EL DORADO CITY COMMISSION MEETING **January 17, 2017**

The El Dorado City Commission met in a regular session on January 17, 2017 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, Acting City Manager Scott Rickard, City Attorney Ashlyn Lyndskog, Finance Director Tammy Schaffer, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	Butler County Times Gazette	El Dorado, KS
Mitch Walter	Gilmore and Bell P.C.	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Travis Pierce	128 N Vine	El Dorado, KS
Ladislado Hernandez	1136 S Summit	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Kurt Bookout	220 E 1st	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the January 17, 2017 meeting to order.

INVOCATION

Pastor John Einem, Grace Lutheran Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PERSONAL APPEARANCE

Jennifer Cook, Community Marketing Manager, provided the Commission with a review of the past year's activities.

Commissioner Chase Locke pointed out that some of the events are being put on by other groups and so we do not have control over when they were scheduled.

Ms. Cook stated that in some cases we are hosting and planning the event, in others we are simply a host to others who are planning it.

Commissioner Gregg Lewis asked if the 4-H fair was the same weekend.

Ms. Cook stated that it was. She encouraged people to look for opportunities to volunteer that weekend.

Commissioner Kendra Wilkinson asked if the income we get from facilities goes back to that facility for maintenance.

Mayor Haines asked if her budget was built off previous years' income.

Ms. Cook stated it does, all of the revenues for the facilities come into the same fund, but expenses are separated out per facility. She stated that this is the first year that the budget was combined under one fund so we will get a more accurate estimate of expenses and revenues.

Mayor Haines asked if there was something being used to check the accuracy of the numbers from each event.

Ms. Cook stated that she does not have as much experience as Linda Jolly, the author of the model, but they are trying to ensure that it is accurate. She stated that the cross country event was accurate because surveys are required to be filled out by the participants in that event. She stated that other events are less accurate because we have to call around to hotels to get numbers.

Mayor Haines asked if there was accountability to what was in the spreadsheet.

Acting City Manager Scott Rickard stated that the information from the college was a very detailed report.

Ms. Cook stated that she used ticket sales to determine the attendance and hotel stays for the Drums Across Kansas event.

Acting City Manager Rickard stated that the Cross Country event has been wrapped up and the college plans to make a donation to the golf course of $1,000.

Commissioner Locke encouraged people to volunteer and assist with the large events coming at the end of July. He stated that these events are giving the city an opportunity to show what we can do so that we can possibly bring some others to town.

Ms. Cook stated that as we do well with events, they allow us to re-bid on them and bid on others associated with them.

Acting City Manager Rickard stated that the thought behind having the CVB involved in the stadium was to bring events that would use it.

Commissioner Lewis asked if the CVB was self-funded.

Ms. Cook stated that it is funded through bed tax.

Acting City Manager Rickard stated that the Civic Center and Train Depot are funded through their rentals.

Commissioner Wilkinson asked for the details on the Shrine Bowl.

Ms. Cook stated that the Shrine Bowl bid included many options for helping them raise money. She stated that events include a parade, banquet, golf tournament, 5K, clinical and hospital experience and the game.

Commissioner Lewis asked what the parade route would be.

Ms. Cook stated that it would likely be the short route.

Acting City Manager Rickard stated that he has already met with the 4-H board and they are encouraging conversation amongst all of the groups hosting events to ensure that everything goes smoothly.

Ms. Cook stated that Drums Across Kansas will be July 17th and include the Champion Drum Corp from last year which will make for a larger event.

Tammy Schaffer, Finance Director, announced the receipt of the Certificate of Achievement for Excellence in Financial Reporting for the 2015 Comprehensive Annual Financial Report.

Acting City Manager Rickard stated that it has a lot of great information about the city. He stated that Tammy and her staff do great work on that document.

Mayor Haines stated that this is not a foreign award for us.

Ms. Schaffer stated that this is our 34th year.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comment.

Ladislado Hernandez, 1136 S Summit, stated that his family participated in the AAU meet and were pleased with the facilities.

CONSENT AGENDA

Approval of the City Commission minutes from December 19, 2016 and Special City Commission Minutes from December 14, 2016.

Approval of Appropriation Ordinance No. 12-16 in the amount of $1,505,197.11.

Direction of the Acting City Manager to sign a lease for a 2016 Bobcat T590 T4 Track Loader.

Commissioner Gregg Lewis moved to approve the consent agenda as presented.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

SETTING A PUBLIC HEARING FOR THE CREATION OF A CID

Mitch Walter, Gilmore Bell P.C., stated that the owner of the property located at 2710 W Central submitted a petition that the city create a community improvement district on that property. He stated that the property has one owner who would like to do a retail redevelopment project.

Mr. Walter stated that it is required that a public hearing be held to allow the public to comment on the project. This item will set that public hearing.

Mr. Walter stated that the project cost is $2,139,700, and the developer has requested $588,000.

Commissioner Gregg Lewis asked for clarification on the property.

Acting City Manager Scott Rickard stated that this is an out parcel at the intersection of Diagonal and Central Avenue. He stated that there are various different commercial uses inside it. He stated that the retail stores will make payments to the State for their sales tax, the State of Kansas will submit it to the city and the city will send the developer a check.

Mayor Vince Haines asked if the city charges any fees to the developer.

Acting City Manager Rickard stated that there is a five percent administrative fee. He stated that there is an administrative group consisting of the Mayor, City Manager, City Clerk, El Dorado Inc. President and Director that meets and discusses these types of projects, Linda Jolly will set that meeting up soon.

Commissioner Chase Locke moved to approve Resolution No. 2836, a Resolution setting a public hearing to discuss the creation of a Community Improvement District within the City of El Dorado.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

Mr. Walter stated that the Resolution will be published twice and the public hearing will take place on the 6th of February.

PROJECT 392 – SANITARY SEWER REHABILITATION

Acting City Manager Scott Rickard stated that this is part of the CDBG project. He stated that staff are requesting authority from the City Commission for the Acting City Manager to sign all relevant documents. He stated that the previous City Manager was on the paperwork and we need to change it.

Mayor Vince Haines asked if we could put City Manager on the paperwork instead of a name.

Acting City Manager Rickard stated that they are pretty specific and require a name. Staff have attempted to use only the title and they sent it back.

Commissioner Nick Badwey moved that Resolution No. 2837, a resolution to change the authorized representative on behalf of the City of El Dorado for the KDHE Sanitary Sewer Rehabilitation Loan be approved.

Commissioner Kendra Wilkinson seconded the motion.

Acting City Manager Rickard clarified that there is only one draw left.

Motion carried 5 – 0.

VACATE RIGHT OF WAY – 6TH AND ATCHISON

Acting City Manager Scott Rickard stated that the potential developer has requested that the right of way be vacated but it be maintained as a utility easement.

Commissioner Kendra Wilkinson confirmed that it was the yellow area on the map.

Acting City Manager Rickard stated that the adjacent property has already been vacated, he is not sure why the whole piece wasn't done at the time. He stated that this will make the property no longer a public thruway.

Mayor Vince Haines asked if the adjacent property owners would then move to the center and gain property.

Acting City Manager Rickard stated that he was correct.

Mayor Haines confirmed that those owners knew that they were gaining property.

Acting City Manager Rickard stated that the owners are all aware. He stated that they also contacted the utility companies and have received no complaints. He stated that there was comment about future development and how it would impact those utilities, but staff assured them that we would work it out.

Mayor Haines stated that he was abstaining due to the fact that one of his clients has an interest in this property.

Commissioner Kendra Wilkinson moved that Ordinance No. G-1233, an ordinance relating to and providing for the vacation of right of way to create and maintain a utility and drainage easement in Hull's Addition north of 6th Avenue and east of Atchison Street of the City of El Dorado, Kansas be approved.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

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
	Mayor Vince Haines	Abstained

ORDINANCE TO INCREASE WATER RATES

Public Utilities Director Kurt Bookout stated that infrastructure is critical for our city to function. He stated that much of that infrastructure is over 70 years old. He stated that over the last ten years, we have had financial assistance from various government grant and loan programs, the city has been able to make significant improvements to the infrastructure.

Mr. Bookout stated that staff brought in an outside consultant to do a water and sewer rate study. Springsted made several recommendations to staff. He stated that staff have only requested a 1.5% increase to rates because they feel that rates are where they should be.

Mr. Bookout stated that the city is the third lowest readiness to serve water fee and second lowest in sewer fees in the survey of 24 cities.

Mr. Bookout stated that staff are recommending a 1.5% increase to water rates and base rates. He stated that they are recommending the first year readiness to serve fee increase for sewer.

Mr. Bookout stated that staff will continue to evaluate capital and operating expenses year by year. He stated that they will look at fund balances each year and make recommendations for changes to the rates based on those. He stated that we feel these rates will have less of an effect on our customers than the recommendation from Springsted.

Mr. Bookout stated that Springsted recommended that the City bring their readiness to serve fees in line with the AWWA meter size ratios. He stated that this allows our fees to correspond to the flow each meter allows.

Mr. Bookout stated that all sewer customers currently pay the same readiness to serve fee regardless of size. Residents pay the same fee as places that have significantly larger meters. He stated that Springsted and staff are recommending that the sewer readiness to serve fees reflect meter size as they do in water.

Mayor Vince Haines asked where the city would be within the REAP organization after making these changes.

Mr. Bookout stated that he would need to look at the ranking to see where we will fall.

Commissioner Gregg Lewis moved to approve Ordinance No. G-1234, 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	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Vince Haines	Yes
Position No. 1	Commissioner Chase Locke	Yes

ORDINANCE TO INCREASE SEWER RATES

Discussion was held in the previous item.

Commissioner Nick Badwey moved to approve Ordinance No. G-1235, an Ordinance amending the El Dorado Municipal Code, Section 13.20.040 pertaining to sewer service rates.

Commissioner Kendra Wilkinson seconded the motion.

ROLL CALL VOTE

Position No. 3	Commissioner Nick Badwey	Yes
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

MOU – USD 490 AND CITY OF EL DORADO

Police Chief Curt Zieman stated that USD 490 Police Chief Kurt Spivey approached him regarding the enforcement of laws on or near their campuses. They have requested permission to cite minor city code infractions and violations.

Police Chief Zieman stated that the individuals who are able to issue these citations are certified officers through the State of Kansas. He stated that all of the tickets will go through our Municipal Court.

Commissioner Nick Badwey asked if they would be able to enforce speed limits within the school zone.

Police Chief Zieman stated he was unsure if they have radar.

Commissioner Gregg Lewis asked what keeps the college from requesting the same.

Police Chief Zieman stated that they could, but it would need to be discussed.

Commissioner Kendra Wilkinson asked if the ticket would be like others written by the city.

Police Chief Zieman stated that they are our tickets and will be processed through our court.

Commissioner Badwey asked if Police Chief Zieman approved the agreement.

Police Chief Zieman stated that he was.

Commissioner Chase Locke moved to approve the Acting City Manager to sign the Memorandum of Understanding with USD 490, an agreement forming a partnership between the City of El Dorado Police Department and USD 490 for the purpose of allowing USD 490 officers to enforce city code.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

MUNICIPAL COURT PROCEDURE POLICY

City Attorney Ashlyn Lindskog stated that this ordinance is for the purpose of correcting the Municipal Code. It currently states that court is held on Wednesday at 2, and court is held at 1:30 p.m. on Mondays.

Commissioner Kendra Wilkinson moved to approve Ordinance No. G-1236, and Ordinance amending the El Dorado Municipal Code, Section 2.32.070 as it pertains to the Municipal Court.

Commissioner Nick Badwey 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

NEW BUSINESS

Commissioner Wilkinson stated that the CTC summary was given at the beginning of tonight’s meeting. She stated that the other boards had not met yet.

Commissioner Nick Badwey asked if the task force had been contacted yet.

City Clerk Tabitha Sharp stated that they had not.

Acting City Manager Scott Rickard stated that staff felt from the Commission meeting last week that we needed to discuss the topic a little more prior to meeting. He stated that we were under the impression that the Commission might want to go a different direction after the last meeting.

Commissioner Badwey stated that he told his appointees that the first person they had to convince was him.

Commissioner Chase Locke stated that perhaps based on that, they did need to talk more.

Mayor Vince Haines stated that maybe they did need to talk about it but the board was appointed last fall.

Ms. Sharp stated that the board was officially appointed in December, staff had planned to reach out and then the Commission met for a work session during which they led staff to believe that they needed more direction from the Commission.

Acting City Manager Rickard stated that we could bring the group together and go over the plan.

Commissioner Locke stated that he thought that would be helpful for those not on the recreation board.

Commissioner Wilkinson stated that it will be helpful for them to understand that the Commission and Recreation Board have deemed most important.

Acting City Manager Rickard stated that the excess sales tax committee will see a focus from staff on smaller items from the parks and recreation master plan.

Commissioner Badwey asked if we are marking sidewalks on the south side of town.

Acting City Manager Rickard stated that they are marking on the north side of town.

Commissioner Badwey asked what the pink markings were near his house.

Acting City Manager Rickard stated that he would ask staff in the morning.

Commissioner Lewis stated that the Inc. Housing committee met to discuss how they would move forward this year.

Commissioner Locke stated that the Youth Commission will begin meeting with the Department Heads over the next few months. He stated that the presentations will be very casual.

Commissioner Locke asked if the McCollum sidewalk is on the list and where it was in the priorities.

Acting City Manager Rickard stated that the sidewalk needed to be built on the north side, but that would involve a crossing.

Commissioner Locke stated that he has seen a lot of bike traffic in the mornings.

Acting City Manager Rickard stated that the school district has done the work to be eligible for a safe routes to school grant from the State of Kansas.

Commissioner Locke thanked the police, fire and public works departments for their work over the weekend.

CITY MANAGER'S REPORT

Acting City Manager Scott Rickard stated that the city and the developer were notified that we received the moderate income housing grant in the amount of $120,000 for the project. He stated that it wasn't the full ask, but they were short on funds and so we had to amend the original project.

Acting City Manager Rickard stated that staff have completed data collection on the drainage downtown and have sent it to PEC to run it through a model for recommendations.

Acting City Manager Rickard stated that he met with the USD 490 School Board regarding the intersection of McCollum and Main and how they can better deal with the congestion in the area. They might possibly look at adjusting start times for the schools.

Mayor Vince Haines stated that the Chamber of Commerce is hosting a State of the City event on the 31st at 4:30 p.m. He stated that he and Scott will talk about what is happening at the city.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing legal matters and matters pertaining to non-elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 8:00 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 8:00 p.m.

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing legal matters and matters pertaining to non-elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 8:20 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 8:21 p.m.

ADJOURNMENT

Commissioner Chase Locke moved to adjourn the meeting at 8:22 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

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City Clerk Tabitha D. Sharp Mayor Vince Haines