

EL DORADO CITY COMMISSION MEETING

December 17, 2018

The El Dorado City Commission met in a regular session on December 17, 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

Deanna Bonn	Everyday El Dorado	El Dorado, KS
Lee White	Butler County Watchdog	El Dorado, KS
Jeff Murphy	128 N Vine	El Dorado, KS
Tammy Schaffer	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the December 17, 2018 meeting to order.

INVOCATION

Mayor Vince Haines opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comment.

There were no comments.

CONSENT AGENDA

Approval of City Commission Meeting Minutes for November 5 and December 3, 2018 and Special City Commission Minutes for June 27 and November 7, 2018.

Approval of Appropriation Ordinance No. 11-18 in the amount of \$1,306,340.40.

Approval of 2019 Cereal Malt Beverage Licenses for:

- | | |
|----------------------|-----------------|
| a. Sunny Stop West | 2575 W. Central |
| b. Sunny Stop East | 301 E. Central |
| c. Pizza Hut | 2423 W. Central |
| d. Pizza Hut | 729 N. Main |
| e. Dillons #29 | 700 N. Main |
| f. Jumpstart Central | 1631 W. Central |

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| g. Casey's General Store #3331 | 2627 W. Central |
| h. Casey's General Store #1810 | 1310 N. Main St |
| i. Jumpstart North | 701 N. Main St |
| j. Wal-Mart #186 | 301 S. Village Rd |
| k. Two Brothers BBQ | 1701 W. Central |
| l. QuikTrip #310 | 2314 W. Central |
| m. Walgreen #10721 | 119 W. 6 th Street |
| n. El Dorado Broncos | 242 N Griffith |

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

BOUNDARY RESOLUTION

City Engineer Scott Rickard stated that in any year in which the city annexes land, we are required to pass a boundary resolution revising the city limits. He stated that the city annexed the area around the compost site for the expansion of the bike path.

Mayor Vince Haines asked if it included the industrial park project.

Mr. Rickard stated that it does not include the portion that is co-owned with El Dorado Inc. because it has not been annexed yet. He stated that staff are working with the Turnpike Association to straighten some of the other boundaries before that happens.

Commissioner Matt Guthrie asked how the bike path project is moving along.

Mr. Rickard stated that the design is complete and it at the KDOT office. He stated that the project must be bid through their office because it is done with the transportation funds. He stated that they anticipate the bid process to happen in May of 2019.

Commissioner Guthrie asked if there was money for lighting.

Mr. Rickard stated that he thought there would be funds available, especially since the design has been completed and estimates revised.

Commissioner Matt Guthrie moved to approve Resolution No. 2874, a Resolution redefining the boundary limits of the City of El Dorado, Kansas.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

2018 BUDGET AMENDMENT

City Manager David Dillner stated that the sewer fund has exceeded the published expenses by \$192,333 due to expenses related to the wind turbine lawsuit. He stated that according to state law, the City must increase the budget authority.

Commissioner Matt Guthrie confirmed that there would not be a transfer from the general fund, the revenues were there, but the city doesn't have authority to spend it.

City Manager Dillner stated that he was correct.

Mayor Vince Haines asked if the Graham Park project was part of the problem.

City Manager Dillner stated that there were a few projects that were unexpected that combined with the legal expenses caused the budget to be more than expected.

Mayor Vince Haines opened the public hearing.

There were no comments.

Mayor Haines closed the public hearing.

Commissioner Gregg Lewis moved to approve the amendment to the 2018 Operating Budget in the sewer fund as presented.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

CERTIFICATION OF LOCAL RETAILERS' SALES TAX

City Clerk Tabitha Sharp stated that on August 6th, the City Commission approved a Sales Tax question to be placed on the November 6th ballot. The purpose of that question was to extend the 1% sales tax from October 1, 2019 to September 20, 2024. She stated that the question passed 2,812 to 942.

Ms. Sharp stated that the State of Kansas requires an ordinance from the City Commission certifying the sales tax question.

Commissioner Nick Badwey moved to approve Ordinance No. G-1293, an Ordinance certifying the local retailers' sales tax, and to direct the City Clerk to forward the Ordinance to the Kansas Department of Revenue.

Commissioner Kendra Wilkinson 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 Matt Guthrie	Yes

REPORTS

CITY COMMISSION

Commissioner Kendra Wilkinson asked why there is always standing water on Towanda at Denver, Sunset and Maplewood.

City Engineer Scott Rickard stated that staff would go check them.

Commissioner Wilkinson wished the citizens a Merry Christmas and Happy New Year.

Commissioner Nick Badwey wished the citizens a Merry Christmas and Happy New Year as well.

Commissioner Gregg Lewis asked if there could be an alternate appointed to the EFABC board.

Mayor Vince Haines stated that the EFABC also needed to change their bylaws so that they could do that.

Commissioner Matt Guthrie asked for a status on Douglass Road.

City Engineer Rickard stated that a protest was not passed, so the next time the Commission sees it will be when bids are let. He stated that there will likely be some utility work and stormwater work done next year and the road itself in the spring.

Commissioner Guthrie asked if anyone had looked at Troon North.

Mr. Rickard stated that it was a sump pump.

Commissioner Guthrie wished everyone a Merry Christmas. He stated that the lights downtown look great.

Mayor Vince Haines stated that there was not a quorum at the last EFABC meeting, so they did not conduct any business.

Mayor Haines stated that the work with Project Wichita will be made public soon.

Mayor Haines echoed the Christmas wishes of the other Commissioners.

CITY MANAGER

City Manager David Dillner stated that the January bill will be in an envelope instead of on a postcard. He stated that will offer history and other messages as the months go on. He stated that there will also be a newsletter included that keeps citizens up to date on various projects.

City Manager Dillner stated that there will be a citizen satisfaction survey mailed with the utility bill in January. He stated that one citizen who participates in the survey will be eligible to win one year of free city provided utilities.

City Manager Dillner stated that city offices will be closed December 24th and 25th. He stated that trash service on Tuesday will be moved to Wednesday. He stated that extra trash pickup would be the 26th through the 31st, household items only.

City Manager Dillner stated that the city is giving out free calendars that include pictures from this year's photo contest. He stated that they were available at City Hall.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into executive session pursuant to the non-elected personnel exception under K.S.A. 75-4319(b)(1) for the purposes of discussing the City Manager's annual evaluation and to reconvene the meeting at 7:30 p.m. in the City Commission Room.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 7:30 p.m.

Commissioner Nick Badwey moved to recess into executive session pursuant to the non-elected personnel exception under K.S.A. 75-4319(b)(1) for the purposes of discussing the City Manager's annual evaluation and to reconvene the meeting at 7:50 p.m. in the City Commission Room.

Commissioner Matt Guthrie seconded the motion.

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

Mayor Vince Haines called the meeting back to order at 7:50 p.m.

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Commissioner Matt Guthrie moved to recess into executive session pursuant to the attorney client privilege exception under K.S.A. 75-4319(b)(2) for the purposes of discussing the wind turbine lawsuit and to reconvene the meeting at 8:00 p.m. in the City Commission Room.

Commissioner Nick Badwey seconded the motion.

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

Mayor Vince Haines called the meeting back to order at 8:02 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:02 p.m.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines