

The El Dorado City Commission met in a special session on August 17, 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
Curt Zieman	220 E 1 st	El Dorado, KS
Jay Shivers	220 E 1 st	El Dorado, KS
Brian Gartland	220 E 1 st	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Emily Connell	4001 NE Cole Creek	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the August 17, 2015 meeting to order.

INVOCATION

Pastor Mark Habluetzel, Hope Covenant Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for Public Comment.

There were no comments.

CONSENT AGENDA

Approval of the City Commission minutes from August 3, 2015.

Approval of a Cereal Malt Beverage License for La Casita Mexican Food and Bakery.

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

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

ADOPTION OF THE 2016 CITY BUDGET

Mayor Vince Haines stated that the budget had been developed and published by staff and the City Commission.

Mayor Haines opened the public hearing.

There were no comments.

Mayor Haines closed the public hearing.

Commissioner Gregg Lewis moved to approve Resolution No. 2808, a Resolution expressing the property taxation policy of the City of El Dorado with respect to financing the annual budget for 2016.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Commissioner Gregg Lewis moved to approve the 2016 Operating Budget in the total amount of \$26,628,292, providing for an estimated mill levy of 47.000 mills and to certify the same to the County Clerk.

Commissioner Kendra Wilkinson seconded the motion.

Mayor Haines stated that the County still has to figure final valuations, so the final amount could change based on that.

City Manager Herb Llewellyn stated that he was correct, if there is something that would cause the mill levy to increase, staff have requested that the County notify the City so that we can adjust the budget as opposed to raising the mill levy.

Motion carried 5 – 0.

PROJECT NO. 392 – EL DORADO SEWER IMPROVEMENTS

Scott Rickard, Assistant City Engineer, stated that this project was for sewer improvements on the south side of town. The grant requires policies on civil rights, conflict of interest and sanctions, and procurement procedures.

Mr. Rickard stated that the grant administrators have updated the language in the city's current policies.

Mayor Vince Haines asked if there were any notable changes.

Mr. Rickard stated that there was one sentence in one policy, and minimal changes in the others.

City Manager Herb Llewellyn stated that anytime we get money from the Federal Government, we are required to re-adopt these policies.

Mr. Rickard stated that the revisions from 2008 were included in the packet.

Commissioner Nick Badwey moved to approve the policies regarding civil rights, conflict of interest and sanctions, and procurement procedures.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

2015 STANDARD TRAFFIC ORDINANCE

Jim Murfin, City Attorney, stated that he has reviewed the changes regarding the Standard Traffic Ordinance. He stated that the changes are minimal including the definition of a new three wheeled vehicle that caused changes in other portions of the statutes.

Mr. Murfin stated that there are two major changes in the Uniform Public Offense Code. These changes include a change in the penalties for battery of a public school official and a change in the conceal and carry law.

Commissioner Chase Locke moved that Ordinance No. G-1202, and ordinance amending Section 10.04.010 of the El Dorado Municipal Code pertaining to traffic and referencing the “Standard Traffic Ordinance for Kansas Cities Edition 2015, be passed and approved.

Commissioner Gregg Lewis seconded the motion.

ROLL CALL VOTE

Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Vince Haines	Yes
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes

2015 UNIFORM PUBLIC OFFENSE CODE

Mayor Vince Haines requested a review of our laws regarding conceal and carry.

City Attorney Jim Murfin stated that the City of El Dorado did not avail themselves of the waiver a few years ago regarding the conceal and carry of weapons in public buildings, so it is allowed in most areas.

Mayor Haines asked if that was applicable to all city buildings.

Mr. Murfin state that if it is not posted and do not qualify for additional exceptions, people may carry in public buildings.

City Manager Herb Llewellyn stated that he thought police departments were exempt.

Police Chief Curt Zieman stated that they were not permitted to carry in the secured areas of the station, but that did not include the court room.

Mr. Murfin stated that there have been moves by the State that restrict municipalities from enacting more strict laws regarding weapons.

City Manager Llewellyn stated that when the law was passed, cities had a window during which they could request restrictions and put in guards or metal detectors. The Commission at the time did not want to take any action.

Commissioner Nick Badwey stated that the law the City Manager is referring to was put in place before the new law that did not require a conceal and carry license and training with that weapon.

Commissioner Nick Badwey moved that Ordinance No. G-1203, an ordinance amending Section 9.04.010 of the El Dorado Municipal Code pertaining to public offenses and referencing the “Uniform Public Offense Code” Edition 2015, be passed and approved.

Commissioner Kendra Wilkinson seconded the motion.

ROLL CALL VOTE

	Mayor Vince Haines	Yes
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes

FALL FESTIVAL RESOLUTION

City Clerk Tabitha Sharp stated that Dilly Deli has requested a special permit for a liquor license. The license would be for the Fall Festival event being held downtown. This event will include the Oktoberfest, Walnut River Festival, Car Show and the 100 Years of Oil Celebration.

Ms. Sharp stated that the license would be valid in the 100 block of East First, Friday, September 18th from three p.m. to midnight and Saturday, September 19th from nine a.m. to seven p.m.

Commissioner Locke asked if the event was similar to last year’s.

