

The El Dorado City Commission met in a regular session on May 4, 2015 at 6:00 p.m. in the Commission Room with the following present: Mayor Vince Haines, Commissioner Chase Locke, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager Herb Llewellyn, Human Resources Director Suzie Locke, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Steve Moody	1990 Quail Run	El Dorado, KS
Jason Reiswig	938 W 3 rd	El Dorado, KS
Brett Perry	1509 SW HWY 77	El Dorado, KS
Josh Potter	357 Marmaton Rd	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Brian Gartland	220 E 1 st	El Dorado, KS
John Templin	515 N West	Leon, KS
Anita Seivley	1940 Lakeland Dr	El Dorado, KS
Marlene Avery	219 Hillcrest	El Dorado, KS
Barbara Trent	316 Broadview	El Dorado, KS
Phil Wickwire	341 Village Rd	El Dorado, KS
Julie Clements	Butler County Times Gazette	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the May 13, 2015 meeting to order.

INVOCATION

Commissioner Chase Locke opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Phil Wickwire, El Dorado Elks Lodge, led the Pledge of Allegiance.

PROCLAMATION

Phil Wickwire, El Dorado Elks Lodge #1407, stated that Kids Safe Night Out would be on Friday at East Park. He thanked the City for their help in making the event a success.

Mayor Vince Haines read the proclamation stating that the first week of May 2015 would be El Dorado Elks Lodge National Youth Week.

Barbara Trent, 316 Broadview, stated that they would be out handing out poppies throughout the month of May in memory of Veterans.

Mayor Vince Haines read the proclamation stating that the month of May 2015 would be Poppy Month.

PERSONAL APPEARANCE

Marlene Avery, El Dorado Municipal Band President, reviewed the band performance dates for this year and invited the citizens and Commission to come out and listen to them perform.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of the City Commission minutes from April 20, 2015, sections A and B.

Approval of Appropriation Ordinance 04-15 in the amount of \$2,392,771.05.

Commissioner Nick Badwey moved that the Consent Agenda, as presented, be approved.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

City Manager Herb Llewellyn stated that in an effort to become more transparent, we will begin putting the Appropriation Ordinance on the website for public view. He stated that we would not print them anymore in an effort to save our resources.

Mayor Haines agreed that we did not need to waste the paper, he stated that he would like to discuss it more at another meeting.

APPOINTMENT OF A VICE-MAYOR

Mayor Vince Haines stated that the Commission needed to appoint a vice-mayor in the event that he was absent from a meeting.

Commissioner Kendra Wilkinson moved to appoint Commissioner Nick Badwey as Vice-Mayor for a one-year term.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

ADVISORY BOARD APPOINTMENTS

Mayor Vince Haines reviewed the advisory board appointments as follows:

Board	Name	Term Expiration
Airport	Kendra Wilkinson	Ex-officio
Airport	Colin Rowell	5/1/18
Airport	Harold Cooper	5/1/16
Appeals/Code	Dave Stewart	5/1/19
Appeals/Code	Robbie Pollard	5/1/17
Appeals/Code	Sharon Wilkinson	5/1/19
Zoning Appeals	Albert Hogoboom	5/1/18
Convention & Tourism	Rod Seel	5/1/17
Convention & Tourism	Andrea VanAuken	5/1/17
Convention & Tourism	Steve Reynolds	5/1/17
Convention & Tourism	Kaytlan Berry	5/1/17
El Dorado Inc.	Vince Haines	5/1/17
El Dorado Inc.	Gregg Lewis	5/1/19
El Dorado Inc.	Kim Smith	5/1/19
El Dorado Inc. Housing	Vince Haines	5/1/17
El Dorado Inc. Housing	Gregg Lewis	5/1/19
Joint Corrections	Miles Erpelding	5/1/18

Library	Vince Haines	Ex-officio
Library	Judith Cole	5/1/19
Library	Debra Hill	5/1/19
Library	Nicole Lewis	5/1/19
Planning	Dan Bullock	5/1/18
Planning	Sam McVay	5/1/18
Prairie Trails	Brad Demo	5/1/18
Prairie Trails	Nick Badwey	Ex-officio
Prairie Trails	Carol Lee	5/1/18
Prairie Trails	Jake Currier	5/1/18
Prairie Trails	Mark Heidebrecht	5/1/18
REAP	Vince Haines	5/1/16
REAP	Kurt Bookout	5/1/16
REAP	Herb Llewellyn	5/1/16
Butler County Solid Waste	Nick Badwey	5/1/17
Butler County Solid Waste	Brad Meyer	5/1/18
Tree Board	Bill Johnson	5/1/18

Commissioner Nick Badwey moved to decrease the number of members on the Prairie Trails Advisory Board from nine to seven.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Commissioner Chase Locke moved to temporarily suspend the Recycling and Solid Waste Advisory Board.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Commissioner Chase Locke stated that all of these appointments had been discussed at the previous work session.

City Clerk Tabitha Sharp stated that there were still open positions on the Zoning Appeals, Convention and Tourism Committee, and Tree Board.

Mayor Haines encouraged citizens to fill out applications for those boards.

Commissioner Locke encouraged people to visit the website to learn more.

Commissioner Nick Badwey moved to approve the appointments as presented.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

PERSONNEL POLICY CHANGE PROPOSAL

City Manager Herb Llewellyn stated that as part of the training for our mid-managers, they are given various tasks that allow them to develop their skills outside of their individual departments. Last year the new committee was given the task of looking at our sick leave and personal leave policies.

City Manager Llewellyn stated that we have been looking at this for several years. The Commission has the opportunity to table the discussion to think about it more since several of them are new.

City Clerk Tabitha Sharp stated that the current policy states that employees are able to take sick leave for themselves or for an immediate family member who is in the hospital. The proposal would allow employees to use sick time to care for children or immediate family members who are at home sick.

Ms. Sharp stated that the second portion of the proposal addresses how sick leave is paid out. She stated that the mid managers are proposing that sick leave be used to supplement personal leave when an employee leaves the city. She stated that currently the city pays out 200 hours for an employee who has been here 10 years or less and 260 hours for one who has been here more than ten years. The proposal would allow an individual to take vacation, which would reduce their personal leave balance, but still be paid the full amount if their sick leave balance was above 500 hours.

City Manager Llewellyn stated that personal leave is capped, and any individual who does not take vacation gives that time back to the city.

Ms. Sharp stated that the final proposed change would be to increase the payout for individuals who have been with the city more than 20 years. She stated that the proposed pay out for those individuals would be 325 hours. She stated that the HR Director provided an estimated effect on the budget for those employees that have currently been here over 20 years.

Ms. Sharp stated that the mid managers committee looked at several options for this proposal, the information was proposed to the Department Heads who suggested changes which were implemented and then approved by that group.

Ms. Sharp stated that as the City Manager said, there are a few options that can take place, the Commission can approve the proposal, suggest changes, or table it for further discussion. She stated that three other members of the committee were present, Brett Perry, Josh Potter and Jason Reiswig, and any of them could answer questions.

Commissioner Kendra Wilkinson asked what an immediate family member was.

Ms. Sharp stated that the personnel policy states that an immediate family member refers to someone in the household.

Commissioner Wilkinson asked about caring for a parent that did not live in the same home.

Ms. Sharp stated that it is not addressed currently, it would be up to the City Manager and Department Head.

Commissioner Wilkinson stated that she did not like the phrase payment on termination. She felt that there should be a more positive way to say it.

Mayor Vince Haines agreed that it needed to be more positive. He confirmed that personal leave referred to vacation.

Ms. Sharp stated that they could change the terminology and confirmed that personal leave was vacation.

Commissioner Nick Badwey confirmed that under the existing policy employees have to take personal leave to care for a sick child at home.

Ms. Sharp stated he was correct.

Commissioner Gregg Lewis asked how much was paid under FMLA.

Ms. Sharp stated that the employee is able to use all of the leave they have on the books for FMLA. She stated that once they run out of leave they can still be off under the federal law, they will not be paid for it.

Mayor Haines confirmed that is the scenario that Commissioner Wilkinson was referring to.

City Manager Llewellyn confirmed he was correct.

Commissioner Lewis asked if their benefits continue if you are not being paid.

City Manager Llewellyn stated that they still accrue benefits, but he would have to check on the other question.

Commissioner Chase Locke stated he thought he might need to think about the pay out for a while.

Commissioner Badwey stated that the change doesn't allow people who abuse sick leave to benefit. He stated that no proposal will cover everything.

City Manager Llewellyn stated that adjustments to balances can be made at the discretion of the City Manager, for example if someone is ill and they run out of time, other employees can donate time if the City Manager allows it.

Commissioner Wilkinson asked about the portion that would make it easier for supervisors to track.

Ms. Sharp stated that while it will still be somewhat easier to track because it will not matter if the child was in the hospital or at home, the employee will be able to take sick leave, but that portion of the memo probably should have been taken out because it referred to an earlier proposal that combined the sick and personal leave balances.

City Manager Llewellyn stated that many other organizations pay out sick leave in various amounts. He stated that the conversation about leave pay outs was started because we were aware of those other organizations' policies. He stated that this proposal is a reflection of the fact that the mid-managers understand that the budget effect to pay out all of our leave balances would be too extreme.

Ms. Sharp stated that most of the employees that would benefit from the second part of the proposal are already at the maximum amount allowed for personal leave and they give back their time each pay period. She stated that the city would pay the full amount for these employees even without the benefit of supplementing with sick leave.

Ms. Sharp stated that the major effect on the budget would be with the over 20 year group that would receive an increase in the pay out to 325 hours. She stated that the policy would not go into effect until 2016 which would allow departments to budget for the change. She stated that most often we know when a long time employee is planning to retire and so planning for that should not be difficult.

Commissioner Locke stated that he is interested in taking care of the employees, he would like to explore the subject a little more.

Commissioner Lewis stated that we need to make sure that both parents are able to take care of their children.

Commissioners Wilkinson and Lewis both wanted to see a change in the language.

Commissioner Wilkinson stated that the rest of the policy was comparable to the education system.

Mayor Haines stated that he would also be interested in looking at compensating employees throughout their employment instead of saving it for the end of their time with the city.

City Manager Llewellyn stated that in a previous city he managed, they had a tiered system for offering additional days off in exchange for not using sick leave.

Mayor Haines asked if other options were considered.

Ms. Sharp stated that the committee discussed several options for changing the policy and this was the least effect in terms of the budget.

Mayor Haines asked if sick leave was a benefit or entitlement.

City Manager Llewellyn stated that it was a benefit. We have in the past denied the use of sick leave when employees are abusing it.

Mayor Haines asked if any department in particular sees a higher use of sick time. He was concerned that someone in a department that utilized more sick time would not benefit from the new proposal.

Ms. Sharp stated that she did not know if anyone had looked at that.

City Manager Llewellyn stated that the largest users of sick leave tend to be related to babies and major illness.

Ms. Sharp stated that some of the individuals who work outdoors in the elements might use a bit more than others.

Mayor Haines asked how maternity leave was figured.

Ms. Sharp stated that they are able to use sick and personal leave for maternity leave, there is not a separate category.

Mayor Haines stated that those employees using maternity leave may have difficulty reaching the maximum.

City Manager Llewellyn stated that we are changing the way we look at maternity leave and allowing people to bring their children to work.

Commissioner Wilkinson stated that she thought we needed to look at the maternity leave policy.

Mayor Haines agreed. He also confirmed that the budget effect listed with the employees who have been here longer than twenty years would only happen if they all left at the same time.

Ms. Sharp stated that he was correct, but that was very unlikely.

Mayor Haines asked what the process would be for bringing the item back if it were tabled.

City Manager Llewellyn stated that it was up to the Commission.

Commissioner Lewis asked if police and fire have the same leave amounts.

Ms. Sharp stated that the police department falls under the same category as the rest of the employees, only fire department employees are different.

City Manager Llewellyn stated that the fire department is different because of the 24 hour work day.

Commissioner Lewis stated that the city has the same policy as his company does for maternity leave.

Commissioner Locke asked to table the discussion for more clarification, he asked if the Commission could e-mail the committee with questions.

