

EL DORADO CITY COMMISSION MEETING

December 7, 2015

The El Dorado City Commission met in a special session on December 7, 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, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, City Clerk Tabitha Sharp and Administrative Intern Anthony Davis.

VISITORS

Julie Clements	Butler County Times Gazette	El Dorado, KS
Andrew Conard	502 S Denver	El Dorado, KS
Craig Yaryan	1730 Payton Circle	El Dorado, KS
Jean Plummer	1121 Douglas Rd	El Dorado, KS
Emily Connell	4001 NE Cole Creek	El Dorado, KS
Linda Baines	253 Post Rd	El Dorado, KS
Kurt Bookout	2520 Kacy Ct	El Dorado, KS
Steve Seymour	810 Waco	El Dorado, KS
Vern Baker	1265 S Topeka	El Dorado, KS
Roger Cutsinger	712 W 14 th	El Dorado, KS
Allen & Amanda Stalnaker	1155 S Emporia	El Dorado, KS
Tad Schlesener	1924 Arlington	El Dorado, KS
Max Brown	1111 Cave Springs	El Dorado, KS
Steve Moody	1990 E Quail Run	El Dorado, KS
Jack Zimmerman	220 E 1 st	El Dorado, KS
Susan Evenson	128 N Vine	El Dorado, KS
Charli Shipley	2610 Country Club Rd	El Dorado, KS
Sue Meyer	2012 Chelsea	El Dorado, KS
Shawnda & Kevin Wishart	125 S Orchard	El Dorado, KS
Susie Carson	201 E Central	El Dorado, KS
Helen Silcott	110 Genna Ct	El Dorado, KS
Jennifer Cook	220 E 1 st	El Dorado, KS
Christine Gilson	1305 Park	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Troy Jellison	1639 Montana	El Dorado, KS
Bryce Scott	317 S Main	El Dorado, KS
Caleb Carson	220 E 1 st	El Dorado, KS
Jennifer Meyer	403 S Topeka	El Dorado, KS
Kevin Karst	403 S Topeka	El Dorado, KS
Gary Taylor	720 Oak St	El Dorado, KS
Scott Jones	788 Se Pioneer Rd	El Dorado, KS
Brian Gartland	220 E 1 st	El Dorado, KS
John Thompson	128 N Vine	El Dorado, KS

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Sandy Newton	5129 NE 10 th	El Dorado, KS
Gene and Hazel Lynch	1855 Kendrick Lane	El Dorado, KS
Deacon and Janna Davis	507 N Star	El Dorado, KS
Suzie Locke	220 E 1 st	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Curt and Sandy Zieman	1220 S Topeka	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the December 7, 2015 meeting to order.

INVOCATION

Mother Christine Gilson, Trinity Episcopal Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Rosales' Grandview Elementary 3rd Grade Class led the Pledge of Allegiance.

AWARD PRESENTATIONS

Agent of Change Award – Brad Meyer
SWANA Certification – Deacon Davis
Certificate of Appreciation – Butler County Special Education – Scott Jones

Service Awards –
35 Years – Curt Zieman, Police Department
30 Years – Max Brown, Fire Department
20 Years – Brad Meyer, Public Works
 Tad Schlesener, Public Utilities
 Allen Stalnaker, Public Utilities
15 Years – Susan Evenson, Police Department
 Sandra Newton, Parks and Recreation
 Jack Zimmerman, Fire Department
10 Years – Sue Meyer, Forestry
 Debbie Smith, Legal/Judicial
 John Thompson, Police Department
 Kevin Wishart, Parks and Recreation

PERSONAL APPEARANCE

Linda Jolly, Director of El Dorado Inc., Jennifer Cook CVB Director, Susie Carson, Chamber of Commerce Director, and Emily Connell, Main Street Director discussed the work they had accomplished over the last year.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comment.

There were no comments.

CONSENT AGENDA

Approval of the City Commission minutes from November 16, 2015 and the Special City Commission meeting minutes from December 2, 2015.

Approval of Appropriation Ordinance No. 11-15 in the amount of \$1,423,907.52.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

FIRE SUBSTATION TOWER LEASE

Fire Chief Steve Moody stated that in 2014, the Sales Tax Advisory Board granted approximately \$40,000 for site preparation for the training tower lease. He stated that the college has agreed to provide a fire training facility that includes a rooftop staircase.

Mayor Vince Haines confirmed that it would be located at substation two.

Chief Moody stated that it would be.

Mayor Haines asked about the timeline.

Chief Moody stated that they hoped it would be completed in February.

Commissioner Kendra Wilkinson confirmed that the \$40,000 would cover the expense of site preparation.

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City Manager Herb Llewellyn stated that the City Commission had approved \$42,465 as part of the 2013 Sales Tax Committee recommendations.

Commissioner Wilkinson confirmed that Butler would cover the cost of the structure.

Chief Moody stated that they would cover the construction of the building.

Commissioner Gregg Lewis moved to direct the Mayor to sign the contract between the City of El Dorado and Butler Community College for the construction and operation of a fire training facility tower.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

LEGION PLAT APPROVAL

Roger Cutsinger, 712 W 14th, stated that this project has been ongoing for a few years. He thanked the City, El Dorado Inc. and the Legion members for their work on the project.

Scott Rickard, Assistant City Engineer, stated that the plat would create seven buildable lots and a reserve. He stated that the plat was approved by the Planning Commission 7 – 1.

Commissioner Gregg Lewis asked if this would affect Don Adlesperger's property.

Mr. Cutsinger stated that he did not believe it would.

Commissioner Lewis asked if Mr. Adlesperger's land would be in the city limits as a result of this.

Mr. Rickard stated that any of the land north of Towanda was already in the city limits.

Commissioner Chase Locke moved to accept the easements and right-of-way dedications shown on the final plat of the Legion Second Addition, Case No. 15-002-PLAT.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

2030 COMPREHENSIVE PLAN AMENDMENT

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Mayor Vince Haines stated that this item is part of the Parks and Recreation proposed master plan.

Scott Rickard, Assistant City Engineer, stated that the Planning Commission recommended inclusion of the new Parks and Recreation Master Plan into the current 2030 Comprehensive Plan.

Commissioner Nick Badwey confirmed that the plan is strictly conceptual.

Mr. Rickard stated that the comprehensive plan pertains to the City's vision and goals, it is not as in depth as the proposed Parks and Recreation Master Plan.

City Manager Herb Llewellyn stated that the comprehensive plan contains items specifically adopted by the City Commission.

Mr. Rickard stated that the Parks and Recreation Board looked at features, the Planning Commission looked at what the goals of the Comprehensive Plan were.

Mayor Haines stated that he would like to table the item until we have received more input from the public regarding the Parks and Recreation Master Plan.

Commissioner Kendra Wilkinson stated that she was concerned that the Planning Commission vote was just barely passed. She stated that she felt that according to the meeting minutes that they were taking more upon themselves than they were actually asked to do.

Commissioner Nick Badwey moved to table the amendment to the 2030 Comprehensive Plan.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

KDOT AGREEMENT NO. 287-15 KLINK RESURFACING

Assistant City Engineer Scott Rickard stated that an agreement needed to be signed in order to utilize KLINK funds for the resurfacing of Central from Boyer to Diagonal and from Boyer to School.

Commissioner Chase Locke moved to authorize the Mayor to execute for and on behalf of the City of El Dorado, Agreement No. 287-15 between the City and the Kansas Department of Transportation.

Commissioner Gregg Lewis seconded the motion

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

NEIGHBORHOOD REVITATLIZATION PROGRAM

City Manager Herb Llewellyn stated that after the downturn in new housing construction, the City Commission added a component that allowed the NRP boundaries to be extended with the understanding that it would be revisited each year.

Commissioner Kendra Wilkinson asked how successful this program had been.

City Manager Llewellyn stated that prior to the downturn in the economy, housing construction had been at a high. After that happened, the City had to develop a plan to encourage further home development.

Scott Rickard, Assistant City Engineer, stated that they anticipate receiving two more permits before the end of the year.

City Manager Llewellyn stated that he felt that the NRP had kept some homes being built. He felt that without the program, there would be no new homes built.

Mayor Haines stated that he understood that there was previous apprehension regarding the NRP across Butler County. He felt that the County Board of Commissioners wanted fairness across the County.

Mr. Rickard stated that he was correct, the County has wanted all of the cities to offer the same NRP benefits.

There was discussion regarding the other entities approval of the plan. Concern has been expressed by the school districts that the plan will decrease existing revenue from property tax.

Commissioner Nick Badwey stated that he did not buy the need of revenue argument because they do not have the revenue now.

Mr. Rickard stated that the revenue concerns were based on the addition of new homes into the NRP.

Commissioner Badwey stated that we can increase revenues by building new homes and that the NRP encourages housing development.

City Manager Llewellyn stated that this plan was put in place because the Commission was hearing about those in the construction industry who were out of work.

Mayor Haines confirmed that this was only for new homes.

Mr. Rickard stated that this is only for new homes in new subdivisions and it will expire December 31, 2016.

Mayor Haines stated that he was okay with this plan.

Commissioners Locke and Lewis stated that they were also in favor of it.

Commissioner Chase Locke moved to approve Resolution No. 2813, a resolution authorizing and directing the Mayor to execute an interlocal agreement with the Butler County Board of County Commissioners, Butler Community College, Unified School District #490, and Unified School District #375, to extend the Neighborhood Revitalization Program.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mr. Rickard stated that staff are requesting that the Commission appoint two members to attend the meetings of the other elected bodies. These members would speak on behalf of the City Commission.

Commissioner Nick Badwey moved to nominate Mayor Vince Haines and Commissioner Kendra Wilkinson as the representatives to present the revised plan and interlocal agreement to the other taxing entities.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

PROPOSED REFUSE RATE INCREASE

Brad Meyer, Public Works Director, stated that in 2013, the City Commission approved the first rate increase in five years. He stated that they requested that staff bring increases to them more often so that the increase was smaller each year.

Mr. Meyer stated that staff are requesting a 1.75% increase, which will bring the residential rate to \$14.25.

Mayor Vince Haines asked if this was the third increase since 2013.

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Mr. Meyer stated that an increase was approved in 2013 for the 2014 budget year. This is the only proposed increase since.

Commissioner Gregg Lewis expressed concerns that these revenues were being used to fix the wind turbine. He stated that many people had seen the story on KAKE news and were concerned.

City Manager Herb Llewellyn explained that the wind turbine is paid from a different fund, so it would not be utilizing trash increase to pay for repairs. He also stated that while we are requesting increases for the water and sewer funds as well, those increases are not anticipated to go towards the wind turbine repair. He stated that staff currently have no intention of fixing the wind turbine because it would be throwing good money after bad.

City Manager Llewellyn stated that the requests being brought to the City Commission are a result of the previous Commission's request that smaller increases be brought to the City Commission on a regular basis as opposed to a large increase every six to eight years. He stated that the report on the news was not correct, and if people had any questions they could come talk to staff about it.

Commissioner Nick Badwey stated that he did not want to let an irresponsible news story dictate policy in El Dorado.

City Manager Llewellyn stated that staff plan to present the City Commission with a five year plan regarding utilities in the upcoming year.

Commissioner Chase Locke moved to approve Ordinance No. G-1208, an Ordinance amending the El Dorado Municipal Code, Section 8.04.060 pertaining to refuse service rates.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

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

PROPOSED WATER RATE INCREASE

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Public Utilities Director Kurt Bookout stated that in 2013, the City Commission approved a water rate increase. They requested that staff present increases on a more regular basis instead of requesting a large increase over longer periods of time.

Mr. Bookout stated that staff are requesting a 0.75% increase for Tier 1 rates and a 1.5% increase to tier two rates. These increases will bring the two tiers closer together. He stated that proposed rates are as follows:

Tier 1 - 0 — 29,999 cu. ft. \$1.25/100 cu. ft.

Tier 2 - 30,000 or more cu. ft. \$1.20/100 cu. ft.

Readiness to Serve Fees:

5/8 X 3/4 and 1 inch	\$7.29
1 1/2 inch	\$14.57
2 inch	\$29.13
3 inch	\$58.27
4 inch	\$145.67
6 inch	\$291.35
8 inch	\$582.69
12 inch	\$1,748.07

Untreated Water - \$0.17

Commissioner Nick Badwey moved to approve Ordinance No. G-1209, an Ordinance amending the El Dorado Municipal Code, Section 13.08.010 pertaining to water service rates.

Commissioner Chase Locke seconded the motion.

ROLL CALL VOTE

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

PROPOSED SEWER RATE INCREASE

Public Utilities Director Kurt Bookout stated that staff are requesting a 2% rate increase. Currently, residents pay \$2.31 per 100 cubic feet of water used as well as a readiness to serve fee of \$7.02 per month. The proposed rate would be \$2.36 per 100 cubic feet and the readiness to serve fee \$7.16 per month.

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Commissioner Gregg Lewis moved to approve Ordinance No. G-1210, an Ordinance amending the El Dorado Municipal Code, Section 13.08.010 pertaining to sewer service rates.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

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

2015 BUDGET AMENDMENT

Finance Director Tammy Schaffer stated that during the 2015 budget process, the CNG fund had not yet been developed. Because there are revenues and expenses from that fund, we must republish the budget in order to include them.

Mayor Vince Haines opened the public hearing for comments.

There were no comments.

Mayor Haines closed the public hearing.

Commissioner Chase Locke moved to approve the amendments to the 2015 Operating Budget in the CNG fund as presented.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

SALES TAX COMMITTEE APPOINTMENT

City Clerk Tabitha Sharp stated that each year the City Commission appoints a committee for the purpose of providing suggestions to the City Commission for the allocation of excess sales tax monies. Each Commissioner appoints one member, the Mayor appoints two members, and the Planning Commission appoints one member for a total of seven members. These individuals will serve from January 1st to December 31st of 2016. There are no term limits for this committee.

Commissioner Chase Locke moved to appoint Andy Waller and Tom Storrer (Mayor Haines), Dan Davis (Commissioner Locke), Stacy Guthrie (Commissioner Lewis), Randy Wells

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(Commissioner Badwey), Wade Wilkinson (Commissioner Wilkinson) and Scott Leason (Planning Commission) to the Sales Tax Advisory Board for a one-year term set to expire December 31st, 2016.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

2015 WRITE OFFS

City Clerk Tabitha Sharp stated that delinquent accounts owed the City of El Dorado need to be considered to be deemed uncollectible and removed from the accounts receivable records of the City, and a list delineating each amount should be filed in the City Clerk's office. The deferred fines to be removed total \$63,724.94 and the miscellaneous billing amount to be removed is \$12,209.02. It is noted that of the total deferred fines being written off, \$5,566.00 is for state fees that would be remitted to another party upon collection; therefore, this portion is not a loss of revenue to the City.

Ms. Sharp stated that this action is an accounting function and follows GAAP. We do not "forget" the debts, and still try to collect them.

Commissioner Kendra Wilkinson moved to deem uncollectible the deferred fines accounts in the amount of \$63,724.94 for 2015, and miscellaneous billing accounts in the amount of \$12,162.69 owed to the City of El Dorado, to remove same from the accounts receivable records of the City, and that a list delineating each account be filed in the City Clerk's office.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

2017 PROPOSED SALARY SCHEDULE

Human Resources Director Suzie Locke stated that each year a Resolution is passed to establish the compensation and designation of various positions within the City of El Dorado. The proposed salary schedule would become effective on January 1st, 2017. Approval of the salary schedule is done in December prior to the beginning of the budget process so that any requests by the City Commission can be included in the budget process.

Commissioner Chase Locke moved that Resolution No. 2814, a Resolution establishing 2017 salaries and wages paid to various employees of the City of El Dorado and to allocate the various funds of said City, charges and debits for the payment of compensation of wages of all City officials and employees, be adopted.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

JANUARY MEETING CANCELLATION

City Manager Herb Llewellyn stated that the first meeting in January is typically cancelled because of the holidays. He stated that most business slows down during this timeframe and there is not typically much to discuss. He stated that staff also work to make sure that all necessary business has been accomplished at the first December meeting which allows the Commission to cancel the second December meeting if they wish. He stated that work sessions can be held as the Commission needs them.

Commissioner Kendra Wilkinson moved that the last City Commission meeting on December, 21, 2015 and the first City Commission meeting in January, Monday, January 4, 2016 be canceled and that staff is authorized to release the January checks after the finalized December appropriation ordinance is sent to the City Commission for review.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner Chase Locke stated that Main Street worked hard on the Christmas event last weekend and thanked them and their volunteers.

Commissioner Locke asked if we could look into a designated area for buying and selling items on Craig's List, a safe zone.

Police Chief Curt Zieman stated that they can look into it.

Commissioner Nick Badwey wished everyone a Merry Christmas and a Happy New Year.

Commissioner Badwey stated that when Shirley Hogoboom passed away money was donated to assist the animal shelter. He asked if anything had been done with it yet.

City Manager Llewellyn stated that the Commission had discussed it previously, but had not reached a decision.

Commissioner Badwey stated he thought the average was about \$100 per animal which would save about 50 animals.

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Commissioner Nick Badwey moved to use the funds donated in Shirley Hogoboom's name for free animal adoptions.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Commissioner Badwey asked if we could have pictures of adoptable animals.

City Manager Llewellyn stated that those are already posted online.

CITY MANAGER'S REPORT

Anthony Davis, Administrative Intern, stated that the City had received compliments from a citizen on the Christmas lights and decorations in the downtown area.

City Manager Herb Llewellyn stated that the worker's compensation MOD rate went down \$30,000. This is an excellent reflection of the work we do to make sure our employees exercise safe work habits.

City Manager Llewellyn also reminded citizens that sewer averaging would begin at the end of the month, for tips on conserving water and making their sewer bills lower, they could visit the City's website.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing legal matters, land acquisition and matters pertaining to non-elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 10:15 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 10:15 p.m.

Commissioner Nick Badwey moved to return to Executive Session for the discussion of matters related to non-elected personnel and to reconvene the regularly scheduled meeting in the City Commission room at 10:47 p.m.

Commissioner Chase Locke seconded the motion.

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

Mayor Vince Haines called the meeting back to order at 10:15 p.m.

Commissioner Chase Locke moved to return to Executive Session for the discussion of matters related to non-elected personnel and to reconvene the regularly scheduled meeting in the City Commission room at 11:30 p.m.

Commissioner Nick Badwey seconded the motion.

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

Mayor Vince Haines called the meeting back to order at 11:31 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 11:35 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines