manager to purchase and acquire 904 North Orient for floodplain mitigation and parkland expansion.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

PROJECT NO. 524, BNSF BIKE PATH AGREEMENT

City Engineer Scott Rickard stated that BNSF Railroad is requiring the City of El Dorado to enter into an agreement to allow for crossing their right of way in the third phase of the bike path. The railroad has agreed to a 25 year term at a cost of \$56,292. He stated that this cost is not included in the original cost estimate.

Commissioner Matt Guthrie confirmed that this would allow us to construct the path.

City Engineer Rickard stated that it would allow use for 25 years.

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Commissioner Nick Badwey asked if the agreement was renewable.

City Engineer Rickard stated that the City Attorney is working on that now, but staff wanted to bring the original part of the agreement so that the bid letting could move forward.

Commissioner Guthrie stated that he has been against this project from the beginning.

Mayor Bill Young asked if the bike path was going to continue beyond this project.

City Engineer Rickard stated that the hope is that the bike path will eventually connect to the American Legion property and the path that circles it.

Commissioner Kendra Wilkinson asked why the bike path was not on the other side of the train tracks.

City Engineer Rickard stated that we do not have access on the west side because that is owned by private citizens.

Commissioner Gregg Lewis moved to authorize the City Manager to enter into an agreement with BNSF for the construction of Phase III of the Bike Path.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 1 (Commissioner Guthrie voted against).

FLINT CREEK ESTATES PLANNED DEVELOPMENT OVERLAY DISTRICT

City Engineer Scott Rickard stated that El Dorado Housing Partners has submitted an application for a Planned Development Overlay District (P-D) which will reduce the total number of lots from 37 to 32. He stated that the plan to place single family homes on these lots and have requested reduction in the size of the lot as well as in setbacks.

City Engineer Rickard stated that the Planning Commission voted unanimously to recommend approval of the P-D application after reviewing the preliminary development plan and plat. He stated that if the Commission approves this, it will return to Planning Commission for approval of the final plat.

Commissioner Kendra Wilkinson stated that the lots seemed like they were crammed together.

City Engineer Rickard stated that there were only a few lots that were actually smaller as part of the P-D.

Mayor Bill Young confirmed what size homes they would be.

Damon Admire, MRE, stated that they would be three bedroom, two bath with a two car garage. He stated that they would be about 1,500 square feet of living space and 1,800 under room square feet.

Commissioner Gregg Lewis stated that if they were like the ones in Clay Center, they were nice homes.

Commissioner Matt Guthrie asked if they were rentals or for sale.

Mr. Admire stated that they are part of a State rental program for 15 years and then can be sold.

Commissioner Nick Badwey asked if any local sub-contractors would be used.

Mr. Admire stated that they have a proud history of utilizing local sub-contractors. He stated that in Clay Center they used about 30% of the local workforce and another 30% from the surrounding area.

Commissioner Nick Badwey moved to approve Case No. 19-01-PD, requesting a Planned Development Overlay District on 11.6 acres located at the southeast corner of Norris Street and Sixth Avenue and that Ordinance No. G-1316 be approved.

Commissioner Matt Guthrie seconded the motion.

Roll Call Vote

Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes

2019 BUDGET AMENDMENT

City Manager David Dillner stated that staff were providing an amendment to the budget for approval for the following funds:

- Debt Service Fund - \$2,162,583, the payoff of the 4 year temporary note was not budgeted, funds were available to pay it, but staff forgot to put in the offsetting expense.
- Water Fund - \$224,682 for emergency projects from 2018 that were completed in 2019 totaling \$56,434; the Prairie Trails pump station repairs for \$71,663; and an unforeseen Lake Operation and Maintenance increase of \$96,585.
- Sewer Fund - \$223,445 for emergency projects completed in 2019, but started in 2018.
- CNG - \$73,378 for a federal grant received of \$41,736 and budgeting the fund balance of \$31,642 for the purchase of a compressor.

Mayor Bill Young opened the public hearing.

There were no comments.

Mayor Young closed the public hearing.

Commissioner Kendra Wilkinson moved to approve the amendment to the 2019 Operating Budget in the Debt Service, Water, Sewer and CNG funds, as presented.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

CONFAB AND OCI TAX ABATEMENT PUBLIC HEARINGS

City Manager David Dillner stated that CONFAB and OCI applied for tax abatements in 2016, the tax abatements were not processed correctly and after discussing the issue with the County Appraiser’s office, staff are resubmitting the applications.

City Manager Dillner stated that CONFAB Inc. has requested that the City of El Dorado consider a ten year real property tax exemption at the property located at Lot 1, Block 1, R.J. Metcalf 2nd Addition and Lot 4, Block 3 of the Carl E Taylor Addition in the City of El Dorado, Butler County, Kansas, commonly known as 630 N Metcalf Rd. CONFAB Inc., acquired for the purpose of a manufacturing facility. The exemption is not to exceed \$800,000.

City Manager Dillner stated that Owens Construction Inc. has also requested that the City of El Dorado consider a ten year real property tax exemption at the property located at Lot 2, Block 1, R.J. Metcalf 2nd Addition in the City of El Dorado, Butler County, Kansas, commonly known as 530 N Metcalf Rd. Owens Construction Inc., acquired for the purpose of a manufacturing facility. The exemption is not to exceed \$350,000.

Mayor Bill Young opened a public hearing for the CONFAB request.

There were no comments.

Mayor Young closed the public hearing.

Mayor Bill Young opened a public hearing for the Owens Construction Inc. request.

There were no comments.

Mayor Young closed the public hearing.

Commissioner Kendra Wilkinson asked if there was any difference in the applications from the first time.

City Manager Dillner stated that the years listed in the Ordinance are all that changed.

Commissioner Gregg Lewis moved that Ordinance No. G-1317, an ordinance exempting certain real property from ad valorem taxation for the purpose of economic development for a period of 10 years, not to exceed \$800,000, be approved.

Commissioner Matt Guthrie seconded the motion.

Roll Call Vote

Position No. 3	Commissioner Nick Badwey	Abstained
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Yes

Commissioner Gregg Lewis moved that Ordinance No. G-1318, an ordinance exempting certain real property from ad valorem taxation for the purpose of economic development for a period of 10 years, not to exceed \$350,000, be approved.

Commissioner Matt Guthrie seconded the motion.

Roll Call Vote

Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes

BG PRODUCTS TAXABLE INDUSTRIAL REVENUE BOND APPROVAL

City Manager David Dillner stated that in 2017 BG Products requested a ten year tax abatement to begin after they completed the acquisition, renovation and equipping to expand their facility. The total cost of this project was \$24,220,000. He stated that they are complete and ready to move forward.

Commissioner Nick Badwey moved to approve Ordinance No. G-1319, an Ordinance authorizing the City of El Dorado, Kansas to issue its Taxable Industrial Revenue Bonds, Series 2019 (BG Products Project) for the purpose of paying the costs of acquiring, renovating, constructing and equipping a building and improvements to an existing manufacturing and distribution facility; and authorizing certain other documents and actions in connection therewith.

Commissioner Kendra Wilkinson seconded the motion.

Roll Call Vote

Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes

REPORTS

CITY COMMISSION

Commissioner Nick Badwey stated that the Episcopal Church was holding the St. Nicholas cookie fair on Saturday beginning at 8 a.m.

Commissioner Gregg Lewis stated that citizens did not feel they were being heard at Planning Commission. He asked if there was a mechanism for them to be heard.

City Engineer Scott Rickard stated that it was a decision of the governing body to change the regulations.

Commissioner Matt Guthrie stated that the CTC met and has made some recommendations that will be coming to Commission soon.

Mayor Bill Young stated that he was looking forward to serving with the Commission.

CITY MANAGER

City Manager David Dillner reviewed the Christmas events happening over the weekend.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:06 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young