Ms. Sharp stated that it was, it would just combine all of the events into one weekend. Oktoberfest is Friday evening and will include the 5K, food, beer and live bands. The Car Show, Walnut River Festival and 100 Years of Oil will all be on Saturday.

Commissioner Gregg Lewis moved to approve Resolution No. 2809, a Resolution authorizing the temporary permit for the consumption of alcoholic liquor during the Fall Festival event located at the 100 Block of First Avenue.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner Chase Locke asked to clarify the construction at Central and Haverhill.

City Manager Herb Llewellyn stated that it was Quick Trip and would last about a month.

Commissioner Locke asked about the work on South Main.

City Manager Llewellyn stated that it was the gas company and that they are replacing their lines.

Commissioner Locke asked how long that would take.

Mr. Rickard stated he thought that they were close to wrapping up. He stated that they are replacing some aging infrastructure.

Mr. Rickard stated that AT&T will be laying new fiber in downtown and from Summit to the hospital. He stated that it was a good thing to see them investing in El Dorado.

Mr. Rickard stated that the sewer project on Central in front of the hospital has been wrapped up. The temporary patches will be filled soon as part of the geometric improvement.

Mr. Rickard stated that the Quick Trip project is inconvenient, but they have already finished about half of the removal and Dondlinger will be following with pavement soon.

City Manager Llewellyn asked Mr. Rickard to update the Commission on his meeting with the trucking industry representatives today.

Mr. Rickard stated that he met with the area engineer, Groendyke and John Prather regarding their concerns on the Quick Trip project. He stated that it is congested during certain times, but it is the safest plan right now. The city did modify the signals to help with the congestion.

Commissioner Kendra Wilkinson asked about Towanda Avenue.

Mr. Rickard stated that he heard there would be asphalt on Wednesday. He stated that home owners in the area have been very patient throughout this project.

Mr. Rickard stated that they had some tie ins and intersection work and then the remainder of the asphalt.

City Manager Llewellyn asked if East Central would be completed at the same time as the area in front of the hospital.

Mr. Rickard stated that it would be.

Commissioner Gregg Lewis thanked Mr. Rickard for meeting with those individuals.

Mr. Rickard stated it is important that those agencies, KDOT and the City work together in order to produce good work.

Commissioner Gregg Lewis asked if there were still problems with roofing permits and signs in the yards.

Mr. Rickard stated that he wasn't seeing much in the way of problems anymore. He stated that most of the roofers have been understanding and have complimented us on how we have handled things. He stated that the city has been contacted by the Attorney General, he has asked that the City write a letter regarding our process and if we had the time, they wanted our staff to visit other cities to talk about our process.

Commissioner Badwey asked how many permits had been issued.

Mr. Rickard stated that 1400 permits had been issued as of Friday, and he wouldn't be surprised if there were more now.

Commissioner Lewis asked where the city was on the Oak Street project and if residents there were aware that it would be a truck route.

Mr. Rickard stated that it was on the petition being circulated. He stated that anyone who would like to carry a petition and circulate it, it would move it forward quicker.

Commissioner Lewis asked when they planned to begin.

Commissioner Lewis stated that he thought we should make people aware of it before we began.

Commissioner Locke stated that as part of Fall Festival, the Oil Museum will be celebrating 100 years of Oil. He encouraged businesses to get in touch with the museum if they would like to participate in the parade.

Commissioner Wilkinson stated that school starts Wednesday. She stated that residents should be aware of children crossing.

Commissioner Locke stated that with school starting, there are a lot of college students coming in. He encouraged residents to make those students feel welcome.

Commissioner Badwey asked if we had missed the opportunity to protect our Municipal Court Room.

City Attorney Jim Murfin stated he would have to look, he thought that it would require guards and metal detectors, and we did not see that as a possibility due to financial constraints.

Commissioner Badwey asked where the court was held.

Mr. Murfin stated that it was across the street at the police station.

Police Chief Curt Zieman stated that they do have a bailiff that is a sworn officer in the Municipal Court as well as in the City Commission meetings.

Mr. Murfin stated that there are some exceptions, he stated that he would review the laws and report back if there was anything that could be done.

City Manager Llewellyn stated that the State has protected their courts, just not municipal courts.

Mayor Haines stated he would like the Commission's thoughts on hosting a legislative update for the County. He stated that if it could be targeted for November, they could discuss what was done and what was going to be done in the next year.

Commissioners Locke and Wilkinson agreed.

Commissioner Badwey asked when the Mayor's dinner was.

City Manager Llewellyn stated that it was in February or March.

Mayor Haines stated it might be a good plan for our region.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that he met with John Prather two weeks ago. He stated that staff have reviewed the list and recommended that USD 375 also join the group.

City Manager Llewellyn asked if the Commission would like to move forward.

Commissioners Locke and Lewis and Mayor Haines stated that they should move forward.

Commissioner Lewis stated that the stop light at Haverhill and 6th did not have a turn signal.

Assistant City Engineer Scott Rickard stated that it was to assist with the flow of traffic there since it was a high volume area. He stated that there is an item to expand that project further in the CIP in several years.

Commissioner Lewis stated that there are drivers willing to allow Commissioners to ride along so that they can understand the difficulties at some of these turning points.

ADJOURNMENT

Commissioner Chase Locke moved to adjourn the meeting at 7:10 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines