

The El Dorado City Commission met in a regular session on January 22, 2019 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 Engineer Scott Rickard and City Clerk Tabitha Sharp. Absent: City Attorney Ashlyn Lindskog

**VISITORS**

Mitch Walter	Gilmore Bell P.C.	Wichita, KS
Lee White	Butler County Watchdog	El Dorado, KS
Roger Cutsinger	712 W 14 <sup>th</sup>	El Dorado, KS
Gerald Watson	125 N Summit	El Dorado, KS
Kevin Wishart	220 E 1 <sup>st</sup>	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Rayn Guthrie	811 W Central	El Dorado, KS
Kurt Bookout	105 Wetlands Dr	El Dorado, KS

**CALL TO ORDER**

Mayor Vince Haines called the January 22, 2019 meeting to order.

**INVOCATION**

Corey Landreth, Real Life Church, 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 January 7, 2019.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

**DEPARTMENT PRESENTATIONS FOR PUBLIC UTILITIES AND PARKS AND RECREATION**

Kurt Bookout, Public Utilities Director, gave a presentation on the 2018 activities of the Public Utilities Department.

Commissioner Matt Guthrie asked if the water pressure sensors were in the budget.

Mr. Bookout stated that they aren't very expensive, the city will pay for the eight to ten installations that will happen this year. He stated that the rural water districts are excited to get the information and so they will pay the annual cost associated with the meter.

Commissioner Guthrie asked if there would be meters within the city.

Mr. Bookout stated that they would like to have some downtown, but they don't know where yet.

Commissioner Guthrie asked if there was a master plan for water and sewer.

Mr. Bookout stated that they were working on a plan, but there are a lot of moving parts that have to be evaluated in order to make a good plan.

Kevin Wishart, Parks and Recreation Director, gave a presentation on the 2018 activities of the Parks and Recreation Department.

Commissioner Kendra Wilkinson asked if any of the full time employees overlap between divisions.

Mr. Wishart stated that one of the ball field staff overlaps with recreation activities. He stated that the parks and ball field staff are used in both areas when needed.

Commissioner Guthrie asked if the bike path lighting was for the new project.

Scott Rickard, City Engineer, stated that the lighting for the new project would be separate.

**APPLICATION TO REZONE 1237 W FIRST AVE**

City Engineer Scott Rickard stated that the planning commission held a public hearing on December 13<sup>th</sup>. He stated that they recommended approval of the rezone from R1 to R3 with a 5 – 0 vote.

Commissioner Kendra Wilkinson asked about the concerns regarding drainage.

Mr. Rickard stated that there have been drainage issues on Residence in the past. He stated that staff have worked on the issue in the past, and feel that the development will help to re-route the drainage.

Commissioner Wilkinson stated that throughout the Planning Commission minutes, Mr. Shivers kept saying that they were voting on the zoning, not what was going on the property. She asked for clarification on whether or not the developer would have to come back to the Planning Commission with their plan.

Mr. Rickard stated that if they approve the zoning, then anything that is allowed in R3 will be able to be placed in the area.

Commissioner Wilkinson stated that she understood that the housing would be senior housing that they would purchase.

Mr. Rickard stated that is the plan of the developer. He clarified that the City Commission, like the Planning Commission, is approving the land use, not the development.

Commissioner Nick Badwey asked if they would be coming from 1<sup>st</sup> to Central through the lot already zoned R3.

Mr. Rickard stated that the access would be from both sides. He stated that he has talked to KDOT and they thought they would approve it.

Commissioner Badwey stated that he watched the meeting and confirmed that when they stated that the draining would be addressed, that would be approved by engineering.

Mr. Rickard stated that it will be designed by a design professional prior to his department seeing it.

Mayor Vince Haines stated that he thought that the drainage would be better.

Mr. Rickard stated that he felt this would be an improvement to an area where we do not have drainage easements.

Mayor Haines stated that he was comfortable given that the area was contiguous with the other R3 lots in the area.

Commissioner Matt Guthrie moved to approve Case No. 18-04-REZ, requesting a rezoning of 1237 W. First Avenue to R-3 Multiple Family Dwelling District and that Ordinance No. G-1294 be approved.

Commissioner Kendra Wilkinson seconded the motion.

**ROLL CALL VOTE**

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

**PUBLIC HEARING FOR PROJECT NOS. 421, 422, 436, 437, 443, 444, 513, 514, 523, AND 538**

Mayor Vince Haines opened a public hearing.

There were no comments.

Mayor Haines closed the public hearing.

Commissioner Nick Badwey moved to approve Ordinance No. G-1295, an ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of El Dorado, Kansas, as previously authorized by the city; and providing for the collection of such special assessments.

Commissioner Kendra Wilkinson seconded the motion.

**ROLL CALL VOTE**

Position No. 1	Commissioner Matt Guthrie	Yes
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

**RESOLUTION OF SUPPORT FOR TAX CREDIT APPLICATION**

City Manager David Dillner stated that the request for a resolution is for the Griller Addition unplatted lots. He stated that the City Commission has approved the sale of those lots contingent upon the receipt of tax credits by the developer. He stated that the developer has requested the resolution in support of his application.

Commissioner Matt Guthrie asked what the clouded area was on the map.

City Engineer Scott Rickard stated that the original map showed the buildable lots. He stated that the clouded area shows the lots that would then be an island of property after the

development happens. The developer is going to take the lots and use it for additional green space and the city will no longer have to maintain it.

Commissioner Gregg Lewis moved to approve Resolution No. 2875, a Resolution of support of MRE Capital LLC's application for tax credits from the Kansas Housing Resources Corporation.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

**REPORTS**

**CITY COMMISSION**

Commissioner Kendra Wilkinson asked if they could make a change to the area that states it is paid by draft on the new utility bill. She stated that the newsletter provided some good information. She also asked that citizens fill out the enclosed survey.

Commissioner Matt Guthrie stated that he received a phone call from someone regarding a pot hole on 9<sup>th</sup> Street.

City Engineer Scott Rickard stated that the major hurdle that has prevented 9<sup>th</sup> Street from being improved is the improvement of the railroad tracks there. He stated that the cost is prohibitive, but they are hoping that the economic development north of that area is going to spur the project.

Commissioner Guthrie asked what we have to do to keep the oversized loads from going down Central.

Mr. Rickard stated that we have notified KDOT of the construction and so they should know they can't traverse Central right now.

Commissioner Guthrie stated that he believed it is causing other issues with sewer in his area and he would like to keep it on the radar. He stated that the truckers say that their permit says to go straight through.

Mr. Rickard stated that the permit also states that they have to contact the City of El Dorado. He stated that staff have submitted a proposal to K-State and KU students to work on a solution to our truck route issues.

Commissioner Guthrie stated that there was a Parks and Recreation meeting last week. He stated that the designs for the new playgrounds are nice and he thinks the citizens will get good use out of those.

Commissioner Gregg Lewis stated that El Dorado Inc. met last week. He stated that they discussed the new software, the Griller Addition, the IPS issue and their weekly meetings with city staff and the partners.

Mayor Vince Haines stated that tomorrow he will be attending a REAP panel regarding the ICT Airport. He stated that Main Street is getting ready for the 2019 work plan. The El Dorado Inc. annual meeting is on the 21<sup>st</sup>. He stated that he has been unable to attend the library board meeting.

Mayor Haines stated that the annual Mayor's Dinner will be on February 28<sup>th</sup> at the Performing Arts Center.

**CITY MANAGER**

City Manager Dillner stated that the finance department has been awarded the CAFR award for the 2017 financial year.

City Manager Dillner stated that the State of the City is scheduled for January 31<sup>st</sup> at the Train Depot at 4 p.m.

**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) for the purposes of discussing ongoing litigation and to reconvene the meeting at 8:00 p.m. in the City Commission Room. The City Attorney will attend the meeting via conference call.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 8:01 p.m.

Commissioner Nick Badwey moved to grant the City Manager authority to, again, repudiate the Settlement Agreement and Mutual Release of All Claims in connection with the wind turbine lawsuit and further, to formally tender to the Butler County District Court any funds received by the City related to that document, pending the outcome of the litigation.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

**ADJOURNMENT**

Commissioner Nick Badwey moved to adjourn the meeting at 8:04 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

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City Clerk Tabitha D. Sharp

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Mayor Vince Haines