

The El Dorado City Commission met in a regular session on March 15, 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 Engineer Scott Rickard and City Clerk Tabitha Sharp. Absent: City Attorney Ashlyn Lindskog.

VISITORS

Curt Zieman	128 N Vine	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Joe Goedert	El Dorado Inc.	El Dorado, KS
Ray Connell	2520 Chase	El Dorado, KS
Herb Llewellyn	1661 Pennsylvania	El Dorado, KS
Tessa Young	1535 SW Butler Rd	Benton, KS
Zac & Beth Wittenberg	1730 Lakeland Ct	El Dorado, KS
Eddie Simmons	421 Simpson	El Dorado, KS
Jim Miller	345 Hunton Rd	El Dorado, KS
Michael Ehret	640 Hunton	El Dorado, KS
Sharon Fox	337 Simpson	El Dorado, KS
Reed Campbell	428 Simpson	El Dorado, KS
Dana Jordan	425 N Hunton	El Dorado, KS
Kevin Wishart	342 N Simpson	El Dorado, KS
Jack and Laletia Perry	512 Hunton Rd	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the March 15, 2021 meeting to order.

INVOCATION

Pastor David Crook, First Southern Baptist Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PERSONAL APPEARANCE

Linda Jolly, Director of El Dorado Inc., presented the annual report for El Dorado Inc.

Commissioner Matt Guthrie asked if she could talk about the reach of the e-mail blasts.

Ms. Jolly stated that they sent about 600 e-mails out, five of those have had direct contact with staff, and two are moving forward with potential projects. She stated that they will be sending another e-mail blast out to approximately 1,500 soon.

Commissioner Guthrie asked how that compared to the past.

Ms. Jolly stated that they would not have sent nearly as many e-mails in the past, and it has made people within the State of Kansas more aware of El Dorado. She stated that it has also enabled Inc. to do more follow up and direct contact with other groups.

Mayor Bill Young stated that it’s important to point out that the partner agencies that work with staff have been able to help the local businesses a lot in the last year. He stated that he appreciated their work with new and current businesses.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of City Commission Minutes from March 1, 2021 and Special City Commission Minutes from February 24, 2021.

Approval of Appropriation Ordinance No. 02-21 in the amount of \$1,625,513.79.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

DISCUSSION ITEMS

EFABC RESPONSE

City Manager David Dillner stated that per the Commission's request, he sent a letter to the EFABC listing the concerns of the Commission regarding the stadium. He stated that the City received a response last week and the Commission has indicated that they are ready to discuss it. He reminded them that a decision to leave the EFABC must be made by May 15th in order to do so under the current contract.

Ray Connell, 2520 Chase, stated that he was representing BG Products as their legal counsel this evening. He stated that BG Products is here because of community partnerships. He stated that image and cooperation are very important in continuing these partnerships.

Commissioner Matt Guthrie asked if the City had a representative on the YMCA's board.

City Manager Dillner stated that there was not a representative of the city on that board.

Herb Llewellyn, 1661 Pennsylvania, stated that he was sad that the Commission was considering this. He stated that the Commission was aware what they were getting into when they built the stadium. He encouraged them to have the staff look into what was happening and how it could be better utilized.

Tessa Young, 1535 SW Butler Rd Benton, stated that the school needed the stadium.

Zac Wittenberg, 1730 Lakeland Ct, stated that he was speaking for the athletes. He stated that it was important to have the support of the community at the stadium.

Beth Wittenberg, 1730 Lakeland Ct, stated that she is the owner of the future Smoothie King and that one of the ways she was able to get them to come to El Dorado was because of the stadium.

Commissioner Nick Badwey asked why she thought if the City was no longer part of the stadium, it would not be there.

Ms. Wittenberg stated she felt without the City's support, the stadium would not be able to remain open.

Commissioner Badwey stated that the stadium is paid for, the City contributed \$3,110,000 as their share. The funds that we contribute annually are very small.

Ms. Wittenberg stated that the people in the crowd were not aware of that and needed to understand it.

Commissioner Guthrie recommended that they discuss further before they move on with public comment.

Mayor Bill Young stated that the City contributes a couple of thousand a year, but also contributes some man power to do work and keep costs down. He stated that he appreciates the comments, and that the City is always looking at ways to collaborate with the schools and other organizations and that this facility was going to be a way to hold events for the community.

Mayor Young stated that some of the concerns were sustainable funding for operations and long-term maintenance, inability to host community events, lack of economic impact and prohibitive fee schedule. He stated that the EFABC responded that there are some renewals for skyboxes and contracts that should be able to cover long-term maintenance expenses. He stated that as the group goes out for bid on turf and track replacement, they could discuss how to avoid the warranty issues prohibiting them from holding events now. He stated that the fee schedule has been discussed with the group and they have asked for more information from the administrators.

Commissioner Kendra Wilkinson stated that she appreciated the students who got up to speak.

Commissioner Badwey stated that he is the one that brought this up. He stated that when the project began, the City stepped up and supported it. He stated that he is glad that we did. He stated that it was presented at the time that there would be movies and concerts there, but there haven't been. He stated that when staff go out there, it takes them off task. He stated that the people expect us to do the things they pay taxes for. He stated that if the fund raising isn't done, the City will be expected to pay a portion of it. He stated that we haven't been talking about concerts in several years, why is it a discussion now.

Commissioner Guthrie stated that the \$3 million used to build the stadium came from the water fund. He stated that no one thinks it was a bad investment to use city funds to build the stadium. He stated that Commissioner Badwey is trying to look forward.

Commissioner Gregg Lewis stated that it's about perception. He didn't realize it until he heard these people speak, but it is important.

Mayor Young stated that the reason we have started talking about concerts again because they are going to fill the position that was previously responsible for bringing those. He stated that the partnership allows us to spread the cost. He stated that we have an opportunity to come together and bring more things to the stadium. He stated that everything we do does not always benefit every person in town, but we try to benefit everyone equally.

There was no action by the City Commission on this item.

NEW BUSINESS

PAVING HUNTON ROAD AND SIMPSON ROAD PUBLIC HEARING

Eddie Simmons, 421 Simpson Rd, asked if the numbers in his letter are estimates.

Commissioner Matt Guthrie stated that the project amounts are estimated by the City Engineer.

Mr. Simmons asked how many bids there would be.

Commissioner Guthrie stated that we try to get three or four.

Mr. Simmons asked if there would be street lights included.

City Engineer Scott Rickard stated that they could talk to Evergy about adding more lighting.

Mr. Simmons asked where they would park during the construction.

City Engineer Rickard stated that they will make their best effort every evening to make sure each person is able to get in their driveway by 5 each night. He stated that driveways can be split in two to allow better access. He stated that there are specifications in each bid that allow for this.

Mr. Simmons asked if sidewalks would be considered in the future.

City Engineer Rickard stated that at this point they are not, but we did receive a letter from the school district to allow for a sidewalk.

Mayor Bill Young stated that sidewalks are also important to him. He stated that they are always willing to consider sidewalks when neighborhoods want them.

Mr. Simmons stated that he supported this project.

Jim Miller, 345 Hunton Rd, stated that there's a drain on his road that has never been cleaned out. He asked why there are no alley entrances on Third Avenue.

City Engineer Rickard stated that there is a utility easement, but no alley, he stated that it is all privately owned.

Mr. Miller asked what would be done about the oil wells.

City Engineer Rickard stated that if they come across something there are procedures to making sure that they are closed appropriately.

Mr. Miller asked if the City would talk to the Corporation Commission.

City Engineer Rickard stated that he would call and make them aware of the situation.

Mr. Miller asked that a few other issues be looked into such as the hump in the road.

City Engineer Rickard stated that they would look into them.

Mr. Miller asked about the culverts.

Mayor Young stated that someone would be out to look at them.

Michael Ehret, 640 Hunton, asked if the City could consider removing the stop sign on the north side of Hunton at 5th Avenue. He stated that the easement off of 6th Avenue has a grate with rebar sticking out of it and asked if it could be taken care of it.

Sharon Fox, 337 Simpson Rd, stated that when they were annexed, they were promised better water pressure, streets, etc. He stated that since that time, his water pressure has gone down, lighting is not better, and the street is just being addressed. He asked how long the assessment would be on the property and when the project is started.

City Engineer Rickard stated that they will see utility things happening this Fall, but road construction will not happen until 2022 and assessments will be spread in 2023.

Mr. Fox asked if they could work with the school to have a better parking area put in to prevent people from parking on the road.

Reed Campbell, 428 Simpson, stated that he did a petition signed by most of Simpson Avenue and was told that the project would be 2021.

City Engineer Rickard stated that it is probably communicated badly. He stated that they work on projected schedules and so the construction will likely be in 2022.

Mr. Campbell said he thought it should be done this year.

EL DORADO CITY COMMISSION MEETING

March 15, 2021

Jack and Laletia Perry, 512 Hunton Road, stated that the stop sign is at 5th and Hunton because people were speeding through the area. She stated that parking on the one side of the street during school is an issue. They asked if they would have to pay for 5th Avenue.

City Engineer Rickard stated that they would only pay for Hunton because they already paid for 3rd Avenue.

Mr. Perry stated that he wanted to commend the City for boosting the water pressure and stated that the other services provided by the City are good.

Dana Jordan, 425 N Hunton Road, stated that she called the Engineering Department and confirmed that they would only have to pay for two roads. He stated that she was correct. She stated that she is now being required to pay for Hunton and 5th Avenue as well. She stated that the roads need to be replaced, but she would like it if 5th Avenue wasn't done because it would save her money. She also stated that the stop sign at 5th Avenue needed to be left.

Kevin Wishart, 342 N Simpson, stated that he wanted to express his support for the project because it was not going to get any cheaper and they should get it done soon.

City Engineer Rickard stated that he had a statement from Roger and Kathy Storm at 520 Hunton who expressed their support for the paving project.

Mayor Bill Young closed the public hearing.

Mayor Young asked for clarification on the property paying for more than one street.

City Engineer Rickard stated that because the street

Mayor Young confirmed that everything was split proportionally.

City Engineer Rickard stated that he was correct.

Commissioner Lewis asked if they could move the construction of the street up.

City Engineer Rickard stated that the design process, meeting with citizens and then relocating utilities prior to the build has been a good way to move forward with street projects.

Mayor Young stated that we probably need to work on how we communicate the information to the public on how we are doing street projects.

Commissioner Kendra Wilkinson moved that Resolution No. 2919 a determining the advisability of the making of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings, subject to protest (paving improvements/paving Hunton Rd. and Simpson Rd.).

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

PAVING 5TH AVENUE (SCHOOL-HUNTON), 2ND AVENUE (SCHOOL-DIAGONAL) PUBLIC HEARING

Mayor Bill Young opened the public hearing.

Kevin Wishart, 342 Simpson, stated that he was not financially impacted by these, but they were routes he used to traverse the area. He encouraged them to move forward with this project.

City Engineer Scott Rickard stated that the individual who lives at number 17 stated that people are driving over the barricades at the area that used to be Diagonal. He stated that we have talked to him and that we will work to move the dead end further west.

Mayor Young closed the public hearing.

Commissioner Nick Badwey moved that Resolution No. 2920 a resolution determining the advisability of the making of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings, subject to protest (paving improvements/paving 5th Avenue and 2nd Avenue).

Commissioner Kendra Wilkinson seconded the motion.

Commissioner Matt Guthrie stated that he didn't know of an area of town that needs better streets and curb and gutter more than this neighborhood.

Mayor Young asked staff to look at the lighting in the area. He encouraged citizens who were having water pressure issues to contact the city.

City Engineer Rickard encouraged citizens to call the city if they had a street light that was not working.

Motion carried 5 – 0.

PROJECT #560 SANITARY SEWER SOUTH HAVERHILL

City Engineer Rickard stated that the project on South Haverhill to repair the sanitary sewer line has been completed and staff are requesting that a public hearing be set to spread the costs to the properties involved.

Commissioner Nick Badwey moved to set the public hearing for 6:30 p.m. on April 5, 2021 to be held for the purpose of considering the proposed assessments of the cost of Project No. 560, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

DISTRICT 142 CDBG PHASE II PUBLIC HEARING

City Engineer Scott Rickard stated that there is a public hearing scheduled to consider application for a Community Development Block Grant at 142 N Main. The purpose of this grant would be to replace existing windows and doors on the second floor, install a passenger elevator, install accessible public restrooms on the second floor and plumbing and electrical work. He stated that the grant request is for \$250,000, but the total cost is \$341,700. The building owner will provide the difference as his local match. He stated that the City has no cost in the project.

Mayor Bill Young opened the public hearing.

Jeff Christensen, Edward Jones at 142 North Main, stated that his clients are very excited about the work being done to the building. He stated that it is incredible to be a piece of history in this building. He stated that the building owners are very attentive and take care of those who are in the building.

Emily Connell, El Dorado Main Street Director, thanked the Commission for their assistance in revitalizing this building.

Mayor Young closed the public hearing.

Commissioner Nick Badwey moved to approve Resolution No. 2921, a Resolution certifying legal authority to apply for the Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor to sign and the City of El Dorado, Kansas to submit such an application.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Commissioner Nick Badwey moved to authorize the Mayor to execute a contract for administrative services for the Community Development Block Grant.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

Commissioner Nick Badwey moved to authorize the Mayor to execute all documents required to apply for the Community Development Block Grant.

Commissioner Gregg Lewis seconded the motion.

Mayor Young thanked the owners for their work.

Motion carried 5 – 0.

DISCUSSION ITEMS

4TH OF JULY FIREWORKS LOCATION

The City Commission asked to table this discussion until the Broncos baseball team schedule was published.

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

Commissioner Nick Badwey stated that the Library Board met on the 8th and reviewed their internet safety policy. He stated that they also extended Saturday hours until 2 p.m.

Commissioner Badwey asked if a mow order could also be sent via regular mail to the physical address. He stated that the property owner that talked to him thought that if the mow order was sent to the tenant as well, they might mow the property.

Commissioner Badwey stated that he was asked about the road work in front of Long John Silvers.

City Engineer Scott Rickard stated that AT&T is doing some repairs after one of their lines was damaged while we worked on a water line. He stated that he would talk to them to see where they are in the process of completing the project.

Commissioner Matt Guthrie stated that today was interesting and the first time in several years that there has been participation in our proceedings. He stated that he was happy to see the citizens involved. He stated that he received a call over the weekend that the college called the Junior Wildcats and told them that if the City left the EFABC that they wouldn't be able to use the stadium anymore. He stated that he was upset that the citizens were misled regarding the stadium. He stated that the City does a great job of communicating information to the public, but we have to continue to make sure they get all of the correct information.

Commissioner Guthrie stated that the letter from the EFABC said they could try to work around the warranty issue. He stated that he felt that it had to be part of the conversation regarding whether the City remained in the organization or not. He stated that he was not convinced that our needs are being met at BG Stadium. He stated that we fought for our needs to be met at the ball fields and needed to do the same with the Stadium.

CITY MANAGER

City Manager David Dillner stated that El Dorado Inc. will host a public forum at Oil Hill Elementary with the developer at Deer Run on March 22nd at 6:30 p.m. He stated that there will then be a public hearing at the Planning Commission meeting that week.

City Manager Dillner stated that the City will be submitting two projects to KDOT for funding. He stated that a mill and overlay project for South main will be submitted for South Main from Main to the railroad bridge and North Main from 6th to McCollum.

City Manager Dillner stated that the Federal Government passed a bill last week providing funds for local governments for COVID recovery. The City Commission will need to discuss how they would like to spend those funds.

City Manager Dillner stated that this week the Senate will conduct a hearing that will determine whether or not to penalize cities and counties who passed a mask mandate. He stated that we cannot yet determine the financial impact of this decision. He encouraged the Commission to contact their government officials.

Mayor Bill Young asked if there was any information from the League about the possibility of this passing.

City Manager Dillner stated that they have not given any information on this topic at this time.

Mayor Young asked if the Commission should revisit the mask ordinance to stop the amount of time that they can penalize us.

City Manager Dillner stated that he is concerned about this being passed because the State Legislature will consider the wider business community before they consider the individual cities or counties.

Commissioner Nick Badwey stated that he was interested in what the burden of proof will be.

City Manager Dillner stated that there will be an application to the Attorney General requiring the businesses to provide information.

City Manager Dillner stated that the El Dorado Police Department received the AAA traffic award for the 12th year.

City Manager Dillner stated that the City will be hosting a spring drop off the week of April 19th.

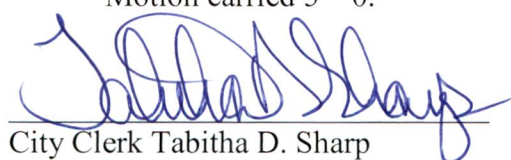
City Manager Dillner stated that the Kansas emergency rental assistance program is offering assistance to those affected by COVID.

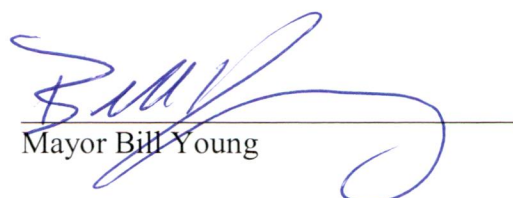
ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 9:22 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.


City Clerk Tabitha D. Sharp


Mayor Bill Young