Mayor Haines asked if it could be an item on the next work session.

City Manager Llewellyn stated that it could.

Commissioner Nick Badwey moved to table the item until the first June meeting.

Commissioner Chase Locke seconded the motion.

Mayor Haines stated that he appreciated the work of the committee.

Motion carried 5 – 0.

Commissioner Badwey also thanked the committee for their work.

AERIAL FIRE TRUCK LEASE AGREEMENT RESOLUTION

City Clerk Tabitha Sharp stated that at the last meeting, a bid from Intrust Bank for the lease on the Aerial Fire Truck was approved. The bank requires a Resolution stating that the city will not exceed the ten million dollar limit for bank qualified monies.

City Manager Herb Llewellyn stated that cities can issue up to ten million in general obligation debt each year. If the city goes over that amount, they are subject to taxation. He stated that he believed we would be issuing a G.O. Bond this year as well.

Ms. Sharp stated that we were about sixty days out for the bond and we also plan to issue a temporary note. The three items together are still well under the ten million dollar amount.

Commissioner Gregg Lewis moved to approve Resolution No. 2760 and enter into a lease agreement with Intrust Bank for an Aerial Fire Truck.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

SET A HEARING DATE FOR PROJECTS NO. 354, 416 AND 417

City Clerk Tabitha Sharp stated that we needed to combine items 7, 8 and 9 on the agenda to follow the paperwork provided by the bond counsel. The motion would also need to combine the three items.

Assistant City Engineer Scott Rickard stated that project 354 was for the paving of Cave Springs and Atchison Streets which was accomplished using sales tax funds. The remaining costs of the improvement district were for driveway and a portion of curb and gutter costs. He stated that project 416 was the paving of 4th Avenue from School to Boyer and project 417 was paving 5th Avenue from School to Boyer Road.

Mr. Rickard stated that they are asking that a public hearing be set for May 18th at 7:00 p.m.

Commissioner Chase Locke moved to set the public hearing for 7:00 p.m. on May 18, 2015 to be held for the purpose of considering the proposed assessments of the costs of Projects No. 354, 416 and 417, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner Chase Locke encouraged citizens to attend the Mayor's Prayer Breakfast on Thursday, May 7th at 7:00 a.m. at the Civic Center. He stated that reservations could be made through the Chamber of Commerce.

Commissioner Kendra Wilkinson asked if the Commission would consider beginning meetings at 6:30 p.m. instead of 7:00 p.m.

Commissioner Locke stated he did not have a conflict.

Commissioners Lewis and Badwey agreed.

Mayor Vince Haines stated it was fine with him, he asked what needed to be done.

City Manager Herb Llewellyn stated that it is done by Ordinance. He stated that the next meeting would be a special meeting and the Ordinance will be on the agenda for approval.

Commissioner Wilkinson stated that the flower baskets downtown looked great.

City Clerk Tabitha Sharp asked if the Commission could change the previous motion to reflect the new time.

City Manager Llewellyn stated that we would just push that item on the agenda to reflect the 7:00 p.m. time.

Commissioner Gregg Lewis asked if the trash department could shake the trash cans a little to make sure that they are getting everything out of the bottom. He also asked if the cross walks at Summit and Central could be marked better because they were faded.

City Manager Llewellyn stated that he would talk to the employees about those items.

Commissioner Lewis asked if Haverhill Road could be expanded to allow for a turning lane near the college to prevent accidents.

City Manager Llewellyn stated that it is a County road.

Scott Rickard, Assistant City Engineer, stated that the County is looking for funding for that project now in the amount of five or six million dollars.

Commissioner Nick Badwey reminded people to watch for kids as they begin to be out more when school ends.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that taco Tuesday and Cinco de Mayo are falling on the same date which only happens every seventy years.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into Executive Session for the purpose of discussing legal matters and to reconvene the regularly scheduled meeting in the City Commission room at 8:30 p.m.

Commissioner Chase Locke seconded the motion.

Motion Carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 8:32 p.m.

ADJOURNMENT

Commissioner Chase Locke moved to adjourn the meeting at 8:35 p.m.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines