EL DORADO CITY COMMISSION MEETING October 6, 2014

The El Dorado City Commission met in a regular session on October 6, 2014 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, City Clerk Tabitha Sharp, and Human Resources Director Suzie Locke.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Phil Nix	MIDKAP	
James Cook	719 Fredrick Dr	El Dorado, KS
Shane Krause	830 W 4th	El Dorado, KS
Heather Head	303 S Atchison	El Dorado, KS
John & Ginger Hurst	720 W Ash	El Dorado, KS
Lauren Lowry	918 W Kansas	El Dorado, KS
Megan Kline	1715 Candace	El Dorado, KS
James Powell	323 W Carr	El Dorado, KS
John Scribner	4386 NE Ellis	El Dorado, KS
Paul Snyder	475 SE Pontiac	El Dorado, KS
Bruce McCabe	2333 SE Munson Hill	El Dorado, KS
Tony Grunder	825 Rim Rock	El Dorado, KS
Linda Jolly	201 E Central	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the October 6, 2014 meeting to order.

INVOCATION

Pastor Wade Graber, First Baptist Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Ms. Meyer's 3rd Grade Class at Skelly Elementary led the pledge of allegiance.

PROCLAMATION

Mayor Michael Fagg read the proclamation declaring October 5 -11th, 2014 Fire Prevention Week.

Fire Chief Steve Moody thanked Towanda and Butler EMS for assisting with a fire this evening. He asked that people contact the Red Cross to assist the family because they did not have insurance.

Chief Moody stated that they would be providing assemblies at all schools and promoting fire safety in day cares as well.

PERSONAL APPEARANCE

Kurt Bookout, Public Utilities Director, stated that the Wastewater Plant has won the plant of the year award for four out of the last five years. He stated that after winning it two years in a row, they have to sit out a year so they do not receive it every year.

Mr. Bookout stated that the Kansas Water Conference also chooses an operator from the State each year for operator of the year. He stated that El Dorado's Robert Simmons won the award this year. He stated that Mr. Simmons has worked for the City for 42 years and has been essential in training the new operators. Mr. Simmons is also responsible for our wetlands pilot program, which is also an award winning program.

Mr. Bookout stated that Mr. Simmons is active in his church, with scouts and in the prison ministry program here in our community.

Linda Jolly, El Dorado Inc., presented an update on activities for 2014. Ms. Jolly stated that over the past year they have begun having a review of projects in the city which

gives the city a chance to discuss opportunities and challenges with new businesses in our city.

Ms. Jolly stated that they have responded to two large parcel requests in the State. Large parcels are those with 100 acres or more. She stated that we are one of a few communities that have the ability to offer that land.

Ms. Jolly stated that they have recently spoken with the financial advisor for the city about two prospective projects in the city. She stated that there are also re-development projects being discussed.

Ms. Jolly stated that they recently assisted the city in organizing a lunch and learn to discuss the new CNG project. She also has heard from companies that are just looking for buildings in our community. Other companies are looking for assistance with financing and other incentives to help their projects.

Ms. Jolly stated that she is also working with a project that is having environmental issues. She is working as a liaison between them and the city to provide incentives.

Ms. Jolly presented flyers that they are using for prospective businesses. She also stated that they would be working with the city's new website to promote real estate and jobs.

Ms. Jolly stated that they have been hosting informal coffees and luncheons to allow businesses the opportunity to come discuss any issues or ideas they might have.

Ms. Jolly stated that they are also working on communication and marketing. She stated that 360 will be up through 2015 at which point they will evaluate the need for that website. She stated that the relocation guide will also be kept up on the city's new website.

Ms. Jolly stated that El Dorado Inc. is part of many events in El Dorado throughout the year.

Mayor Michael Fagg asked if there is anything happening with the old middle school.

Ms. Jolly stated that the school has RFP's out for the building but Inc. is not involved in that project.

Mayor Fagg asked about the old Ford Dealership.

Ms. Jolly stated she is working with a prospect on that building now.

City Manager Herb Llewellyn stated that he thought the school's RFP opening was in November.

Ms. Jolly stated that they will have some advertising out regarding the SNAP program.

Mayor Fagg and Commissioner Locke stated that they both enjoyed the SNAP articles.

Mayor Fagg asked if there was a list of businesses the city is interested in getting.

Ms. Jolly stated that Inc. did work about 18 months ago to identify target sectors. She stated that one of the first steps was to get the openings on the new website. Main Street will be looking for businesses that will help the existing downtown businesses.

Ms. Jolly stated that in-state companies have to contact Inc. about coming to El Dorado. El Dorado Inc. cannot make the first call because then the company will not be eligible for funding.

Mayor Fagg asked about discussions regarding the effects of new businesses on the businesses in town. He stated that it could interfere with the workers available for our current business.

Ms. Jolly stated that they have had those discussions.

City Manager Llewellyn stated that the scope of incentives is based on pay. He stated that if a company is paying well, then we want them in town because we want our citizens to make as much money as possible.

Commissioner Bill Young clarified that the businesses we recruit pay better per hour.

City Manager Llewellyn stated that he was correct, those would be the companies that receive the incentives.

City Manager Llewellyn stated that they are only considering us because of the airline workers that are unemployed yet have a high skill level.

Ms. Jolly stated that most companies look at three factors: labor, cost of utilities and transportation of their goods.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comment.

James Powell, 323 W Carr, asked when we would get updated Commission videos.

City Clerk Tabitha Sharp stated that the equipment in our Channel 7 room is having some trouble and we are working on the problem.

City Manager Herb Llewellyn stated that the equipment has been there since 2004 and is in need of an update.

Mr. Powell stated that listening to the discussion about El Dorado Inc., he felt that we need to offer these incentives to other businesses that have been around for a long time instead of to only the companies coming in to the business and industrial parks.

Ginger Hurst, 720 W Ash, stated that there is a lot of concern about foreign diseases and terrorists. She stated that she felt it was time for a house of prayer and asked that the City Commission reconsider granting her the property to the west of the fire substation for this building.

Commissioner Chase Locke asked if she was familiar with the house of prayer downtown.

Ms. Hurst stated she was not involved in that.

Commissioner Locke asked if they would be interested in an existing facility.

Ms. Hurst stated that they envision a stone chapel.

Mayor Michael Fagg stated that they would be able to see it from the turnpike.

Ms. Hurst stated that she felt that was an advantage.

Mayor Fagg asked if the City owns the triangle piece of property off the turnpike.

Assistant City Engineer Scott Rickard stated that there is no access to that piece.

CONSENT AGENDA

Approval of the City Commission meeting minutes for September 15, 2014.

Approval of appropriation ordinance 09-14 in the amount of $2,218,985.88.

Mayor Michael Fagg asked about the charges for Huber and Associates.

City Clerk Tabitha Sharp stated that it was the records management license for the police department.

Mayor Fagg asked about the purchase of mulch from Quality Timber Products.

Ms. Sharp stated it that it was a company from Wichita. She stated that typically we get our mulch from the compost site, but there was not enough of what we needed this year, so we had to purchase it.

Mayor Fagg asked about the purchase from American Fun Food.

Ms. Sharp stated that again, the city buys local when possible. The recreation concessions items are purchased from Dillons and Walmart for the most part. There are some bulk items that can be purchased from American Fun Foods in the amounts that we require.

Mayor Fagg asked about the concrete materials purchased from the Stormwater fund.

Ms. Sharp stated that they were for projects at Main and Locust, and also at Locust and Gordy.

Scott Rickard, Assistant City Engineer, stated that they replaced some stormwater pipe in the area to assist with drainage in that area. He stated that it will help with some of the new developments on South Main.

Mayor Fagg asked about the fruits and veggies expensed to the self-insurance fund.

Commissioner Bill Young stated that it was part of the wellness program and had been discussed with the City Commission previously.

Suzie Locke, Human Resources Director, stated that we purchase these foods as a part of our wellness program to encourage healthy eating for our employees. This helps to keep our insurance costs down.

Mayor Fagg stated it seemed strange in that fund.

Mayor Fagg asked aobut the inventory clearing expense.

Ms. Sharp stated that the city purchases fuel and inventory for vehicle maintenance and repair. She stated that when the departments use fuel or inventory, the expense is debited to their fund and credited to fund 71.

Commissioner Bill Young moved that the Consent Agenda, as presented, be approved.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

PROJECT NO. 457 – WATERLINES TO SERVE CRISS 9TH ADDITION

Scott Rickard, Assistant City Engineer, stated that staff are asking the Commission to consider issuing General Obligation bonds for this project. Mr. Rickard stated that they

are doing this prior to construction on the chance that we are not able to pay for it out of budget.

Mr. Rickard stated that the cost of the project will be approximately $91,020. He stated the project will serve 22 lots in the Criss 9th addition. He stated that we have had to contract it out because the property is quite rocky and we need a specialized crew.

City Manager Herb Llewellyn stated that we will use debt on the smallest amount possible, but we cannot ask for it after the project is completed.

Mr. Rickard stated that there have been more lots than anticipated this year, and so we are trying to perform all of the work within budget, but it could go a little over.

Commissioner Nick Badwey moved that Resolution No. 2746, a resolution of the City of El Dorado, Kansas, authorizing improvements to the city public water supply system and providing for the payment of costs thereof (Project No. 457).

Commissioner David Chapin seconded the motion.

Mayor Michael Fagg asked if the $91,000 will cover all of the expenses due to the rock.

Mr. Rickard stated that we have bid the project, and when these companies own this equipment, it is easy for them to do the work. It does narrow the gap on who is able to bid the project.

Mayor Fagg clarified that there is not much difference between Criss 9th and the Belmont addition.

Mr. Rickard stated that they are similar in costs.

Mayor Fagg asked if there would be a temporary note first.

Mr. Rickard stated that it would be temporary financing and then to bond if necessary.

Motion carried 5 – 0.

AMERICAN LEGION PARKING LOT

City Attorney Jim Murfin stated that he had called Mr. Hendricks and has not received a return call and so has no update.

NEW BUSINESS

Commissioner Bill Young stated that he would like to talk about infill in the City. He stated he would like to see if the Commission would be willing to direct staff to look into grants that would revitalize the existing housing stock.

Commissioner Young stated that a large part of the housing committee's discussion has been on revitalizing the housing stock in El Dorado.

There was consensus amongst the Commissioners.

Commissioner Young stated that when we talk about the properties that the City owns, a lot of it is flood plain properties that are cleared and become greenspace. He asked what the budget is each year for this project.

City Manager Herb Llewellyn stated that there is $15,000 in the budget each year. He stated that the vast majority of our work is done in the flood plain. He stated that this year there were two houses not in the flood plain that will be ready for new houses.

Assistant City Engineer Scott Rickard stated that the County's tax sale is coming up and that staff would like to discuss with potential buyers how to clean up these properties.

Mayor Michael Fagg stated he thought there was a company in Hutchinson that does this kind of work. He also stated that he would like to look into the land bank program discussed at the League meetings.

Commissioner Young stated that he has had some discussions regarding the community-wide wifi that is referenced in the comprehensive plan. He asked how the city is moving forward on this project.

City Manager Llewellyn stated that the original impetus was that we could do meter reading via wifi and so that the police department could use it for their reports and video feed. He stated that it was cost prohibitive at the time. Since the original discussion, we have been putting in backbone for a citywide wifi.

Commissioner Young asked what the hindrances were on the private side.

City Manager Llewellyn stated that private providers are trying to prohibit cities from providing wifi.

Commissioner Young stated that he felt that this was a target sector that could be worked on as well. He asked if staff could look at the comprehensive plan and see how it could be incorporated.

Commissioner Young stated that he and Commissioners Locke and Badwey were at the ribbon cutting for the CNG station. He asked for an update on the program.

Brad Meyer, Public Works Director, stated that they had approximately 100 people there for the ribbon cutting. He stated that it was important because they were able to recognize the city employees for their work on the project.

Mr. Meyer stated that there are two dedicated CNG trucks and a CNG street sweeper on order. He stated that they have been trained and are working on converting a few police vehicles and a truck to CNG.

Commissioner Young thanked staff for their work. He stated that it was important that staff are thinking outside the box to become more fiscally responsible.

Mr. Meyer stated that are second highest line item in the budget is fuel, and this is an attempt to reduce those costs.

Mayor Fagg asked if there was a project cost to date.

Mr. Meyer stated that he did not have it with him.

Mayor Fagg asked if we were going to sell it.

Mr. Meyer stated that we are moving in that direction. He stated that there are other things we will have to do before that is possible.

Commissioner Young stated that the primary purpose is to reduce our costs. He confirmed that if another place in town began selling CNG, we would not compete with them.

City Manager Llewellyn stated that the Commission would have to instruct us to compete with another local vendor.

Commissioner Young stated that they all have the intention of getting information out to the public. He stated that this is an opportunity to look at the technology in the back room and make it work with the new website. He also stated that he wanted to make sure that the information that they reference is available on the website.

Commissioner Young stated he has received a lot of feedback on both the Dangerous Animal and Community Market and he appreciates the citizens for contacting him.

Commissioner Locke echoed Commissioner Young's comments on the wifi.

Commissioner Locke asked if he could have a copy of the Legion Lease and costs associated with the Legion.

City Manager Llewellyn stated he thought the lease was on the website.

Commissioner Locke congratulated Susan B Anthony on their event for the cancer center.

Commissioner Locke stated he has also received a lot of calls regarding the Dangerous Animal ordinance. He asked about the muzzle portion of the ordinance being appropriate right away, or if it was something that should be considered after an incident happens.

Mr. Meyer stated that the only time there would be a muzzle is if there had already been an incident or if it was a pit bull.

Commissioner Young stated that there were questions about the fence or kennel and the muzzle.

Mr. Meyer stated that the muzzling piece was to assure that if the animal were to get away from the owner, there is a piece of protection for others. He stated that it would be when they were off of the owner's property. He stated that it was common part of other ordinances.

Commissioner Nick Badwey confirmed that pit bulls would always be considered dangerous.

Mr. Meyer stated that they would be required to meet the other requirements. He stated they would start with a clean slate like the other animals.

Commissioner Locke also thanked everyone who worked on Walnut River Festival.

Mayor Fagg asked which building they are discussing for the farmer's market.

City Manager Llewellyn stated that it was just the building to the east.

Mayor Fagg stated that he saw a lot of cracks in the outside of the building. He asked if a structural engineer reviewed it.

Mr. Rickard stated that they had a structural engineer from Wichita review the site.

City Manager Llewellyn stated that the interior is all timber and in good shape.

Mayor Fagg asked if a purchase contract has been signed on the building.

City Manager Llewellyn stated that there is an option to purchase. He stated that if the Commission does not take action to stop it, there will be a closing date soon. He stated that there have been several votes from the Commission in favor of the project.

Mayor Fagg asked if he could see the purchase contract.

City Manager Llewellyn stated he would see what they have.

Mayor Fagg asked if they could discuss the letter received from Rural Water District 3.

City Manager Llewellyn stated that the Executive Session was about the letter.

Mayor Fagg asked for a street improvement update.

Mr. Rickard stated that Towanda Avenue is anticipated for this coming spring. He stated that the 4th and 5th Avenue project is almost complete.

Mr. Rickard stated that they started milling today on Third, Broadview and State as part of the sales tax project. He stated that there would be a two inch overlay.

Mr. Rickard stated that they are looking at tearing out the 600 Block of North Summit and rebuilding it next week. He stated that the same contractor would be doing the work at Criss 9th.

Mr. Rickard stated that they are anticipating a bid tomorrow on the repaving of Olive from High to Gordy. He stated that they worked with a contractor today to see if it could be done this year.

Mr. Rickard stated that on the Belmont 3rd, they are working on curb and gutter.

Mr. Rickard stated that they are a few weeks away from the streets at Cave Springs and Atchison.

Mayor Fagg asked if the issue at Community National Bank had been worked out.

Mr. Rickard stated that he and the Police Chief met with managers at Wal-Mart regarding a solution.

Mayor Fagg asked if they could put cement in like on 6th and Main.

Mr. Rickard stated he did not know for sure.

City Manager Llewellyn asked if Wal-Mart would help.

Mr. Rickard stated that they did not see that they were contributing to the problem event though they recognize that they invite truckers to their parking lot. He stated that they are considering assisting with the project.

Mayor Fagg asked about the problem with the signals at Village and Central.

Mr. Meyer stated that the wind moved a camera and we went out and fixed it as soon as we were told about it. He stated that it will be fixed by the placement of the wifi.

Commissioner Young asked about the long cameras versus the short cameras.

Mr. Meyer stated that the longer cameras are more susceptible to the wind.

Mr. Meyer stated that the cameras and the timing of the lights are not the same. He stated that one of the big problems is when a car pulls past the stop bar. The camera sees that as the car has already moved through the light. He stated that they are not timed intersections.

City Manager Llewellyn stated that citizens need to call the city when they notice an issue so that we can go out and fix it. He also encouraged people to stop behind the stop bar.

City Manager Llewellyn stated that Central has a longer signal time than the cross roads.

Mayor Fagg asked for the wind turbine expenses year to date.

Kurt Bookout, Public Utilities Director, stated he would provide them next month.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that last month the City of Wichita tested several skunks that were positive for rabies. He stated that according to veterinarians, if citizens vaccinate their pets, they should be fine.

City Manager Llewellyn stated that a skunk was tested and came back positive for rabies in El Dorado last week. He stated that according to a local vet tech, most skunks are positive for rabies. He stated that we have completed the guidelines provided from the State of Kansas regarding a facility that receives a positive test.

City Manager Llewellyn again encourage people to vaccinate their pets.

City Manager Llewellyn stated that our NRP process expires at the end of the year. He stated that stakeholder meetings have started with staff.

City Manager Llewellyn reminded the Commission that the League conference is this weekend.

City Clerk Tabitha Sharp stated that the conference begins at 4:00 p.m. on Saturday and goes through Monday at 3:30 p.m.

Commissioner Young asked about the meeting with Sedgwick County regarding water. He stated he wanted to be involved, he was uncomfortable having the discussion until after their elections.

City Manager Llewellyn stated that if more than two of the Commission would like to attend, we will publish a meeting. He stated that the topic is too important to limit it because of quorum.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing legal matters, and to reconvene the regularly scheduled meeting in the City Commission room at 9:30 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

Mayor Michael Fagg called the meeting back to order at 9:32 p.m.

Commissioner Chase Locke moved to return to executive session and return at 9:45 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 3 – 0 (Commissioners David Chapin and Bill Young remained in the room).

Mayor Fagg called the meeting back to order at 9:46 p.m.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 9:47 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

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City Clerk Tabitha D. Sharp Mayor Michael A. Fagg