

The El Dorado City Commission met in a regular session on June 20, 2022 at 6:30 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Kelly Tetrick, Commissioner Gregg Lewis, Commissioner Leon Leachman, Commissioner Kendra Wilkinson, City Manager David Dillner, City Engineer Scott Rickard and Administration Director Tabitha Sharp. Absent: City Attorney Ashlyn Lindskog

VISITORS

Mike Holton	220 E 1 st Ave	El Dorado, KS
Phil Benedict	El Dorado Chamber	El Dorado, KS
Emily Connell	El Dorado Main Street	El Dorado, KS
Alyssa Warner	220 E 1 st Ave	El Dorado, KS
Jason Patty	220 E 1 st Ave	El Dorado, KS
Katie Miller	Kansas Municipal Utilities	El Dorado, KS
Scott Hackler	351 NE Cole Creek Rd	El Dorado, KS
Vince Haines	300 N Star	El Dorado, KS
Steve Waite	El Dorado Main Street	El Dorado, KS
Craig Yaryan	El Dorado Main Street	El Dorado, KS
James & Melissa Briscoe	421 S High	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the June 20, 2022 meeting to order.

INVOCATION

Pastor Mark Somerville, Family Worship Center, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITIONS

Katie Miller, Kanas Municipal Utilities, presented Public Utilities Director Jason Patty with the “Wastewater Operator of the Year” award.

PERSONAL APPEARANCE

Phil Benedict, El Dorado Chamber of Commerce, gave an update on the Chamber’s activities.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of the City Commission minutes from June 6, 2022 and City Commission Work Session minutes from May 11 and June 1, 2022.

Approval of Appropriation Ordinance No. 05-22 in the amount of \$1,096,214.45.

Approval of Resolution No. 2941 for a Temporary liquor Permit for Gold Fest on September 24, 2022.

Commissioner Leon Leachman moved to approve the consent agenda as presented.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

DOWNTOWN UNDERGROUND ELECTRIC PROJECT

City Manager David Dillner stated that the Commission authorized participation in this project in 2021 and allocated \$380,000 for the project. He stated that the City was required to obtain easements for this project and has run into obstacles that prevent us from moving forward without additional direction from the City Commission.

Commissioner Kendra Wilkinson stated that this project has not been what Evergy had originally talked to the Commission about. She stated that there has been a lot of time from Engineering involved in the project, and Evergy has yet to move forward with a project they originally stated had to start in January of 2022. She stated that the size and number of easements has increased as they have continued to change the project. She stated that while she originally supported the project, she is now having trouble moving forward with it.

Commissioner Gregg Lewis confirmed that everything will still be upgraded downtown if we choose not to move forward.

City Engineer Scott Rickard stated that it will be up to Evergy. He stated that at the beginning of this project, they did state that they needed to do an update downtown.

Mayor Bill Young stated that in August, Evergy stated that the project would be done, they would just move forward with putting it underground with the City's participation.

City Engineer Rickard stated that he didn't want to promise anything because there was no agreement for that.

Commissioner Kelly Tetrick stated that he agreed with Commissioner Wilkinson. He stated that he doesn't support eminent domain and without that, there will be little hope to move the project forward.

Commissioner Lewis stated that he also agreed with Commissioner Wilkinson.

Steve Waite, El Dorado Main Street, stated that they felt blindsided because they haven't been given all of the information. He stated that he felt that they should get to know if this is a ten dollar project or a ten million dollar project. He stated that the downtown creates a lot of revenue for the City of El Dorado and feels that the money allocated to this project is being sent to another project that the Commission wants to do.

Commissioner Leon Leachman stated that he would like to know the final cost.

Mayor Young stated that the goal posts have moved several times on this project. He stated that he supported the project from the beginning, but the challenge is that the price has increased and the size of the easements has increased. He stated that in an executive session, the Commission agreed on an amount so that the real estate negotiations could be done. He stated that there are multiple businesses who desire more money than offered and others who have expressed that they do not want to allow access to their easement.

Mayor Young stated that they have talked about eminent domain before, but that those discussions revolve around blighted properties. He stated that contrary to what was said, there are no plans to spend this money elsewhere at this time. He stated that he is a big believer in property rights, and if the business owners were inclined to move forward with the project, they would agree to allow the use of the land. He stated that he has talked to business owners on all sides of this project.

Mayor Young stated that the report provided explains the process that has been completed up to this point and that staff have followed the direction of the Commission.

Commissioner Wilkinson stated that she understood the upset, but the upset should be directed at Evergy.

Mr. Waite stated that Evergy pays a lot of franchise fees to the City and every project has changes. He stated that perhaps a benefit district could be set up.

City Manager Dillner stated that the problem with a benefit district is that we do not have a total cost. He stated that there is currently a ceiling set by the City Commission on what we have to offer, we can't negotiate past that.

Commissioner Tetrick stated that the Commission has already decided what they are comfortable with and he is unwilling to force owners to release their property.

City Engineer Rickard stated that there are some who support, and some who have questions, but others who have said no. He stated that as discussed with the Commission, they have worked with Evergy to get around some, but are unable to get around others.

Mr. Waite stated that he would donate his property on Vine for a staging area.

City Engineer Rickard stated that typically project planning begins five years out and we identify all of the issues ahead of time, this project was backwards. He stated that after the public meeting, the map of easements grew significantly.

Commissioner Lewis stated he thought we should give Main Street sixty days to negotiate with the owner's downtown.

City Engineer Rickard stated that you have to be very careful negotiating easements for a municipality.

Mayor Young stated that he wasn't comfortable with anyone else negotiating on the City's behalf.

Commissioner Lewis asked if they could discuss the amount in an executive session.

City Engineer Rickard stated that once they got past the amount approved by the Commission, he came back to them to let them know what had happened and has not moved forward until he received further instruction from the Commission.

Scott Hackler, 357 NE Cole Creek Rd, stated that he owns three businesses downtown. He stated that if this project moves forward, he is going to lose parking and Evergy will be able to block his drive at any time. He stated that none of his customers have ever commented on the electrical poles in his parking lot. He stated that he felt there were no noticeable improvements to the look of downtown. He stated that the new transformers will be more visible than the current poles. He stated that in addition to all of that, he will never be able to expand his business due to the easement. He stated that other than a moderate compensation for the easement, he did not see any benefit to this project.

Commissioner Leachman stated that what bothers him the most is the people saying no. He stated that there are enough saying no that it stops the project.

Commissioner Tetrick stated that there are going to be poles above ground either direction within a block of this area. He stated that he felt that there is too much money involved now.

Commissioner Wilkinson asked if it got tabled for thirty days, we have to ask what the Commission would expect to happen in thirty days.

Commissioner Leachman asked at what point there would be too many properties to work around.

City Engineer Rickard stated that it was about the money.

Commissioner Lewis asked if they could leave Mr. Hackler’s project out.

City Engineer Rickard stated that he has discussed it with Evergy and they cannot work around it. He stated that Evergy is going to want an answer soon.

Commissioner Leon Leachman moved to table the project for thirty days at which time he would like to understand how many properties have said they will not sell their easements to the City and also how much more money would be needed to purchase easements.

Commissioner Kendra Wilkinson stated that she would like to have an answer by July 18th.

Commissioner Gregg Lewis seconded the motion.

Mayor Young stated that they discussed in executive session what they were willing to spend on this project. He stated that they directed staff to stay within that amount and if they couldn’t, they would not move forward. He stated that he did not support delaying it thirty days.

Motion failed 2 – 3 (Mayor Young, Commissioners Tetrick and Wilkinson voted against it).

Commissioner Kelly Tetrick moved to discontinue the City’s participation in a previously authorized project to underground electric infrastructure within downtown El Dorado and releases such funds necessary for the City’s share of the project.

Commissioner Kendra Wilkinson seconded the motion.

Commissioner Wilkinson stated that this is a painful decision.

Motion carried 3 – 2 (Commissioners Lewis and Leachman voted against).

ANNUAL EQUIPMENT RESERVE AND BUILDING RESERVE FUND TRANSFERS

City Manager David Dillner stated that at the end of each year, staff review the fund balances and recommend how to allocate any excess funds. He stated that equipment reserve is used to replace items such as trucks or other equipment. He stated that the building reserve fund will be created to replace items such as air conditioners or other large items.

Commissioner Leon Leachman asked if, when the funds are needed for a specific purchase or project, staff would come back to the Commission for authorization.

City Manager Dillner stated that it follows the purchasing policy, any non-budgeted item over \$40,000 would come to the Commission for approval.

City Manager Dillner reviewed the proposed transfers:

	General Fund	Water Fund	Sewer Fund	Refuse Fund	Stormwater Fund
Fund Balance					
12/31/2021	\$ 2,315,812.92	\$ 2,514,379.90	\$ 1,273,139.60	\$ 841,854.54	\$ 374,456.94
Equipment Reserve	\$ 500,000	\$ 200,000	\$ 200,000	\$ 416,000	\$ 100,000
Building Reserve	\$ 100,000	\$ 175,000	\$ 100,000	\$ 50,000	\$ -

City Manager Dillner stated that this is part of a new strategy to better invest our monies and directly benefit the funds they come from.

Commissioner Leon Leachman moved to approve Ordinance No.1371 authorizing the creation of building reserve funds for the City of El Dorado, Kansas.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Commissioner Leon Leachman moved to approve the proposed fund transfers as submitted.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

PURCHASE AUTHORIZATION FOR COMBINATION SEWER TRUCK

City Manager David Dillner stated that bids were received for a new sewer vacuum truck. He stated that the cost of \$318,487 would be paid from the water fund.

Public Utilities Jason Patty stated that they will be utilizing this truck for redundancy in service. He stated that one truck will be used for camera services and vapo-rooting. He stated that the other would be for leaks and emergency situations.

Mayor Bill Young stated that the conduit from the stadium to Butler’s campus wasn’t correct and the City was able to use their truck to repair it with no problem.

Commissioner Leon Leachman asked if it was both a water force and vacuum truck.

Public Utilities Director Patty stated that it was able to do both.

Commissioner Kendra Wilkinson asked when it was expected.

Public Utilities Director Patty stated that he expected it at Christmas.

Commissioner Kelly Tetrick moved to approve the purchase of a new combination sewer truck from RED Equipment Company, LLC in the amount of \$318,487 and authorize the City Manager to execute any associated paperwork.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

COMMISSION MEETING TIME CHANGE

City Manager David Dillner stated that at a previous meeting, the City Commission requested that staff bring an ordinance changing the time of the Commission meetings to 5:30 p.m., the ordinance is in the packet for their approval.

Commissioner Leon Leachman moved to approve Ordinance No. 1372, an Ordinance amending Title 2, Section 2.04.090 of the City of El Dorado, Kansas Municipal Code relating to the scheduling of regular City Commission meetings.

Commissioner Kendra Wilkinson seconded the motion.

Mayor Bill Young stated that he brought this up to not only allow the Commission and staff to attend Monday evening events, but also to shorten the days for staff and the Commission who work a full day prior to the meeting.

Motion carried 5 – 0.

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

Commissioner Gregg Lewis asked if the house on Summit is moving forward.

EL DORADO CITY COMMISSION MEETING

June 20, 2022

City Engineer Scott Rickard stated that a permit has been pulled, but no work done. He stated that the property on North Star has been sold. He stated that one of the others has some structure difficulties, but progress is being made.

Mayor Bill Young asked what happens to the property that was sold.

City Engineer Rickard stated that our code states that

Commissioner Leon Leachman discussed upcoming activities through Experience El Dorado. He also commended the Mayor on a great presentation last week with the Chamber.

Commissioner Leachman asked who someone should call about a blighted property.

City Manager Dillner stated that they should call the Engineering department.

Mayor Young commended staff on their continued development.

CITY MANAGER REPORT

City Manager David Dillner stated that the pool is up and running.

City Manager Dillner stated that assessed valuations went up approximately 9%. He stated that staff will return with information on the revenue neutral rate.

City Manager Dillner stated that this weekend is garage sale weekend and we have over 100 homes on the list.

Administration Director Tabitha Sharp stated that fireworks can be shot from June 27th to July 3rd 10 a.m. to 10 p.m., July 4th from 8 a.m. to midnight and July 5th from 10 a.m. to 10 p.m.

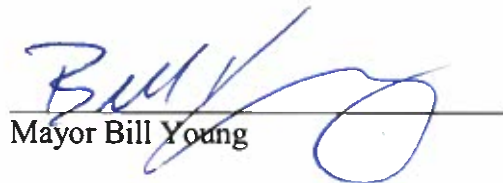
ADJOURNMENT

Commissioner Kendra Wilkinson moved to adjourn the meeting at 8:06 p.m.

Commissioner Kelly Tetrick seconded the motion.

Motion carried 5 – 0.


City Clerk Tabitha D. Sharp


Mayor Bill Young