EL DORADO CITY COMMISSION MEETING **March 7, 2016**

The El Dorado City Commission met in a special session on March 7, 2016 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

Emily Connell	4001 NE Cole Creek	El Dorado, KS
Phil Wickwire	341 Village Rd	El Dorado, KS
Julie Clements	Butler County Times Gazette	El Dorado, KS
Frank Patton	1282 S High	El Dorado, KS
Andrew Conard	502 S Denver	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Craig Yaryan	1730 Payton Circle	El Dorado, KS
Deacon Davis	507 N Star	El Dorado, KS
Anthony Davis	220 E 1st	El Dorado, KS
Jason Hughey	1329 Terrace Dr	El Dorado, KS
JasonReiswig	938 W 3rd	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Darla Carter	Family Life Center	El Dorado, KS
Lauren Lowrey	918 W Kansas	El Dorado, KS
Brad Meyer	222 E 2nd	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Suzi Thien	110 S Gordy	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the March 7, 2016 meeting to order.

INVOCATION

Pastor Andrew Conard, First United Methodist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Carter's 3rd Grade Class from Lincoln Elementary led the Pledge of Allegiance.

PROCLAMATION

Mayor Vince Haines read the proclamation declaring March 14-18th Severe Weather Awareness Week.

PERSONAL APPEARANCE

Suzi Thien, Executive Director of SCARF, provided the City Commission with a report of the past year's activities.

Emily Connell, Director of El Dorado Main Street, provided the City Commission with a report of the last year's activities.

Commissioner Gregg Lewis asked if the Historic District and Main Street were two different organizations.

Ms. Connell stated that the Historic District is a designation for an area of downtown, the Main Street District includes the whole downtown area. The Main Street organization allows businesses to apply for grants that they would not otherwise be eligible for without Main Street.

Commissioner Lewis asked who businesses could talk to regarding the historic designation requirements.

Ms. Connell stated that she can get them through the preliminary information, but there are staff available at the city who can help with the larger part of the application.

Commissioner Lewis stated that many businesses didn't know about the informational luncheon held regarding the historic district.

Ms. Connell stated that they advertised online and in the paper and sent invitations to all of the property owners. She stated that there were 82 people there and approximately 30% were business owners.

Commissioner Lewis asked if businesses can apply for grants available in the historic district.

Ms. Connell stated that it depends on their historic status.

City Manager Herb Llewellyn asked if the Mayor's property was outside the district.

Mayor Vince Haines stated that his building is not in the district, but it is a historic location. He stated that the process is confusing, and that there are a lot of factors that must be considered.

Mayor Haines encouraged individuals with questions to visit the Main Street office at 116 W Pine.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for Public Comment.

There were no comments.

CONSENT AGENDA

Approval of the City Commission minutes from February 15, 2016 and the Special City Commission minutes from February 17, 2016.

Approval of appropriation ordinance 2-16 in the amount of $1,775,812.23.

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

Commissioner Chase Locke seconded the motion.

Mayor Vince Haines asked if they needed to add the executive session during this portion of the agenda.

City Manager Herb Llewellyn stated that they could call it during the regular place in the meeting.

Motion carried 5 - 0.

DISTRIBUTION OF LIQUOR TAXES AND COURT FEES

City Clerk Tabitha Sharp stated that annually the city distributes monies to local organizations from the collections of liquor taxes and court fees. She stated that the liquor taxes are distributed per State Statute and the court fees were part of a program begun by the City Commission in 2009.

Ms. Sharp stated that during 2015 the City received $74,199.58 in Liquor Tax Revenue, of that amount $12,366.59 is for the Liquor Tax Program. The balance as of December 31, 2015 was $7,457.48. The total available for 2016 Liquor Tax Program is $19,824.07 ($12,366.59 + $7,457.48).

Ms. Sharp stated that the City received $5,359 in Court Fee Revenue. The balance as of December 31, 2015 was $1,678.50. The total available for 2016 Court Fee Program is $7,037.50 (1,678.50 + 5,359).

Ms. Sharp stated that SCARF and Family Life Center submitted requests for Liquor Tax monies for $2,500 and $9,000 respectively. She stated that SCARF, Family Life Center and the Elks Lodge #1407, requested $1,500, $2,000 and $2,000 respectively from the Court Fee monies. She stated that representatives from each group were available for questions.

Mayor Vince Haines confirmed that the total available for Liquor Tax was $19,824.07 and Court Fees was $7,037.50.

Ms. Sharp stated that he was correct.

Mayor Haines confirmed that the two funds could not be combined, but that they were just part of the same agenda item.

Ms. Sharp stated that he was correct.

City Manager Herb Llewellyn clarified that the Liquor Tax monies were distributed per State Statute and the Court Fee funds were part of an initiative which began in 2009 when the law changed regarding Liquor Tax money distribution. He stated that the Liquor Tax money is restricted to benefit children who are victims of abuse as a result of alcohol and drug problems. He stated that the Commission used the Court Fee funds to benefit children elsewhere in the City.

Mayor Haines confirmed the amounts requested left a balance in each fund.

City Manager Llewellyn stated that it remains in the account and will be available for distribution next year.

Commissioner Gregg Lewis asked if the Special Parks and Recreation Fund will only be able to spend the remaining $8,000 in the Liquor Tax fund.

Ms. Sharp stated that the Special Parks and Recreation Fund received a total of $37,099.78, only one third of that goes to the Liquor Tax fund and so they will have the remaining money to spend.

Commissioner Kendra Wilkinson asked if this was only allocated during this time.

Ms. Sharp stated that she was correct.

Commissioner Wilkinson confirmed that the remainder would be available next year.

Ms. Sharp stated that she was correct.

Commissioner Kendra Wilkinson moved to allocate the portion of the liquor tax monies in the Special Parks & Recreation Fund in the following manner and to authorize the City Manager to execute the appropriate documents and contracts with the following recipients and that these funds are disbursed consistent with Kansas statutes:

Requesting Organization	Requested Amount	Commission Allocation
SCARF	$ 2,500	$2,500
Family Life Center	$ 9,000	$9,000
Total	**$ 11,500**	$11,500

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Commissioner Nick Badwey moved to allocate a portion of the court fees in the General Fund in the following manner and to authorize the City Manager to execute the appropriate documents and contracts with the following recipients and that these funds are disbursed consistent with Kansas statutes:

Requesting Organization	Requested Amount	Commission Allocation
SCARF	$ 1,500	$1,500
Family Life Center	$ 2,000	$2,000
Elk's Lodge #1407	$ 2,000	$2,000
Total	**$ 5,500**	$5,500

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

PROJECT 491 – PAVING GRIFFITH STREET (CENTRAL TO LOCUST)

Assistant City Engineer Scott Rickard stated that staff have come up with four options for the paving of Griffith from Central to Locust.

Mr. Rickard stated that the Commission could utilize the option presented at the previous meeting which was a 31 foot road with a 41 foot widened turn lane to City standards. He stated that the total project cost was $648,868.22 and the benefit district would be responsible for $266,114.02.

Mr. Rickard stated that option two would be to pave only 500 feet from Central to the south. He stated that the cost of the project would be $345,334.99 and the benefit district cost would be $105,677.47.

Mr. Rickard stated that option three would be for the same amount of road to be done, but for Public Works staff to perform the work. He stated that they have proposed a nine inch thick pavement section. He stated the total cost would be $126,472.92 for materials only. He stated that the cost to the benefit district would be $50,919.33.

Mr. Rickard presented the final option of a three inch asphalt overlay. He stated that the total cost would be $281,305.31 and the cost to the benefit district would be $101,291.71. He stated that base work would need to be done to make this a viable option.

