

The El Dorado City Commission met in a special session on August 1, 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, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	Butler County Times Gazette	El Dorado, KS
Jean Plummer	1121 Douglas Rd	El Dorado, KS
Linda Baines	253 Post	El Dorado, KS
Richard Smith	801 Finney	El Dorado, KS
Ladislado Hernandez	1136 S Summit	El Dorado, KS
Christine Gilson	1305 Park Ave	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Ashlyn Lindskog	220 E 1 st	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Travis Pierce	128 N Vine	El Dorado, KS
Grant Merrill	115 S Main Ste 102	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the August 1, 2016 meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PERSONAL APPEARANCE

Linda Baines and Jean Plummer, Frontier Western Celebration, invited the community and the City Commission to the festival this weekend.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comment.

Richard Smith, 801 Finney, stated that he wanted to discuss the tickets he had been given at his business and that Finney Street between Topeka and High is cracked.

City Attorney Jim Murfin stated that because the case was in court, it was best to not discuss any of the tickets that had been issued.

Commissioner Gregg Lewis stated that he spoke to the City Manager about that street.

CONSENT AGENDA

Approval of the City Commission minutes from July 19, 2016 and the Special City Commission minutes from July 13, 2016.

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

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

2017 BUDGET APPROVAL

Mayor Vince Haines stated that they have spent several meetings looking through the budget. Staff have included many of the items requested by the City Commission. He stated that there is a one mill increase for the purpose of funding the Senior Center.

City Manager Herb Llewellyn stated that once the Commission approves the budget, we will begin discussions with the Senior Center.

Commissioner Nick Badwey stated that when we started the process, he thought we were looking at a 3 to 4 mill increase, but in addition to the increase in the mill levy value staff have really cut the budget.

Commissioner Chase Locke agreed with Commissioner Badwey. He noted that without the assistance of the City, the Senior Center would be unable to remain open as they are today.

Mayor Vince Haines opened the public hearing for comments.

Ladislado Hernandez, 1136 S Summit, confirmed that there would be a one mill levy increase.

Mayor Haines confirmed he was correct.

Mr. Hernandez asked why we needed to increase the mill levy when we have other revenue sources.

Commissioner Badwey stated that they are unable to self-support anymore, so are increasing the mill levy in order to keep it open.

Mr. Hernandez stated that he has never felt welcome there.

Commissioner Locke stated that maybe if the City is more involved, we can improve those things.

City Manager Llewellyn stated that we encourage citizens to review our budget, it is available at the library, at City Hall and online.

Mayor Haines closed the public hearing.

Commissioner Nick Badwey moved that Ordinance No. S-1350, an ordinance attesting to an increase in tax revenues for Budget Year 2017 for the City of El Dorado, be approved, and to approve the 2017 Operating Budget in the amount of \$29,964,961, providing for an estimated mill levy of 48.000 mills and to certify the same to the County Clerk.

Commissioner Kendra Wilkinson seconded the motion.

ROLL CALL VOTE

Position No. 2

Commissioner Lewis

Yes

Position No. 3	Commissioner Badwey	Yes
Position No. 4	Commissioner Wilkinson	Yes
	Mayor Haines	Yes
Position No. 1	Commissioner Locke	Yes

SET A HEARING DATE FOR 2017 CDBG PROGRAM

Mayor Vince Haines stated that the city will be applying for a community development block grant for up to \$400,000 to be used on housing improvements. He stated that the deadline for the project is August 31st.

Linda Jolly, El Dorado Inc., stated that it is important that people in the community come and fill out an application. They can get applications online through the City's website or 360eldorado. She stated that they can also pick one up at the Engineering office.

Ms. Jolly stated that our eligibility is determined by income levels which we have already checked on.

Ms. Jolly stated that the most important part is the target area. She stated that we get more points if we have a significant number of people interested in that target area.

Ms. Jolly encourage people to come to the informational meeting August 4th or to call El Dorado Inc. or the Engineering Department.

Mayor Haines asked her to address the boundaries.

Ms. Jolly stated that the application scores more points for making a large impact on the target area. She stated that 20-22 square blocks is the largest area we want to have. She stated that they are assuming that the area will be south of 6th and west of Main.

City Manager Herb Llewellyn stated that it is about the age and condition of homes, so probably anything north of 12th is not applicable.

Assistant City Engineer Scott Rickard stated that the area presented last week was the area that we thought the biggest impact could happen.

Ms. Jolly stated that the application is fairly simple, it is primarily informational.

Commissioner Chase Locke moved to set the public hearing for 6:30 p.m. on August 15, 2016 to be held to discuss applying for the 2017 Kansas Small Cities CDBG Program.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

2016 STANDARD TRAFFIC ORDINANCE

Police Chief Curt Zieman stated that each year, staff come to the Commission to adopt the Standard Traffic Ordinance (STO). He reviewed changes to the breath alcohol laws and the engine breaking system definitions. The changes can be found in the current copy of the STO.

City Manager Herb Llewellyn stated that in layman's language, under the old law you had to submit to a blood alcohol test. He stated that you can't be charged criminally now, but your license is not guaranteed by the Constitution and so it can be suspended.

City Attorney Jim Murfin stated that the length of suspension depends on your prior record.

Mayor Vince Haines asked how this changes the officers' procedure.

Chief Zieman stated that the breathalyzer has never been the only factor in a ticket for the El Dorado Police Department.

Commissioner Kendra Wilkinson moved that Ordinance No. G-1220, 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 2016, be passed and approved.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

Position No. 3	Commissioner Badwey	Yes
Position No. 4	Commissioner Wilkinson	Yes
	Mayor Haines	Yes
Position No. 1	Commissioner Locke	Yes
Position No. 2	Commissioner Lewis	Yes

2016 UNIFORM PUBLIC OFFENSE CODE

Police Chief Curt Zieman reviewed changes to the Uniform Public Offense Code (UPOC) definitions for medical facility and juvenile correctional facility officer or employee.

Police Chief Zieman stated that the passage of four bills also required changes to the UPOC including breach of privacy, minor in possession or under the influence, felony theft, and operation of a motorboat or sailboat. All of these changes can be found in the current copy of the UPOC.

Mayor Vince Haines asked what Senate Bill 133 refers to.

City Manager Herb Llewellyn stated that this allows a minor immunity from prosecution if they call public safety in order to aid someone in danger.

Commissioner Nick Badwey moved that Ordinance No. G-1221, 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 2016, be passed and approved.

Commissioner Chase Locke seconded the motion.

ROLL CALL VOTE

Position No. 4	Commissioner Wilkinson	Yes
	Mayor Haines	Yes
Position No. 1	Commissioner Locke	Yes
Position No. 2	Commissioner Lewis	Yes
Position No. 3	Commissioner Badwey	Yes

Chief Zieman invited citizens and the City Commission to the Community Night Out event at East Park on Tuesday evening.

SET A HEARING DATE FOR PROJECT NO 473

Assistant City Engineer Scott Rickard stated that the project for the Walnut River Brewery’s alleyway paving had been completed. He stated that staff are requesting a public hearing in order to spread the assessments.

Commissioner Gregg Lewis moved to set the public hearing for 6:30 p.m. on August 15, 2016, to be held for the purpose of considering the proposed assessments of the cost of Project No. 473, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines confirmed that this is by the brewery.

Mr. Rickard stated that he was correct, they petitioned for the project to be completed.

NEW BUSINESS

Commissioner Kendra Wilkinson encouraged citizens to vote tomorrow.

Commissioner Wilkinson stated that CTC met two weeks ago and discussed the Drums Across Kansas event.

Commissioner Wilkinson stated that Parks and Recreation met last week and are wrapping up summer sports and beginning fall sports.

Mayor Vince Haines asked if we have numbers from Drums Across Kansas yet.

City Manager Herb Llewellyn stated that we did not have them here but can bring them to the next meeting.

City Manager Llewellyn mentioned that staff have met with the YMCA and will be doing a joint venture with them on fall soccer.

Commissioner Chase Locke thanked the staff that worked on that project.

City Manager Llewellyn stated that we will probably play the majority of the games at the Middle School on the turf, our fields will be available for practice.

Commissioner Gregg Lewis reminded citizens to attend the informational meeting on August 4th.

Commissioner Lewis stated that the cell phone tower chain is banging again on 11th.

Commissioner Lewis also encouraged citizens to vote.

Commissioner Nick Badwey stated that he continues to get good comments on the new greens.

Commissioner Badwey also encouraged citizens to vote.

Commissioner Locke encouraged citizens to attend National Night Out tomorrow.

Commissioner Locke stated that he had a meeting with Union Pacific for a non-city related matter. He stated that when she found out he was a Commissioner, she stated that they are beginning a campaign to encourage cities to make sure they plow train tracks in snow and ice events.

Mayor Haines reminded everyone to attend the Frontier Western Celebration this weekend.

Mayor Haines stated that REAP continued their regionalism discussion. He stated that they also toured the Innovation Campus at WSU.

Mayor Haines asked if there was an update on Disc Golf.

Scott Rickard, Assistant City Engineer, stated that they haven't been mailed yet but are getting to it.

Mayor Haines stated that now that the budget is passed, we need to consider the Parks and Recreation Master Plan and how to move forward. He asked if the rest of the Commission was ready to meet with the Parks and Recreation Advisory Board.

City Manager Llewellyn stated that staff discussed it with the board last week and while supportive of a sales tax, their members would like more information before moving forward.

Mayor Haines asked staff to work it into the work session schedule over the next few months.

Mayor Haines stated that he was happy to meet some regional city managers last week.

Mayor Haines stated that the 23rd of August, the Blueprint for Regional Economic Growth meeting will be here at the stadium.

City Manager Llewellyn stated that this group is very supportive of regionalism and has been helpful in our applications to compete for economic development.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that the Commission may hear in the things going around the country about officers training to de-escalate a situation. He stated that the City of El Dorado is already doing that. He stated that we have been wearing body cameras for seven years to protect our citizens and officers.

City Manager Llewellyn stated that we don't want to have confrontations, but want to keep our streets safe. He stated that the night out tomorrow is a reflection of that same philosophy as well as having officers at our recreation events and other community celebrations.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into Executive Session for the purpose of discussing legal matters, land acquisition, and matters related to non-elected personnel and to reconvene the regularly scheduled meeting at 8:15 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 8:18 p.m.

Commissioner Chase Locke moved to return to Executive Session for the purpose of discussing matters related to non-elected personnel and to reconvene the regularly scheduled meeting at 8:45 p.m.

Commissioner Gregg Lewis seconded the motion.

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

Mayor Vince Haines called the meeting back to order at 8:45 p.m.

ADJOURNMENT

Commissioner Chase Locke moved to adjourn the meeting at 8:46 p.m.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 - 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines