EL DORADO CITY COMMISSION MEETING **April 18, 2016**

The El Dorado City Commission met in a special session on April 18, 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, Attorney Ashlyn Lindskog, Human Resources Director Suzie Locke, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: City Manager Herb Llewellyn.

VISITORS

Sherry Mabry	809 Oak	El Dorado, KS
Isaac Haahr	1615 Troon N	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Matt Guthrie	811 W Central	El Dorado, KS
Sam Leben	423 W Olive	El Dorado, KS
Stephen Waite	320 N High	El Dorado, KS
Roger Cutsinger	712 W 14th	El Dorado, KS
Tom Clark	90 SW Morley Rd	El Dorado, KS
Julie Clements	Butler County Times Gazette	El Dorado, KS
Sue Meyer	220 E 1st	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the April 18, 2016 meeting to order.

INVOCATION

Commissioner Chase Locke opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Mrs. Corbin's 3rd Grade Class from Oil Hill Elementary led the Pledge of Allegiance.

PROCLAMATIONS

Matt Guthrie, Chair of the Tree Board, and Sue Meyer, Landscape Specialist, stated that the Tree Board will be celebrating Arbor Day by planting a tree at Rice Park on Thursday at 2 p.m. They stated that Vada Coucher, 5th Grade at Grandview Elementary, won the poster contest this year.

Mr. Guthrie stated that the Tree Board is working on some outreach ideas as well as updating some of our ordinances as they pertain to the Tree Board. He stated that the Tree

Board would also like to request that the City Commission allow them to have some discretion as to how the budget for Forestry is allocated.

Commissioner Nick Badwey asked if the City was still offering tree coupons.

Ms. Meyer stated that they were, the spring coupons would be good March 21st through May 31st.

Commissioner Chase Locke commended the Tree Board for their enthusiasm.

Mayor Vince Haines read the proclamation declaring April 29, 2016 Arbor Day.

PERSONAL APPEARANCE

Police Chief Curt Zieman updated the City Commission on the activities of the police department over the last year.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for Public Comment.

Sherry Mabry, 809 Oak St, asked if the public would be updated on the Oak Street project petition.

Mayor Vince Haines stated that they did receive a report on the petition, but were waiting on the validation of the signatures before moving forward.

Ms. Mabry asked when they would have more information.

Mayor Haines stated that it would likely be reported by staff during a Commission meeting but would not be an agenda item.

Scott Rickard, Assistant City Engineer, stated that he felt it would be appropriate to send a letter to all of the residents and property owners regarding the final decision.

CONSENT AGENDA

Approval of the City Commission minutes from April 4, 2016.

Commissioner Gregg Lewis moved that the Consent Agenda, as presented, be approved.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

SALES TAX ADVISORY COMMITTEE RECOMMENDATIONS

City Clerk Tabitha Sharp stated that in 2015, the City of El Dorado collected $2,610,527.74 in sales tax. The ordinance items, $600,000 for Street Rehabilitation, $1,350,000 for Property Tax Reduction, and $50,000 for Economic Development, were removed leaving $610,527.74. The remaining balance in the excess sales tax project after previous year's allocations was $13,198.12.

Ms. Sharp stated that the total available for the committee to allocate was $623,725.86. She stated that Mr. Waller will provide those recommendations from the committee and the Commission can move to accept them for consideration during the budget process. She stated that the City Commission will fully vet the recommendations later on in the budget process this spring.

Andy Waller, Sales Tax Committee Chair, presented the recommendations of the sales tax committee for the use of excess sales tax from 2015:

- $278,306.56 (3.49 mills) for additional property tax reduction,
- $20,198.12 for Ball Field Repairs including lighting, shade structures and restrooms,
- $65,000 for the Disc Golf Course/Cart Path Completion Project, the committee would like this to be contingent on the project being 18 holes completed by a contractor and if that is not possible, the money should go back into the fund,
- $35,000 for McDonald stadium repairs, not to include the proposed garage,
- $77,000 for the solar lighting projects, including $59,000 for paths and $18,000 for the Engineering Building, the committee felt that this project offered a good return on investment,
- $85,000 for the police storage building with the solar energy option,
- $30,000 for the Arena, the funds would be contingent on the project being built in El Dorado,
- $30,000 for the Elks Lodge Building, the committee suggested this request contingent on the Attorney opinion,
- $3,000 for the Main Street Façade Grant.
- The committee opted not to fund the savings, sidewalks, and Library requests

Commissioner Chase Locke asked how staff saw the disc golf request working with possible funding from Rotary.

Assistant City Engineer Scott Rickard stated that the $50,000 would be for the completion of the cart path that was taken out during the construction of the stadium. He

stated that it was anticipated that the chains and tee boxes would be around $13,000 to $15,000.

Ms. Sharp stated that those costs were estimated based on staff doing the work, it would be more to have a contractor complete the work.

Mr. Waller stated that there were also upgrades available for night tournaments that will attract more tournaments. He stated that Dan Davis, a member of the sales tax committee, has offered to assist with the project. Mr. Davis knows people in the disc golf industry that have offered to do some of the work for free.

Mr. Waller also stated that the City of El Dorado was in a unique position having an already existing golf course with trees and different elevations while many other cities have to begin with just an empty lot.

Commissioner Kendra Wilkinson asked what the attorney opinion on the Elks request was.

Mr. Waller stated that the opinion of the attorney was not clear on the Elks request.

Ms. Sharp stated that the memo is in the packet received by the City Commission and Ashlyn Lindskog was present tonight and could discuss the memo.

Ashlyn Lindskog, Attorney at Martin and Pringle, stated that the question was regarding the legality of the use of public funds for a private purpose. She stated that the public purpose doctrine is very vague. She stated that a number of decisions regarding the public purpose doctrine have been made in Kansas, but they have been specific to each case and not a general definition. She stated that the legality is determined by the nature of the project and whether it will be used to benefit the community.

Commissioner Wilkinson asked if the committee was okay with the request.

Mr. Waller stated that they left it to the Commission to decide whether the issue was legal.

Commissioner Locke asked what their support of the request was based on.

Mr. Waller stated that the Elks make a large impact on the City through their work with children and other activities and the committee felt it was important to support them.

Mayor Haines asked what the justification for adding to the police department request was.

Mr. Waller stated that the request to update the Engineering Building with solar lighting caused the committee to think that if the City built a new building, it should also include solar lighting.

Mr. Rickard stated that it will be solar panels to power the building and the payback was around five to seven years.

Mr. Waller stated that a five year payback with a twenty-five year warranty made sense to them.

Mr. Rickard stated that Public Works, specifically Brad Meyer, had gathered estimates for the Engineering Building and the bike path. He stated that Mr. Meyer got an estimate for the police building when it was requested.

The Commission thanked the Sales Tax Committee for their work.

Ms. Sharp stated that she spoke to the Parks and Recreation Director earlier in the day, and because the ball field request was reduced to $20,000, he would be able to do some of the work on irrigation and put any remaining money towards flipping the fields should that become a direction as part of the Parks and Recreation Master Plan. He would be unable to complete the restroom facilities.

Mayor Haines opened the public hearing.

Roger Cutsinger, President of the El Dorado Elks Foundation, stated that the foundation will own the building and the lodge will lease it from the foundation. He stated that it will be open for public rentals anytime.

Commissioner Gregg Lewis asked if the fact that they are allowing public rental would change the attorney opinion.

Ms. Lindskog stated that originally the decision was based off of their membership requirements and the limitations on those. She stated that if rental is available to the public, it could change the opinion as long as there were not qualifications for rental.

Sam Leben, President of the Baseball Hall of Fame, stated that Jim McDonald began the city's recreation program. He stated that while all of the projects are good things for the community, he would like the Commission to consider finding funding for the garage as well so that they can put Mr. McDonald's car on display.

Commissioner Locke asked what the request was for.

Ms. Sharp stated that the request for the garage was for $40,000.

Steve Waite, 320 N High, also asked the Commission to consider supporting the garage for Mr. McDonald's car.

Commissioner Lewis asked what the hours of operation were for the Hall of Fame.

Mr. Leben stated that it is open by appointment and for special occasions. He stated that the building has been designed with windows so that the car can be seen when the Hall of Fame is not open.

Mayor Haines closed the public hearing.

Commissioner Badwey asked if they would be making a permanent decision tonight.

Ms. Sharp stated that they would not, they are accepting for consideration and can discuss all projects during the budget process.

Commissioner Badwey stated that he would like to consider the garage request.

Commissioner Locke asked if the arena request was urgent.

Mr. Waite stated that it was, that is why he is not opposed to any of the projects. He stated that the arena project is possibly the greatest sales tax generator on the project list. He stated that the sales tax and bed tax numbers are outstanding.

Mr. Waite stated that with the changes happening in Wichita at the coliseum, we have a good window of opportunity for this arena project.

Mr. Rickard stated that the city will be involved in the feasibility studies and other primary work and if the project is done elsewhere, they would have to reimburse the city for the study.

Mayor Haines stated that he was supportive of funding the feasibility study.

Mr. Rickard stated that funding of the larger project would have to come from the County as a whole.

Mayor Haines stated that he would suggest that the Commission proceed as suggested and discuss it further in the budget process.

Commissioner Badwey stated that he takes the recommendations of advisory boards very seriously, but he wanted to look into funding for the garage as well.

Commissioner Locke stated that he would like to look into matching funds with another organization.

Commissioner Wilkinson stated that there were a lot of influential names on the lists handed out by Mr. Waite. She asked if it will be added to the budget discussions.

Ms. Sharp stated that the Commission will be receiving their copy of the first draft of the budget in a few weeks and that their first budget meeting will be May 11th at 4 p.m.

Commissioner Nick Badwey moved to accept for consideration the Sales Tax Advisory Committee's recommendations on the use of uncommitted sales tax for 2015.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 - 0.

Ms. Sharp stated that this was a good time to encourage citizens to shop local, last year was our largest collection year ever and shopping local will only increase that fund and allow the Commission to support these great projects.

FEDERAL FUND EXCHANGE PROGRAM

Scott Rickard, Assistant City Engineer, stated that the Federal Fund Exchange Program allows cities to exchange the federal funds they receive for 90 cents on each dollar to fund other projects in El Dorado. He stated that bike path extensions, new traffic signal at Haverhill and 6th and the widening of the Vine and Central intersection were all paid for with these monies.

Mr. Rickard stated that our total available funds are $336,316. He stated that staff are requesting to use $172,194.81 for the City-at-Large costs of the Griffith paving project, $129,866.80 for part one of the third phase of the bike path and $34,255 to fund the extension of the bike path serving the Criss Addition. He stated that we did receive notice that we did not receive the funds for the bike path grant.

Mayor Vince Haines confirmed that this is not a competitive fund, these funds belong to us and are held by the State of Kansas.

Mr. Rickard stated that he was correct.

Mayor Haines asked what we would have used the federal monies for if we did not participate in the exchange.

Mr. Rickard stated that in his research, El Dorado has never been awarded those funds for a project. He stated that they are typically awarded for large projects like the trafficway or a bypass. He stated that there are other options available should we choose to build a trafficway.

Mayor Haines asked if those funds are typically associated with U.S. Highways.

Mr. Rickard stated that it is based on fuel tax.

Commissioner Wilkinson confirmed that there is no benefit to the other landowners on the Griffith project.

Mr. Rickard stated that historically staff do not award grant monies to individual property owners in order to keep the projects fair.

Commissioner Chase Locke moved to authorize the City Manager to execute for and on behalf of the City of El Dorado, "request to Exchange Federal Funds" be submitted to the Kansas Department of Transportation.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 - 0.

NEW BUSINESS

Mayor Vince Haines stated that he had not had any advisory board meetings in the last few weeks. He asked if we could list each board the Commission serves on until they get used to the reports.

Commissioner Kendra Wilkinson stated that she missed the airport meeting because of the Lunch with Legislators.

Commissioner Chase Locke stated that the Youth Commission has begun working on the possibility of a skating rink.

Commissioner Locke encouraged citizens to go look at the new fire truck.

Mayor Haines stated that the new truck will be kept at Station 2.

Commissioner Locke asked when the city would begin advertising their storm shelters.

Ms. Sharp stated that we did some advertisement during Severe Weather Awareness Week and will do more now that spring is here and storms are becoming more common.

Commissioner Nick Badwey also stated that the new fire truck was nice and encourage people to get up close and look at some of the details.

CITY MANAGER'S REPORT

Ms. Sharp stated that the Chamber of Commerce is sponsoring an event Thursday called Get on Board. Three city boards will be represented and looking for new applications before the Commission reviews those at the work session on April 27th. She stated that 25 organizations will be represented and looking for volunteers for their boards and events.

Ms. Sharp stated that the Mayor's Prayer Breakfast is May 5th at 7 a.m. at the Civic Center and tickets are available through the Chamber. She stated that the featured speaker this year is Commissioner Kendra Wilkinson.

Mayor Haines stated that he was unable to attend the Get on Board event but hoped that the public would take part.

Ms. Sharp stated that she received notification that the severe weather shelter slides began showing on Channel 7 earlier in the day and will be available on other city sites soon.

Mr. Rickard stated that the training towers have also been set at Fire Station 2 and will be ready for use soon. He stated that it was a good project accomplished through a partnership with the college.

ADJOURNMENT

Commissioner Chase Locke moved to adjourn the meeting at 8:06 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 - 0.

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City Clerk Tabitha D. Sharp Mayor Vince Haines