He also stated that according to city policy, this project would have to be paid back over a period of three years as opposed to the twenty available on the first projects. He stated that if they do not build it to city standards today, the owners will also be responsible for any improvements in the future.

Mr. Rickard noted that in each of the city-at-large cost estimates, the costs assessed to the city-owned property are included.

Commissioner Gregg Lewis stated that he felt that this would open a can of worms for other property owners in town.

Mr. Rickard stated that this has always been an option, but it is prohibitive because of the cost per year and that the improvements must be redone sooner.

Commissioner Kendra Wilkinson confirmed that the amount in yellow was the amount to be paid per year.

Mr. Rickard stated that she was correct.

Commissioner Chase Locke stated that the work needed to be done, he stated that he had not heard from any property owners.

Commissioner Nick Badwey stated that he has had some calls.

Commissioner Wilkinson asked who the land owners were.

Mr. Rickard stated that they were the city, Butler REC, Mulvaney, Stowers and Century Plastics.

Commissioner Locke asked if there was anything in the conversations Commissioner Badwey had that would cause him to think one way or another.

Commissioner Badwey stated that they were concerned about financial hardship.

Commissioner Wilkinson asked why option two was not good.

Mr. Rickard stated that it works, but it is in the best interest of the city-at-large to complete the entire project.

Commissioner Lewis stated that option number one is in the comp plan.

Commissioner Badwey confirmed that the difference between number two and three is that the city is doing the work.

Mr. Rickard stated that he was correct.

Commissioner Badwey asked if they knew what the mobilization costs were.

Mr. Rickard stated that the difference between options two and three is approximately $200,000. He stated that the unit cost went up with the smaller project, but that administrative costs were higher with the larger project.

Commissioner Lewis asked when the work could be started.

Mr. Rickard stated that a lot of the work had already been done.

City Manager Llewellyn stated that many companies have already begun shifting their work force out of state because the State of Kansas took money from the highway program.

Commissioner Lewis stated that it would cost the city more if they wait longer to do the project. He asked if the first motion would approve the original project.

Mr. Rickard stated that it would move forward with the original project. He stated that if the Commission would like to use another option, staff would need to begin the paperwork again and bring it back for approval at another meeting.

Commissioner Wilkinson stated that $2,600 per year for the Mulvaney property was quite a bit of money for a vacant lot.

Mayor Haines asked if they had compared the flood plain map.

Mr. Rickard stated that only the ditches on the Mulvaney property and some of the back of the Century Plastics lot were in the flood plain.

Commissioner Lewis asked if the issue with the flood plain would be fixed with the new street.

Mr. Rickard stated that it would take a while for FEMA to come look at the property again.

City Manager Llewellyn reminded the Commission that all approval of this ordinance does is start the petition process.

Mayor Haines confirmed that it would allow staff to continue with the process.

City Manager Llewellyn stated that they will have to report back first.

Commissioner Badwey stated that would just delay the process more. He stated that he would rather see option two or three. He stated that if one of those projects was done, Sunny Stop would have the road they needed and they were driving it.

City Manager Llewellyn stated that the project is actually directed by the Commission via the comprehensive plan.

Commissioner Lewis stated that his problem is that they would be allowing these people to just do a portion of their street while the people on Oak were told they had to do the whole project.

Commissioner Badwey stated that the two projects were not equal, Oak Street was petitioned by a citizen, and Griffith Street was brought forward by staff.

Commissioner Lewis stated that this project was part of the comprehensive plan.

Commissioner Locke asked if it was appropriate to do option two and give them time to prepare for the larger project in the future.

Commissioner Lewis stated that he understood what Commissioner Badwey was stating, but he felt that the people on Oak Street would see it as the Commission granting concessions to one area and not another. He stated that the project should move forward and allow the property owners to petition out.

Commissioner Wilkinson stated that they could not petition out because the City owns the majority of the property.

City Manager Llewellyn stated that if they respond to the petition, the Commission can decide not to do the project.

Commissioner Badwey confirmed that they could not petition out, but they could change the minds of the Commissioners.

Mayor Vince Haines pointed out that this project also feeds into the Parks and Recreation long range plan. He stated that this project sets the stage for changes to East Park.

Commissioner Gregg Lewis moved that Resolution No. 2818, 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 (street improvements/Griffith Street - project 491).

Commissioner Chase Locke seconded the motion.

Motion carried 3 – 2 (Commissioners Badwey and Wilkinson voted against the Resolution).

COMPREHENSIVE PLAN AMENDMENT – CONNECT 2025

Scott Rickard, Assistant City Engineer, stated that Kevin Wishart, Parks and Recreation Director returned to the Planning Commission in February to discuss the outreach that had been done over the last few months. He stated that the Planning Commission and the City Commission had requested that staff do further public outreach in November when this item was originally presented.

Mr. Rickard stated that this motion will remove the old parks and recreation plan and insert the new Connect 2025 plan.

Commissioner Kendra Wilkinson asked what the concern of the Planning Commission had been.

Mr. Rickard stated that they had been concerned with the lack of public input.

Commissioner Gregg Lewis stated that he recently received feedback regarding the pool, and that the resident had stated that it should be located on Central due to the economic development needs of the community.

City Manager Herb Llewellyn stated that the plan has a lot of options, adopting the plan tonight will include all of the options. He stated that as the Commission moves forward, they will begin working on where the new items should be located. He stated that staff will work with the Parks and Recreation Advisory Board during that time.

Commissioner Lewis asked if the advisory board would be involved.

City Manager Llewellyn stated that they would absolutely be involved. He stated that they are only beginning the process and that it would be unusual for the Commission not to involve the advisory board.

Commissioner Lewis also mentioned that the individual had discussed the need for an 18 hole disc golf course as opposed to a 9 hole course. He stated that they felt it would also be good for economic development and that the City should use a designer. He stated that the member felt that the plan was for economic development and should be used that way.

City Manager Llewellyn stated that it is subjective, the plan has a lot of options, and many of them are directed at our citizens. He stated that the sales tax committee has been looking at an 18-hole disc golf course for tournaments and he thought that the Commission would hear that recommendation from them soon.

Mayor Vince Haines stated that the Commission discussed in the work session last week about the steps they could take to achieve the goals of the plan as well as partnerships needed to develop the Legion property. He stated that he would welcome the opportunity to talk to them about the plan.

Commissioner Lewis stated that the individual also stated that they should not put the tennis courts at the middle school because citizens will not be able to get to them as easily as they could at the golf course. He stated that they want the plan to remain intact.

City Manager Llewellyn clarified that there are options for several of the amenities in the plan, they must first adopt the plan and then discuss priorities and funding. He stated that the design work for the major components will take time.

Commissioner Wilkinson asked what Commissioner Lewis meant by intact.

Commissioner Lewis stated that they want the Commission to follow the plan, because they felt for example that leaving the pool where it was puts it in an undesirable neighborhood. He stated that they felt more people would go if it were on Central.

Commissioner Wilkinson clarified that they are just putting the new plan into the comprehensive plan for now.

City Manager Llewellyn stated that she was correct.

Commissioner Lewis clarified that the Advisory Board just wanted to be part of the process.

The Commission agreed that is what they had planned.

Commissioner Lewis stated that he felt they perceived that the Commission was moving ahead without them last week.

Commissioner Chase Locke moved that the recommendation of the Planning Commission to approve the City of El Dorado 2030 Comprehensive Plan amendment, replacing Section 7 Parks and Recreation with the Connect 2025 plan, be accepted and that Ordinance No. G-1213 be approved.

Commissioner Nick Badwey seconded the motion.

Mayor Haines thanked that Parks and Recreation advisory board for their work on the plan. He welcomed the advisory board to contact the Commission with their thoughts.

Commissioner Locke stated that he welcomed feedback from the community regarding the plan.

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

ADVISORY BOARD POLICY REVISIONS

City Clerk Tabitha Sharp stated that the City Commission reviewed the proposed advisory board policy revisions at their February 17th, 2016 work session. She stated that revisions included information regarding the Kansas Open Meetings Act, a statement clarifying that employees cannot serve on advisory boards, a policy requiring applicants to be in good financial standing with the city, a due date for all applications of 30 days prior to the appointment and an option for applicants to choose their preferred method of contact.

Mayor Vince Haines asked about the training component.

Ms. Sharp stated that after adoption of this policy, it will be used as a training tool for members appointed in May and June of this year.

Ms. Sharp stated that the second motion requests that advisory boards review, revise and submit any changes to their bylaws by July 1st of 2016 for approval by the City Commission.

Commissioner Nick Badwey moved to approve updates to the Standard Procedures for City Advisory Boards and Committees as presented.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Commissioner Nick Badwey moved to direct advisory boards and committees to review, revise and submit their respective bylaws for approval by the City Commission no later than July 1st, 2016.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner Kendra Wilkinson asked about the lights in the business park.

Brad Meyer, Public Works Director, stated that there are currently six solar LED lights and there is room for more.

Commissioner Wilkinson stated that there needed to be more.

Mr. Meyer stated that they are demoing several right now that would allow us to place lights off the grid. He stated that one of the demos is behind the Public Works Department.

Commissioner Wilkinson stated that there is a process happening.

City Manager Herb Llewellyn stated that the Commission instructed staff to place the others in the business park, the current Commission can make a motion to provide more.

Commissioner Kendra Wilkinson moved to add more lights to the business park.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Commissioner Badwey stated that they would like more than two.

City Manager Llewellyn stated that they will begin with doubling the number of lights.

Commissioner Nick Badwey asked for information on the spring clean-up.

Mr. Meyer stated that the cleanup will be April 11-15 on the trash day. He stated that the City provides a lot for the $14.25 trash fee each month, including trash removal, recycling pickup and a spring and fall cleanup. He stated that the amount of trash picked up in the spring has decreased over the years.

Mayor Vince Haines asked if they could park roll offs around town.

Mr. Meyer stated that we would most likely receive items that we can't take if we were to park roll offs around town. The spring cleanup allows residents to just put the items on the curb. He stated that the dump truck program is begins April 4th, Monday through Thursday each week for $15. Staff will bring a truck to a resident's home and pick it up and take it to the dump when they are done.

Commissioner Badwey stated that it was a great program and commended staff for their work.

Mr. Meyer stated that he wanted to take this opportunity to point out an article in last week's paper that thanked City staff for their work. He stated that it was appreciated because most of our employees work goes unnoticed.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that staff have located a letter from the Corp of Engineers stating that the lake debt is a 100 year contract but the life of the project is not set. He stated that they have not yet found the amortization schedule that they were looking for.

City Manager Llewellyn stated that the Prairie Trails Advisory Board has requested a couple's membership for unmarried couples. He stated that the Commission needed to approve it before staff could use the rate.

Commissioner Nick Badwey moved to accept the recommendation of the Prairie Trails Advisory Board.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

City Manager Llewellyn stated that we have experienced a change in our recycle program. A company used to pay the city for their recyclable materials, but they are no longer going to do that. He stated that we are now giving them away. He stated that this will have a large impact on the budget especially if we begin paying to send our recyclables off.

Brad Meyer, Public Works Director, stated that it does not have anything to do with single stream recycling, those facilities just stopped operating as they did in the past. He stated that our citizens do a great job of sorting their recyclables and about one third of our waste stream is recyclables. He stated that the national average is only eight percent.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to adjourn into an executive session for the purpose of discussing non-elected personnel matters and to reconvene the regularly scheduled Commission meeting at 9 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 9:01 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 9:02 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

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City Clerk Tabitha D. Sharp Mayor Vince Haines