

**EL DORADO CITY COMMISSION MEETING**

**April 15, 2019**

The El Dorado City Commission met in a regular session on April 15, 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 Attorney Ashlyn Lindskog, City Engineer Scott Rickard and City Clerk Tabitha Sharp.

**VISITORS**

Haley Remsberg	220 E 1 <sup>st</sup>	El Dorado, KS
Morgan Barnes	Wichita State University	Wichita, KS
Deanna Bonn	Everyday El Dorado	El Dorado, KS
Darla Carter	Family Life Center	El Dorado, KS
Phil Benedict	Thrive Butler	Andover, KS
Dusty Buell	SCARF	Andover, KS

**CALL TO ORDER**

Mayor Vince Haines called the April 15, 2019 meeting to order.

**INVOCATION**

Pastor Debbie McClure opened the meeting with an invocation.

**PLEDGE OF ALLEGIANCE**

The City Commission led the Pledge of Allegiance.

**RECOGNITION**

Morgan Barnes, Wichita State University, presented Human Resources Specialist Haley Remsberg with her Mini Masters in Public Administration.

**PUBLIC COMMENT**

Mayor Vince Haines opened the floor for public comment.

There were no comments.

**CONSENT AGENDA**

Approval of City Commission Minutes from April 1, 2019.

Approval of Appropriation Ordinance No. 03-19 in the amount of \$1,720,978.91.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

**LIQUOR TAX DISTRIBUTION**

City Clerk Tabitha Sharp stated that the City distributes money annually to non-profit organizations through the collection of liquor taxes. She stated that the City received \$28,042.39 in Liquor Tax Revenue in 2018 that could be distributed in 2019. She stated that three organizations, SCARF, Family Life Center and Thrive Butler have requested funds and there are representatives present to discuss if the Commission has questions.

Dusty Buell, SCARF Executive Director, stated that SCARF uses the money provided by the City of El Dorado for the rent on the building that they have in El Dorado. He stated that they provide advocacy services for children who have been victims of domestic abuse, child abuse, sexual abuse and/or neglect.

Darla Carter, Executive Director of the Family Life Center, stated that they use the funds from the City to pay the salary for the facilitator of the domestic violence support group and as a match for the support group facilitator for another grant. She stated that the safe house provides shelter and support for victims of domestic violence.

Phil Benedict, Thrive Butler Executive Director, stated that their program helps people who are victims of poverty by providing them with education that helps them get out of the cycle of poverty.

Mayor Vince Haines asked if they had been able to find mentors.

Mr. Benedict stated that they had been successful in finding enough mentors.

Commissioner Guthrie asked where they meet.

Mr. Benedict stated that they meet in the Methodist Church.

Commissioner Kendra Wilkinson moved to allocate the Liquor Tax Monies in the following manner to authorize the City Manager to execute the appropriate documents and contracts with the following recipients and that these funds are disbursed consistent with Kansas statutes:

<b>Organization</b>	<b>2017</b>	<b>2018</b>	<b>2019 Request</b>
<b>Family Life Center</b>	13,000.00	13,000.00	12,000.00
<b>SCARF</b>	4,500.00	4,500.00	3,000.00
<b>Thrive Butler</b>	-	-	5,000.00
<b>Total</b>	\$17,500.00	\$17,500.00	\$20,000.00

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Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

**PROJECT #520 – PAVING MARMATON ROAD**

City Engineer Scott Rickard stated that the bids have been received for the paving of Marmaton Road. The authorized cost was \$810,231 and bids were received as follows:

Pearson	\$603,738.00
APAC-Kansas	\$668,793.75
Cornejo & Sons	\$697,065.25.

City Engineer Rickard stated that staff are recommending Pearson Construction.

Mayor Vince Haines asked if the \$810,231 was the total project cost.

City Engineer Rickard stated that the authorized cost was \$1,041,542. He stated that there was an almost \$90,000 contingency in that cost that wasn't needed. He stated that there was a lot of time to plan and review while the gas company replaced lines.

Commissioner Matt Guthrie stated that he hoped that all of the surprises have been worked out with the gas line project that was done first.

City Engineer Rickard stated that there are always surprises, but hopefully they found most of it. He stated that Pearson has done several other projects for us.

Commissioner Gregg Lewis moved that since Pearson Construction has submitted the lowest and best bid of \$603,738.00 for project no. 520, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

**SPECIAL USE PERMIT APPLICATION – 409 N TAYLOR STREET**

City Engineer Scott Rickard stated that the applicant, Randy Ewart applied for a Special Use Permit for a 3,200 square foot accessory structure with sidewalls 16 feet in height. He stated that the Planning Commission recommended approval of the application 4 – 2 with the conditions that a privacy and wrought iron fence be placed, trees, landscaping and siding on the front wall of his building.

Commissioner Kendra Wilkinson asked where he lived.

City Engineer Rickard stated that his home faces Taylor and shares a property line with this property. He stated that the Planning Commission was comfortable with it because it will be set back from the street and has fence and trees that will help disguise the size of the building.

City Engineer Rickard stated that one adjacent property owner spoke in support of the building and another sent a letter of support.

Commissioner Wilkinson stated that she was concerned that if they approved it, she was concerned that they would be overrun with these requests.

Commissioner Nick Badwey stated that he felt this was a unique situation. He stated that Mr. Ewart also purchased and demolished two dilapidated structures which has helped the neighborhood. He stated that this will be a great improvement to the neighborhood.

City Engineer Rickard stated that the width of this structure matches the width of other structures on the block, so it will not look out of place.

Commissioner Matt Guthrie moved to approve Ordinance No. G-1302, an Ordinance approving Case No. 19-01-SUP, requesting a SUP for a residential accessory structure measuring 2,625 square feet in total area and 14 feet in height at the sidewall, with the conditions provided by the applicant, including privacy fencing, wrought iron fencing, trees and landscaping, and matching siding as discussed in the staff memo and heard at this meeting.

Commissioner Gregg Lewis seconded the motion.

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

**REPLAT OF PATTEN ADDITION**

City Engineer Scott Rickard stated that someone has expressed interest in purchasing a larger piece of the land owned by Bryan Patten. The replat being requested will rearrange the lot lines to increase the size of the lots created in 2016. He stated that a new oil well easement has been proposed as well.

Commissioner Nick Badwey moved to approve the replat of the Patten Addition.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

**REPORTS**

**CITY COMMISSION**

Commissioner Nick Badwey asked for confirmation on yard waste for spring clean-up.

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City Manager David Dillner stated that a separate truck was coming around to pick up only limbs.

Commissioner Matt Guthrie stated that he would like to see some work done to Belle Vista Cemetery roads.

City Engineer Scott Rickard stated that he and the Public Works Director could get together and find out what they could do.

Commissioner Guthrie stated that he would like to ask staff to talk about an Ordinance requiring hands free devices while driving.

Mayor Vince Haines asked citizens to keep the City of Paris in their thoughts as they move forward with the loss of Notre Dame Cathedral.

**CITY MANAGER**

City Manager David Dillner stated that the new playground equipment at Gordy Park has been put in. He stated that staff still have some seeding to do and are working on placement of the swing set. He stated that the next park project will be the playground and basketball court at Library Park.

City Manager Dillner stated that staff are planning on getting a first pour done at the East Park Shelter this week.

City Manager Dillner stated that the tennis courts at North Main have received five RFQ's and a selection committee will prepare a recommendation for the USD 490 School Board and the City Commission to approve. He stated that in addition to that project, the City and USD 490 are working on a roof replacement project at the Activity Center after some leak issues over the last few months.

City Manager Dillner welcomed the sportsmen and Governor Kelly who will be present for the Governor's One-Shot Turkey Hunt.

Commissioner Gregg Lewis thanked staff for opening up the park bathrooms.

City Manager Dillner stated that all park restrooms are now open.

**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 related to the Wind Turbine and to reconvene the meeting at 7:45 p.m. in the City Commission Room.

Commissioner Kendra Wilkinson seconded the motion.

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Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 7:45 p.m.

Commissioner Nick Badwey moved to accept the Settlement Agreement with George Butler Associates Inc. and GBA Builders LLC and directs the City Manager to execute the Agreement.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

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 related to the Hastings lawsuit and to reconvene the meeting at 7:57 p.m. in the City Commission Room.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

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

**ADJOURNMENT**

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