

EL DORADO CITY COMMISSION MEETING

January 16, 2018

The El Dorado City Commission met in a regular session on January 16, 2018 at 6:30 p.m. in the Commission Room with the following present: Mayor Vince Haines, Commissioner Matt Guthrie, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Attorney Ashlyn Lindskog, City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Levi Yager	Butler County Times Gazette	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Corey Landreth	804 S Denver	El Dorado, KS
Stephen Mills	121 N High	El Dorado, KS
Jim Gardner	930 Fairway Ct	El Dorado, KS
Tim & Sonja Fritsche	1305 S Emporia	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Vickie Cikanek	1210 S Topeka	El Dorado, KS
Roxanne Limon	1340 S Emporia	El Dorado, KS
Loresa Lewis	1260 S Emporia	El Dorado, KS
Paul Schellhorn	1154 S Emporia	El Dorado, KS
Wally and Jessica Jensen	1310 S Emporia	El Dorado, KS
Brad Moze		El Dorado, KS
Tammy Schaffer	220 E 1 st	El Dorado, KS
Curt Ziemann	128 N Vine	El Dorado, KS
Gerald Watson	125 N Summit	El Dorado, KS
Mike Pierce	1240 S Topeka	El Dorado, KS
Julie and Tom Boren	800 Santa Fe Ave	El Dorado, KS
Gary and Micks Honey	1240 S Topeka	El Dorado, KS
Hubert Lauterbach	1150 S Emporia	El Dorado, KS
Jim Hargrove	400 Abby Circle	El Dorado, KS
Donald Adlesperger	1285 S Topeka	El Dorado, KS
Brad Yazel	200 S Star	El Dorado, KS
Jean Plummer	1121 Douglas Rd	El Dorado, KS
Randy Dean	7702 Champions Circle	El Dorado, KS
Karma and Gary Starkel	1240 S Emporia	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the January 16, 2018 meeting to order.

INVOCATION

Reverend Corey Landreth, Real Life Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

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The City Commission led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITION

Jim Gardner was recognized for his 12 years of service to the El Dorado Youth Commission.

PERSONAL APPEARANCE

Jean Plummer and Brad Yazel invited the City Commission to a dinner honoring the First Responders in El Dorado February 3rd, 2018.

Kurt Bookout, Public Utilities Director, gave a presentation on the department's activities over the past year.

Brad Meyer, Public Works Director, gave a presentation on the department's activities over the past year.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comment.

There were none.

CONSENT AGENDA

The City Commission granted permission to the City Manager to sign a contract with Murphy Tractor and Equipment Co. for a mini excavator and skid steer in the amount of \$6,350 and \$7,150.

Commissioner Nick Badwey moved to approve the consent agenda as presented.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

APPLICATION TO REZONE SEVERAL LOTS IN THE ADLESPERGER SMITH ADDITION

Mayor Vince Haines stated that as was decided at the work session, a motion would be necessary to open the item up for public comment.

Commissioner Gregg Lewis moved to allow public comment.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Commissioner Lewis stated that there was a mistake in the Planning Commission minutes.

City Clerk Tabitha Sharp stated that the correction would need to be done at the next Planning Commission meeting because the City Commission does not approve those minutes.

Scott Rickard, City Engineer, stated that the Planning Commission heard the case to rezone these lots from R-1 to R-2. He stated that they voted to approve the request 6 – 2.

Gary Starkel, 1240 S Emporia, reviewed the information he sent to the Commission. He requested that the Commission not approve the zoning request.

Tom Boren, 800 Santa Fe, stated that he hoped the Commission would consider voting to not approve the zoning request.

Jim Hargrove stated that he was here on behalf of Don Adlesperger. He asked that the Commission consider the issue presented and vote to uphold the decision of the Planning Commission.

Wally Jensen, 1310 S Emporia, stated that he submitted a letter against the rezoning. He stated that he did not want the duplexes to be placed in his neighborhood.

Jessica Jensen, 1310 S Emporia, stated that she was concerned about congestion and safety if the duplexes are placed in this area.

Commissioner Lewis asked if the City Attorney could address conflict of interest.

City Attorney Lindskog stated that conflict of interest does not apply in this case because Commissioner Lewis does not have a financial gain.

Commissioner Matt Guthrie stated that he was impressed by the neighborhood's ability to come together. He asked about the vote required to pass the ordinance.

City Manager David Dillner stated that because there was a petition, a vote of 4 Commissioners is required to approve the zoning case.

City Attorney Lindskog stated that a super majority is required to overturn the Planning Commission's decision.

Commissioner Guthrie pointed out that City Staff did do work to find out if the petition was valid without requiring a new one, so they were working for both the Commission and the citizens.

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Commissioner Nick Badwey stated that Mr. Adlesperger is a landowner in this case as well and he should be considered as well.

Commissioner Kendra Wilkinson stated that they should consider the integrity of the neighborhood as well.

Commissioner Lewis stated that he wanted to support the people voted for him.

Mayor Haines stated that he felt that the rental market was being disrespected to a point of being embarrassing. He stated that when young professionals come to town, they need to have temporary places to live so that they can find a place to buy. He stated that elderly are afraid to place their homes on the market because there might not be a place for them to go if their homes sell quickly. He stated that there are two sides to this story. He stated that we have lost sight of land use in this case versus what people think of rentals.

Mayor Haines stated that looking at the zoning, he felt that he should approve the rezone, but driving around the neighborhood, he could also see what the neighbors are talking about. He stated that he has a passion for infill and hoped that these could be built in other areas.

Commissioner Kendra Wilkinson moved to approve Case No. 17-010-REZ, requesting a rezoning of lots 10-16 Block A, Adlesperger-Smith Addition, to R-2 Medium Density Residential District and Ordinance No. G-1269, be approved.

Commissioner Matt Guthrie seconded the motion.

Roll Call Vote

	Mayor Vince Haines	No
Position No. 1	Commissioner Matt Guthrie	No
Position No. 2	Commissioner Gregg Lewis	No
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	No

RECYCLING SURVEY RESULTS

Public Works Director Brad Meyer reviewed the recycling survey results and options for continuing or discontinuing the program.

Tim Connell stated that he was an avid recycler. He stated that he was in favor of option number two, he didn't want to see it go away.

City Manager David Dillner stated that staff are asking the Commission to provide direction so that staff can work on an ordinance to bring back at the next meeting.

Mr. Meyer stated that we will include the extra trash cart and a smaller cart for elderly as options in the ordinance.

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Mayor Haines asked for an explanation on the increase in the fee for taking it to the landfill.

Mr. Meyer stated that there will be more trips to the landfill which will cost more in time, mileage and wear and tear.

There was consensus to move forward with an increase of one dollar to the existing refuse bill.

VICE MAYOR APPOINTMENT

Commissioner Nick Badwey moved to select Commissioner Gregg Lewis as Vice Mayor for the 2018 term.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

ADVISORY BOARD APPOINTMENTS

Advisory Board	Number of Seats	Commissioner Responsible	Recommendation
Board of Code Appeals	2	Commissioner Guthrie Commissioner Badwey	Matt Grange
			No recommendation at this time
El Dorado Inc.	3	Mayor Haines Commissioner Guthrie Commissioner Badwey	No recommendation at this time
			Stacy Guthrie
			No recommendation at this time

Advisory Board	Commissioner Currently Serving	Recommendation
Airport	Commissioner Wilkinson	Commissioner Wilkinson
CTC	Commissioner Wilkinson	Commissioner Guthrie
EFABC	Mayor Haines, Vacant	Mayor Haines and Commissioner Lewis
El Dorado Inc.	Mayor Haines and Commissioner Lewis	Mayor Haines and Commissioner Lewis
Inc. Housing	Mayor Haines and Commissioner Lewis	Mayor Haines and Commissioner Lewis
Library	Mayor Haines	Mayor Haines (State Statute)
Prairie Trails	Commissioner Badwey	Commissioner Badwey
Main Street	Mayor Haines	Mayor Haines (per by-laws)
REAP	Mayor Haines	Mayor Haines
Parks and Rec	Commissioner Wilkinson	Commissioner Guthrie
Youth Commission	Vacant	Commissioner Wilkinson

Commissioner Nick Badwey moved to approve the advisory board appointments as listed.

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Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

REPORTS

CITY COMMISSION

The City Commission had no reports because boards had not met.

CITY MANAGER

City Manager David Dillner stated that the City Commission conducted a strategic alignment last Saturday and chose five priorities: Water Sales, Community Image, Industrial/Business Parks, Parks and Recreation Master Plan, and Public Safety.

City Manager Dillner stated that the flooding incident at the Police Department is estimated to exceed the deductible. Clean-up is in process.

City Manager Dillner stated that Local Government Day in Topeka is coming up on the 24th, he will be coordinating travel plans soon.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into executive session pursuant to the attorney client privilege exception under K.S.A. 75-4319(b)(2), to discuss pending legal matters and to reconvene the meeting at 8:55 p.m. in the City Commission Room.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 8:55 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:57 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines