

EL DORADO CITY COMMISSION MEETING

July 6, 2015

The El Dorado City Commission met in a special session on July 6, 2015 at 6:30 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, City Attorney Jim Murfin, Human Resources Director Suzie Locke, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	Times-Gazette	El Dorado, KS
Anthony Davis	220 E 1 st	El Dorado, KS
Bryan Patten	1023 W Olive	El Dorado, KS
Philip Moore	503 N Taylor	El Dorado, KS
Ginger Hurst	720 W Ash	El Dorado, KS
Alecia Lewis	1260 S Emporia	El Dorado, KS
Dan Jones	220 E 1 st	El Dorado, KS
Curt Zieman	220 E 1 st	El Dorado, KS
Kent Peterson	1322 SE Ellis	El Dorado, KS
Brian Gartland	220 E 1 st	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Craig Yaryan	Main Street	El Dorado, KS
Emily Connell	Main Street	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the July 6, 2015 meeting to order.

INVOCATION

Commissioner Chase Locke opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PERSONAL APPEARANCE

Emily Connell and Craig Yaryan of El Dorado Main Street presented the annual report. They discussed plans for a proposed street scape in the downtown area. They also discussed how to fill in the empty spaces downtown while staying true to the historic district.

Commissioner Chase Locke stated that he liked the idea of developing a master plan for downtown to stay true to the plans they have to revitalize that area.

Mayor Vince Haines agreed that the master plan would be part of a bigger picture for downtown.

Commissioner Kendra Wilkinson asked where they needed to start.

Mrs. Connell stated that they would start with Main Street and develop a committee.

City Manager Herb Llewellyn stated that staff will look at the project as well and discuss infrastructure to determine those costs prior to developing a master plan that might not work with the infrastructure needs.

Mayor Haines suggested developing a charrette in order to involve all stakeholders.

Commissioner Locke stated that this is a good opportunity to involve the millennial generation in town.

Mrs. Connell stated that she felt that using alternative energy and connecting the downtown wirelessly would help to attract those individuals.

Curt Zieman, Chief of Police, presented the police department update.

Mayor Haines asked how many officers respond per call.

Chief Zieman stated that it depends on the severity of the call.

Mayor Haines asked if we anticipated the continued use of tasers.

Chief Zieman stated that the reports of long term effects due to taser use have not been validated, so they will continue to use them if there is nothing more concrete provided.

City Manager Llewellyn stated that he had not been a supporter when the tasers were first requested, he decided in favor of them because of issues with officer safety.

Chief Zieman stated that if people are managed correctly, they will only use the taser when absolutely necessary.

PUBLIC COMMENT

Ginger Hurst, 720 W Ash, stated that she would like to build a chapel on the land west of the fire sub-station.

Commissioner Chase Locke asked if they planned to purchase the land from the city.

Mrs. Hurst stated that they did plan to purchase it.

Commissioner Locke asked if she had a design for the building.

Mrs. Hurst stated that they have an architect, Rachel Mott, who has developed some plans.

Commissioner Nick Badwey asked if the next step should be to discuss the chapel with the city planner.

City Manager Herb Llewellyn stated that a church is a special use everywhere in the city. He stated that this is a question for the Commission and what they would like to do with that property. He stated that it was originally obtained through a condemnation and is currently zoned industrial. He stated that staff are happy to look into more information on the project.

Scott Rickard, Assistant City Engineer, stated that it is currently being used as a place for the dirt from the construction site at Haverhill and Central. He stated that city staff have discussed developing it as a small residential area.

Commissioner Badwey asked the rest of the Commission if there was interest in directing staff to look into the project.

Mayor Vince Haines stated that he didn't view this site as a very serene site which is what he would expect of a chapel site.

Mrs. Hurst stated that she felt the purpose made it serene.

Commissioner Locke stated he wanted a better understanding of what it looked like.

Mrs. Hurst stated she could get drawings from the architect.

Mayor Haines stated he would like staff to provide information on what had already been done and would also like to see any drawings that Mrs. Hurst has.

CONSENT AGENDA

Approval of the City Commission and Special City Commission minutes from July 15, 2015.

Approval of the 06-15 appropriation ordinance in the amount of \$1,806,630.39.

Approval of CMB license for Frontier Western Days.

Mayor Vince Haines asked if the vehicles purchase for the police department were bid.

City Manager Herb Llewellyn stated that they were, the dealership that provided them currently has the state contract which allows them to provide a lower bid.

Police Chief Curt Zieman stated that they get most of their vehicles from the KHP federal program. He stated that they bid these vehicles with two local dealerships and the Shawnee dealership.

Commissioner Chase Locke moved that the Consent Agenda, as presented, be approved.

Commissioner Gregg Lewis seconded the motion.

Motion carried 4 – 0 (Commissioner Badwey stepped out).

DILLY DELI TEMPORARY PERMIT RESOLUTION

City Clerk Tabitha Sharp stated that last year the Commission gave local organizations the ability to serve alcoholic liquor at special events. Dilly Deli has requested permission to serve alcoholic liquor at 142 N Main on July 30th from 3 – 10 p.m. This annual fashion show is a part of the Frontier Western Celebration and will be open to the public.

Commissioner Chase Locke moved to approve Resolution No. 2805, a Resolution allowing for the temporary sale of alcoholic liquor at 142 N Main on July 30th, 2015 from 3 to 10 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

RECEIVE THE PETITION ON PROJECT NO. 477 – PAVING OF GEUDA ST.

Assistant City Engineer Scott Rickard stated that on June 15th, the item was tabled. Staff drafted a new petition to be mindful of the cost of the project as well as the development of the land. He stated that city employees will perform the work to save money.

Mr. Rickard stated that Mr. Patton owns the majority of the property that adjoins the project and therefore the petition is successful with his signature.

Mr. Rickard stated that if they see fit, Commission should reject the original petition and accept the new petition.

Mayor Vince Haines stated that prior to discussion, he felt it important to state that his firm did the drawings for the building located on the property. They were hired by the construction company to do that work.

Commissioner Chase Locke asked what the benefit of having city staff do the work was.

Mr. Rickard stated that it will decrease the costs by almost 50%.

Mayor Haines asked if the benefit percentages were changed as well.

Mr. Rickard stated that he made a modification to the line on the eastern properties, he stated that the costs are still split 50/50.

Mayor Haines asked why that was if the property on the west was larger than the east.

Mr. Rickard stated that we assessed the costs according to policy and the cost per square foot is still the same.

Commissioner Gregg Lewis asked if they were doing the entire road.

Mr. Rickard stated that it was only for the 300 feet north of 6th street.

Commissioner Lewis asked if they could close off access for the trailer park until they paid their share to have it finished.

Mr. Rickard stated that it was a public right of way, so they cannot close it.

Commissioner Lewis didn't feel it was fair to the other owners that the trailer park would benefit as well.

Mr. Rickard stated that they could modify the procedures if directed by the Commission.

City Manager Llewellyn asked Mr. Rickard to explain why the portion was the same when one property owner had 75% of the property and the other had 25%.

Mr. Rickard stated that the street is split in half no matter where the line is drawn.

City Manager Llewellyn stated that by self-performing, the City's portion is going up because they are paying labor, but the project cost is less because we are not using a contractor.

Mayor Haines stated that he would prefer that our employees not take on this project when they are paid from the general fund. He stated that he appreciated that they were saving money for the land owner, but all other streets in the city were competitively bid, so this one should be as well. He also stated that he felt since they had heard that we didn't have enough employees, we shouldn't be using the ones we do have for this type of work.

Mayor Haines stated that he felt the project was a good idea and will be great for developing 6th Street.

Commissioner Lewis stated that it will be a good development to support USD 490.

Mayor Haines stated he just felt it was a bad precedent to change the policy.

Commissioner Locke stated he appreciated that staff brought a different solution as requested by the Commission, he also appreciated the development, but did not want to set this precedent.

Commissioner Badwey stated he still felt we should defer the cost to the property that has no access to the street.

Mr. Rickard stated that there are residents paying for streets that they do not have direct access to all across the city.

Commissioner Badwey confirmed that each resident can be responsible for up to two streets.

City Manager Llewellyn stated that redrawing the line for this street followed our policy.

Mayor Haines stated that was where his confusion was, he thought by redrawing the line, the costs for each owner would change.

Mr. Rickard clarified that redrawing the line had no effect on the cost per property owner.

Commissioner Lewis stated that Mr. Patton didn't have a choice when the road on the other side of his property was developed, he should be given the same consideration he gave then.

Commissioner Locke asked City Manager Llewellyn to clarify the policy on deferring costs.

City Manager Llewellyn stated that what Commissioner Badwey suggested is not policy, the city has done that for residents outside of the city limits, but it is not typical for anyone within the city limits. He stated that when the property outside of the city limits wants to be developed, they will have to pay the costs for the infrastructure development. The city will carry the note on that property until it is developed. He stated that the same can be done in this case, there will just be a cost associated with it.

Mayor Haines stated that it appeared there were several options: accept the petition as presented the first time, accept the modified petition, modify the petition further or reject the project altogether.

City Manager Llewellyn stated that it just needs to be fair according to the State Statutes.

Mr. Rickard stated that the newer assessment laws are a little less strict on how costs are assessed.

Commissioner Locke stated that he wanted the project to proceed, but was not in support of the city performing the work.

Commissioner Badwey asked if the new petition had all of the signatures.

Mr. Rickard stated that only the majority property owner had signed.

City Manager Llewellyn stated that they can use the previous resolution and when assessments are spread, they can exempt the cost.

Mr. Rickard stated that they would just need to specify the date of the petition in the motion.

Commissioner Badwey stated that the first question is if it is fair to have the city-at-large pay for the labor. If the answer is no, the second question would be are we going to defer the costs to the property on the east.

Commissioner Kendra Wilkinson stated that she did not think it was fair to defer the cost.

Commissioner Lewis stated that he didn't think the Trust would be able to sell the property.

Mayor Haines stated that he thought it would sell.

Commissioner Badwey stated that it would just not have a curb cut.

City Manager Llewellyn stated that this would be the first time we built a new road up to city standards.

Mr. Rickard stated that the alley project and the Atchison project were done by city staff, but they are not new roads.

Commissioner Chase Locke moved that Resolution No. 2806, petition dated March 25, 2015, a Resolution determining the advisability of the making of certain internal improvements in 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 (paving improvements/Geuda Street – project 477).

Commissioner Gregg Lewis seconded the motion.

Commissioner Badwey confirmed that if this passes, there will be no adjustments later on.

Mayor Haines confirmed that he was correct because the motion was not amended.

Motion carried 4 – 1 (Commissioner Nick Badwey voted against.)

ADVISORY BOARD APPOINTMENTS

Mayor Vince Haines stated that one name has been added to the list of Youth Commission appointments since the work session the previous week.

Board	Name	Term Expiration
El Dorado Youth Commission	Jessica Baker	6/30/16
El Dorado Youth Commission	Clarice Bolen	6/30/16

EL DORADO CITY COMMISSION MEETING**July 6, 2015**

El Dorado Youth Commission	Hannah Brock	6/30/16
El Dorado Youth Commission	Taylor Brock	6/30/16
El Dorado Youth Commission	Callie Carter	6/30/16
El Dorado Youth Commission	Sidnie Davidson	6/30/16
El Dorado Youth Commission	Abigail Edwards	6/30/16
El Dorado Youth Commission	Mary Gomez	6/30/16
El Dorado Youth Commission	Issac Haahr	6/30/16
El Dorado Youth Commission	Hannah Haury	6/30/16
El Dorado Youth Commission	Justin Jones	6/30/16
El Dorado Youth Commission	Megan Klein	6/30/16
El Dorado Youth Commission	Lauren Lowrey	6/30/16
El Dorado Youth Commission	Shawn Luehrs	6/30/16
El Dorado Youth Commission	Cherokee Reagan	6/30/16
El Dorado Youth Commission	Gretchen Shum	6/30/16
El Dorado Youth Commission	Harley Thornton	6/30/16

Commissioner Nick Badwey moved to approve the advisory board appointments as presented.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Mayor Vince Haines asked about complaints regarding fireworks.

Police Chief Curt Zieman stated that June 27th through July 6th, there were 28 complaints. He stated that eight were called in during legal times, 11 were within a few minutes of the cutoff time. He stated that the number of calls has decreased each year.

Commissioner Chase Locke stated that the calls he received were about people not being respectful of the cutoff time. He stated that he felt that these people wouldn't call the police because they didn't view it as an emergency situation.

Chief Zieman stated that they patrolled shortly before cutoff to help slow down the complaints.

Mayor Haines stated that most people who talked to him thought that the police department had better things to do.

Commissioner Kendra Wilkinson stated that she also got calls from people not wanting to bother the police department.

Mayor Haines encouraged residents to clean up the debris in the streets.

City Manager Herb Llewellyn stated that the expectation of the police department is to enforce the law, so citizens should call the non-emergency number. He stated that tickets can be issued to residents who leave debris in the streets, this debris does damage to our stormwater system.

Mayor Haines stated that they would discuss fireworks again at a later date when some of the emotional response had died down.

Commissioner Chase Locke thanked staff for their work on the 4th of July Celebration. He stated that the fireworks show was a great one.

Mayor Haines stated that the Broncos game was also a very good game.

Commissioner Gregg Lewis stated that he heard a little disappointment from people at the lake who wanted to see the fireworks there.

Commissioner Locke stated that he understood that, but McDonald Stadium was a great place for kids to ride their bikes down to watch. He stated that he liked that kids were able to get there without having to come with their parents. He stated that there were a lot of people around the area in the adjoining parking lots and down the street.

Commissioner Kendra Wilkinson asked how the city fared during the storm.

City Manager Llewellyn stated that the water did rise, but it went down quickly.

Scott Rickard, Assistant City Engineer, stated that there was a lot of tree damage. He stated that Public Works crews were out cleaning up throughout the last few hours.

Mayor Haines asked if we could make people aware that we would be back to deal with trees that were caught up in lines once those utility companies cleared the line.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing legal matters and to reconvene the regularly scheduled meeting in the City Commission room at 8:42 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mayor Haines called the meeting back to order at 8:42 p.m.

Commissioner Chase Locke moved to recess into an Executive Session for the purpose of discussing legal matters and to reconvene the regularly scheduled meeting in the City Commission room at 8:55 p.m.

Commissioner Gregg Lewis seconded the motion.

Motion carried 4 – 0 (Commissioner Wilkinson remained in the conference room).

Mayor Haines called the meeting back to order at 8:57 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:58 p.m.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines