

The El Dorado City Commission met in a regular session on September 4, 2018 at 6:30 p.m. in the Commission Room with the following present: Vice Mayor Gregg Lewis, Commissioner Matt Guthrie, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Attorney Ashlyn Lindskog, City Engineer Scott Rickard and City Clerk Tabitha Sharp. Absent: Mayor Vince Haines.

VISITORS

Linda Jolly	El Dorado Inc.	El Dorado, KS
Bryant Parker	301 N Main	Wichita, KS
Cameron Caine	8444 Grant Ave	Overland park, KS
Alex Little	711 E Cloud Ave	Andover, KS
Deanna Bonn	Butler County Times Gazette	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Sarah Hagen	128 N Vine	El Dorado, KS
Brad Meyer	222 E 2 nd	El Dorado, KS
Lee White	Butler County Watchdog	El Dorado, KS

CALL TO ORDER

Vice Mayor Gregg Lewis called the September 4, 2018 meeting to order.

INVOCATION

Reverend Stan Seymour, First Christian Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PUBLIC COMMENT

Vice Mayor Gregg Lewis opened the floor for public comment.

There were no comments.

CONSENT AGENDA

Approval of City Commission Meeting Minutes for August 6 & 20, 2018.

Approval of Temporary CMB License for United Way Kick Ball Tournament, September 15, 2018, 9 a.m. to 5 p.m.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

HOLIDAY INN IRB/CID REQUEST

City Manager David Dillner stated that the City has received a request for an Industrial Revenue Bond and the reassignment of a Community Improvement District. He stated that the Liberty Hotel Group is requesting a 70% abatement for the IRB.

City Manager Dillner stated that because the Mayor was unable to attend the meeting and Commissioner Wilkinson has recused herself from the conversation because of her interest in the hotel, we do not have a quorum to vote on the issue tonight, but needed to hold the public hearing because it has been published for this meeting.

Commissioner Nick Badwey confirmed that even though Commissioner Wilkinson was present, there wasn't a quorum.

City Attorney Ashlyn Lindskog stated that Commissioner Wilkinson's abstention during this item creates a lack of quorum to vote on the issue.

Bryant Parker, Attorney for Liberty Hotel Group, introduced Cameron Cain and Alex Little from the Liberty Hotel management team. He stated that they will be assisting with the transition.

Mr. Caine and Mr. Little stated that they felt the Holiday Inn chain was a good hotel and that they also felt it would be beneficial to our community to keep it here.

Mr. Parker stated that in order to keep the Holiday Inn flag, the Liberty Group will be required to invest approximately \$1.2 million in the hotel. He stated that if they do not invest that money, they will be forced to reduce the flag from a Holiday Inn to something like a Country Inn. He stated that reducing the flag will cause a reduction of revenues and would affect taxes collected as well as the investments they would be able to make in employment.

Mr. Parker stated that if the Commission agrees to the IRB, they will keep the Holiday Inn flag, eight jobs will be maintained and they estimate 15 construction jobs created by the project. He stated that revenue will be double what it would if the flag was not approved.

Mr. Parker stated that with the reduction of the request from 100% to 70%, all of the taxing entities will benefit.

Commissioner Badwey asked him to clarify the Holiday Inn requirement.

Mr. Parker stated that the Holiday Inn brand is requiring the upgrades.

Commissioner Badwey asked him to clarify the decrease in value.

Mr. Parker stated that he looked at a similar property in Sedgwick County and they experienced a loss in value. He stated that the flag carries a certain loyalty that other flags will not.

Commissioner Badwey stated that he talked about property tax values, and those are established by the County Appraiser, not anything else.

Mr. Parker stated that the loss of income drives the value down. He stated that Holiday Inn is at the premium end of the upper mid-scale hotels. He stated that if they move down, they are not able to charge as much and coupled with the loss of loyal customers, the value of the hotel will go down.

Commissioner Badwey stated that Mr. Parker stated that the value would go down 75%. He stated that the value of his commercial property has not gone down, it has gone up each year.

Mr. Parker stated that it would be over the period of four years.

Commissioner Matt Guthrie confirmed that they had been told that there had not previously been a tax abatement granted to an existing property.

Mr. Parker stated that Linda Jolly had explained that to them.

Commissioner Guthrie stated that the numbers we are seeing and the numbers that Mr. Parker is providing are different.

Mr. Parker stated that if they change flags, the loss in revenue for sales tax is extreme for the City.

Commissioner Guthrie stated that the refinery traffic is what really fills the hotels in El Dorado.

Mr. Parker stated that he disagreed because the hotel traffic according to the statistics follows the normal ebb and flow of hotel traffic with the exception of turn around traffic.

Commissioner Guthrie stated that he is more willing to talk about an IRB on the improvements than on the purchase price. He stated that he didn't think we could count on the jobs being created from construction because those could be from other places.

Vice Mayor Gregg Lewis stated that he thought we needed to keep the Holiday Inn Express brand in El Dorado.

Vice Mayor Lewis opened the public hearing.

There were no comments.

Vice Mayor Lewis closed the public hearing.

Commissioner Matt Guthrie moved to table the item until the next meeting at which they have a quorum.

Commissioner Nick Badwey seconded the motion.

Motion carried 3 – 0 (Commissioner Kendra Wilkinson abstained)

DANGEROUS ANIMAL ORDINANCE AMENDMENT

Public Works Director Brad Meyer reviewed the changes to the Dangerous Animal Ordinance that are being proposed. He stated that they included new definitions regarding Pit Bulls and Service Animals, Verification of Service Animals, and some exemptions for registration.

Commissioner Nick Badwey asked about crimes against animals.

City Attorney Ashlyn Lindskog stated that was a violent crime.

Commissioner Matt Guthrie moved to approve Ordinance No. G-1287, an ordinance amending the City of El Dorado Municipal Code Section 6 relating to dangerous animals.

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	Absent
Position No. 1	Commissioner Matt Guthrie	Yes
	Vice Mayor Gregg Lewis	Yes

CONTRACTOR REGISTRATION

City Engineer Scott Rickard stated that this is an initiative staff is requesting for 2019. He stated that currently all tradesmen are licensed with the city with the exception of general contractors. He stated that individuals who do this work are not checked for insurance and other pertinent information. He stated that staff are asking that this program be approved requiring a certificate of general liability insurance in the amount of \$500,000 and basic contact information.

Mr. Rickard stated that 2019 will be an informative year and staff will not be punitive with the license requirements.

Commissioner Nick Badwey stated that he has been in favor of this for a long time and is happy that we are adopting it.

Commissioner Nick Badwey moved that Ordinance No. G-1288 an ordinance adopting amendments to Chapter 15.03 Contractors’ Licenses of the City of El Dorado Municipal Code be approved.

Commissioner Kendra Wilkinson seconded the motion.

ROLL CALL VOTE

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

PROPERTY MAINTENANCE CODE

City Engineer Scott Rickard stated that the City of El Dorado is under the 2006 International codes and staff are requesting that the Commission adopt the property maintenance code suite that looks at minimum housing standards.

Mr. Rickard stated that one part of this states that if there is a violation of the code on a property, it cannot be transferred to a new owner or lessee without an affidavit stating that the buyer is willing to take responsibility for any issues and will fix them. He read the statement from the code.

Mr. Rickard stated that we have seen properties with a list of issues and through the process of getting it fixed, ownership transfers and we have to start over again.

Commissioner Matt Guthrie asked who will be monitoring this.

Mr. Rickard stated that then the city’s issue will still be with the person who was cited.

Officer Sarah Hagen stated that from the start of a property issue, she will send a letter to the owner and include this information. She stated that if it isn’t repaired, she will issue a citation and they will get a ticket for transfer as well.

Commissioner Badwey stated that he is supportive of the change, but isn’t sure it goes far enough.

City Attorney Ashlyn Lindskog stated that she could look into it. She stated that this mechanism gives staff another option to continue addressing the situation.

Commissioner Badwey asked if we could develop a supplement that gives it a little more strength.

Mr. Rickard stated that he could add it to the discussion about the number of red stickered homes.

Commissioner Guthrie stated that he agreed and would like to hear about it at a work session.

Commissioner Nick Badwey moved that Ordinance No. G-1289 an ordinance adopting the 2006 edition of the International Property Maintenance Code to Chapter 15.04.040 of the City of El Dorado Municipal Code be approved.

Commissioner Kendra Wilkinson seconded the motion.

ROLL CALL VOTE

Position No. 1	Mayor Vince Haines	Absent
	Commissioner Matt Guthrie	Yes

EL DORADO CITY COMMISSION MEETING

September 4, 2018

	Vice Mayor Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes

REPORTS

CITY COMMISSION

Commissioner Kendra Wilkinson stated that she posted about the vandalism at Summit Park and had others share it. She stated that there has been no more vandalism since that time. She encouraged citizens to report any tips to Crime Stoppers.

Commissioner Wilkinson encouraged citizens to blow their grass clippings back into their yards, it is bad for storm sewers.

Commissioner Matt Guthrie encouraged citizens to go watch the local teams playing their various sports.

CITY MANAGER

City Manager David Dillner stated that Free Chlorine will end this week. He stated that the McCollum water tower project is almost done as well, and water pressure on the north side of town will return to normal.

City Manager Dillner stated that staff are looking at ideas to work out the traffic issues around the Middle School and High School.

City Manager Dillner stated that the city needs coaches for little league teams and encouraged them to contact City Hall.

City Manager Dillner stated that we have been informed that traffic on Haverhill will be heavy during the turn around and encouraged citizens to

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 7:55 p.m. in the City Commission Room.

Commissioner Matt Guthrie seconded the motion.

Motion carried 4 – 0.

Vice Mayor Gregg Lewis called the meeting back to order at 7:57 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 7:58 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines