

The El Dorado City Commission met in a regular session on April 19, 2021 at 6:30 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Matt Guthrie, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Attorney Ashlyn Lindskog, City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Curt Zieman	128 N Vine	El Dorado, KS
Kelly Tetrick	Planning Commission	El Dorado, KS
David Stewart	Planning Commission	El Dorado, KS
Nathan White	302 Northern	El Dorado, KS
Barbara & John Templin	515 N West	Leon, KS
Marlene Avery	219 Hillcrest	El Dorado, KS
Anita Seivley	1940 Lakeland	El Dorado, KS
Chad & Attie Pelnar	327 Northern	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Sarah Hoefgen	El Dorado Inc.	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the April 19, 2021 meeting to order.

INVOCATION

Police Chief Curt Zieman opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PROCLAMATIONS

Mayor Bill Young read the proclamation declaring Arbor Day in the City of El Dorado.

PERSONAL APPEARANCE

Marlene Avery, President of the El Dorado Municipal Band, presented their calendar of events for 2021. She stated that 2022 is their centennial year and in order to celebrate, they have commissioned a special piece of music and celebration. She stated that they have raised approximately \$4,000 but are asking that the Commission consider matching those funds.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of City Commission Minutes from April 5, 2021 and Land Bank Minutes from April 5, 2021.

Approval of Appropriation Ordinance No. 03-21 in the amount of \$1,767,813.21.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

BERNITA'S ACRE FINAL PLAT

Jay Shivers, City Planner, stated that the property located at 1130 S Topeka will be divided into three lots, bringing it up to city standards. He stated that the City's role tonight will be to accept the easements.

Commissioner Kendra Wilkinson moved to accept the easement dedications in the Bernita's Acre Final Plat.

Commissioner Matt Guthrie seconded the motion.

Commissioner Guthrie asked what is happening to the west.

Mr. Shivers stated that there are two homes on Topeka and one on the back of the current single lot. He stated that there is a permanent ingress/egress easement that provides access to the back property.

City Engineer Scott Rickard stated that they have filed a deed that states the property in the rear will be accessed on that easement.

Commissioner Nick Badwey confirmed that they are responsible for maintaining the plat.

Mr. Shivers stated that on new homes, this would not be allowed, but these were built prior to 1950 and so allowances must be made.

Motion carried 5 – 0.

APPLICATION TO REZONE (R-1 TO R-2) AT BOYER ROAD AND WEST THIRD AVENUE

City Planner Jay Shivers stated that the City has received a request to rezone property located at Boyer and West Third from R-1 to R-2. He reviewed the allowable uses for R-1 and R-2 zoning. He reviewed the zoning around the area, stating that the commercial property to the west would likely not be developed because it is in the flood plain and contains a large pipeline. He reviewed the zoning regulations, stating that land use, lot size, structure height, setbacks and parking are all regulated, but not color, rent or owner occupancy, quality or size.

Mr. Shivers stated that according to the 2030 Comprehensive Plan, increasing available housing is a primary goal. He stated that single family and two family home zoning is spread across the city at this time.

Mr. Shivers reviewed potential impacts, stating that with any new development, there will be visual and noise impacts, but it could help the neighborhood by providing a buffer to traffic and industrial properties. He stated that changes to property values are not something we can predict. He stated that less than 1% of rentals are currently vacant, only 17 homes are for sale, and there are currently 500 applications for the 32 new homes on 6th Avenue.

Mr. Shivers stated that he addressed all required criteria in the memo included with the agenda packet for both the Planning and City Commissions.

Mr. Shivers stated that staff recommend approval of this project. He stated that the Planning Commission recommended approval unanimously with the exception of the Lot 1 Block 3 property on Northern.

Mr. Shivers stated that a successful petition was submitted and so a super majority vote is required to approve the Planning Commission's recommendation.

Mayor Bill Young stated that prior to coming to the City Commission, the Planning Commission holds a public hearing while reviewing each case. He stated that the Planning Commission has to take into account facts regarding each case and how they would affect the city as a whole. He stated that they also take into consideration the recommendations of the Comprehensive Plan. He stated that they must consider land use and not the opinions of others.

He stated that the public hearing was held at the Planning Commission and so the City Commission would not hear public comment at their meeting.

Commissioner Kendra Wilkinson moved to approve Case No. 21-01-REZ, requesting a rezoning of 5 acres at the southeast corner of Boyer Road and W. Third Avenue to R-2 Medium Density Residential District, excluding Lot 1, Block 3, of the Prairie Land Estates Second Addition, and that Ordinance No. G-1350 be approved.

Commissioner Matt Guthrie seconded the motion.

Commissioner Matt Guthrie stated that he heard concerns regarding traffic, flooding, property values, and covenant requirements. He confirmed that the notification issue that happened with the first meeting was corrected for the actual public hearing.

Mr. Shivers stated that it was.

Commissioner Guthrie asked about the covenant and flooding issue.

City Engineer Rickard stated that the covenant refers to the properties next to these and that the architect and developer are working on plans to address flooding concerns.

Commissioner Guthrie stated that he didn't think the previously listed concerns would come to light, but he was not in favor of the rezone because he wanted to protect the neighborhood.

Commissioner Gregg Lewis stated that he didn't feel that property values would be affected. He stated that he would vote in favor of it because he would like to see new homes in El Dorado.

Commissioner Kendra Wilkinson stated that she has reviewed all of the information and attended or watched all of the meetings regarding this topic. She stated that she did not appreciate the police blotters from our local apartment complexes, she felt that it was fear mongering and had nothing to do with these town homes. She stated that new homes, both rentals and owner occupied were needed in El Dorado. She stated that she had heard concerns about the property being low income, but the rents are above \$1,000 a month and that is not low income. She stated that renters are not bad people, she stated that some people do not want the responsibility of caring for a home.

Commissioner Wilkinson stated that the Planning Commission was responsible for understanding the zoning ordinances and the Comprehensive Plan. She stated that it is important to understand that the concerns of the neighborhood cannot be addressed by the Planning Commission even though they are important to consider as a whole.

Commissioner Wilkinson stated that she would vote against the rezone.

Commissioner Nick Badwey stated that to him, it is only about land use. He stated that to him, the transition from the current zoning to R-2 makes sense. He stated that he watched the Planning Commission meeting and he felt that they were correct in approving it.

Mayor Young stated that he has also reviewed the items provided and went out to the neighborhood to look at the area. He stated that he too was offended by the fear mongering that went on. He stated that he had concerns about drainage issues, but felt that the Engineering department would address it. He stated that it is important to recognize the role of the Planning Commission in this process. He stated that he did not believe the addition of town homes in this area would have the negative impact that has been discussed. He stated that homes are needed in El Dorado, and asked why there are so many people who have said they are ready to build single family homes, but haven't chosen this property that has been vacant for some time.

Mayor Young stated that while he is sympathetic to those who have voiced their concerns, he believes this is a land use issue and will support it.

Roll Call Vote

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

800 BLOCK OF NORTH WASHINGTON ALLEY VACATION

City Engineer Scott Rickard stated that there is an alley platted many years ago in the 800 block of north Washington. He stated that the property owner has applied for the vacation and all franchise utilities have approved the request. He stated that once vacated, the property would convert to private ownership.

Commissioner Matt Guthrie moves to adopt Ordinance No. G – 1351 an ordinance vacating an alley in North El Dorado Addition to the City of El Dorado.

Commissioner Gregg Lewis seconded the motion.

Roll Call Vote

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

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

Commissioner Matt Guthrie stated that the CTC met and discussed the 150th and he felt it would be a good time for everyone.

Commissioner Kendra Wilkinson stated that the Recreation Board met and reviewed the surveys for the YMCA proposal. She encouraged citizens to attend one of the forums.

Mayor Bill Young stated that the EFABC met and the board had reviewed the letter sent by Commission and responded to that. He felt that things would begin moving forward and allow the City to schedule some events.

Mayor Young stated that he appreciated the process moving through the agenda this evening and how proper rules were followed. He stated that doing that allowed them to have good opportunity for discussion.

CITY MANAGER

City Manager David Dillner stated that it is spring clean-up week and citizens can drop off their items at Public Works. He stated that more information can be found on the website.

City Manager Dillner stated that the dump truck program has started and will continue through the next few months. He stated that citizens can call the Public Works Department to schedule delivery.

City Manager Dillner stated that the City is hosting a photo contest and encouraged individuals to submit their photos.

EL DORADO CITY COMMISSION MEETING

April 19, 2021

City Manager Dillner stated that several of the 150th challenge coins are hidden throughout the City, he encouraged citizens to post on the city's Facebook page if they find one.

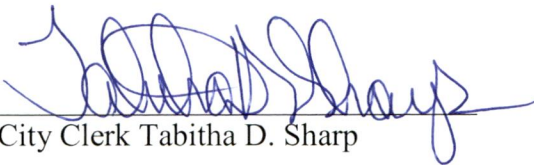
City Manager Dillner stated that the City received five proposals for the lake master plan RFP. He stated that the review process will begin soon.

ADJOURNMENT

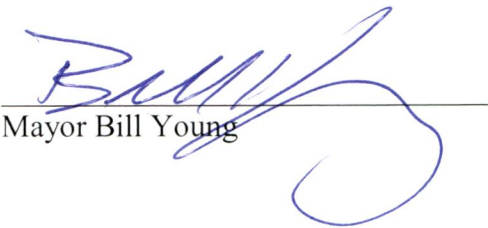
Commissioner Nick Badwey moved to adjourn the meeting at 7:35 p.m.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.



City Clerk Tabitha D. Sharp



Mayor Bill Young