

The El Dorado City Commission met in a regular session on May 6, 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

Deanna Bonn	Everyday El Dorado	El Dorado, KS
Carole Smith	American Legion Auxiliary	El Dorado, KS
Barbara Trent	American Legion Auxiliary	El Dorado, KS
Lois Cool	American Legion Auxiliary	El Dorado, KS
Cindy VanPay	American Legion Auxiliary	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Nick Staib	PEC	Wichita, KS
Barbara Templin	El Dorado Municipal Band	El Dorado, KS
Keith West	El Dorado Municipal Band	El Dorado, KS
Anita Seivley	El Dorado Municipal Band	El Dorado, KS
Marlene Avery	El Dorado Municipal Band	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
John Thompson	128 N Vine	El Dorado, KS
Shawn Steward	AAA Kansas	
Troy Wells	KDOT	

CALL TO ORDER

Mayor Vince Haines called the May 6, 2019 meeting to order.

INVOCATION

Mayor Vince Haines opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITION

Barbara Trent, American Legion, spoke about the history of Poppy Month.

Mayor Vince Haines read the proclamation declaring May Poppy Month in El Dorado, Kansas.

Mayor Vince Haines read the proclamation declaring May 5-11, 2019 Public Service Recognition Week in El Dorado, Kansas.

Shawn Steward, AAA Kansas, presented the City of El Dorado Police Department the AAA – Traffic Safety Award.

PERSONAL APPEARANCE

Barbara Templin, El Dorado Municipal Band, provided information to the City Commission regarding the El Dorado Municipal Band and their upcoming season.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comment.

There were no comments.

EL DORADO CITY COMMISSION MEETING
CONSENT AGENDA

May 6, 2019

Approval of City Commission Minutes from April 15, 2019 and the Special City Commission Minutes for April 10 and 24, 2019.

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

Approval of the sale of land at 218 West Locust, 611 Houser and 829 South High.

Approval of a printer lease with Xerox for a 60-month lease at \$7,782.00.

Approval of Advisory Board Appointments for:

Advisory Board	Term	Applications Received
BOZA	2019 – December 2021	Renewal – Jim Phillips Renewal – Kevin Mulvaney
CTC	2019 – December 2020	Renewal – Seth Turner Karen Anderson Deanna Bonn
El Dorado Inc.	Present – December 31 st 2019 (terms need extended)	Gregg Lewis Kim Smith Lindsay Mills
Planning Commission	2019 – December 2021	Steve Fellers Renewal – Gerald Watson Renewal – Kelly Tetrick Renewal – Brad Long Renewal – Scott Leason
Sales Tax	2019 – December 2020	Andy Waller – Mayor Steve Funk – Mayor Dan Davis – Com. Lewis Lindsey Mills – Com. Guthrie Mel Arnold – Com. Wilkinson Victoria Humig – Com. Badwey Scott Leason – Planning Com.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

EL DORADO INC. ANNUAL REPORT

Linda Jolly, El Dorado Inc. Director, presented the annual report to the City Commission.

Commissioner Nick Badwey asked how long a community can be an opportunity zone.

Ms. Jolly stated that it runs for ten years, but the first funds have to be activated within the first three years.

TENNIS COURT AGREEMENT

Mayor Vince Haines stated that he is a sub consultant on this project and so he will be abstaining from the conversation.

Scott Rickard, City Engineer, stated that the City and USD 490 have entered into a contract to build a tennis facility at North Main Park. He stated that a committee was put together to review the five proposals that were received in the RFQ process. He stated that the committee ranked PEC the highest of those proposals.

City Engineer Rickard reviewed the plan provided by PEC for the park and tennis courts.

Vice Mayor Kendra Wilkinson asked why Gravity Works and Multi Con were not listed in the agreement.

City Engineer Rickard stated that PEC needed an architect for the possible construction of restrooms and a concession facility. He stated that the other company is there to build the tennis courts. He stated that PEC will sub contract with them if the design build route is chosen.

Nick Staib, PEC, stated that Multi Con will be involved in order to monitor the design process and keep costs down.

Commissioner Gregg Lewis asked if PEC presented to the school district.

City Engineer Rickard stated that they were not, he presented it.

Commissioner Lewis asked if the school district knew that Gravity Works was involved.

City Engineer Rickard stated that he did not specifically mention it. He stated that the declaration was listed in the proposal.

Commissioner Lewis asked if he was comfortable working with PEC.

City Engineer Rickard stated that he was comfortable working with any of the companies. He stated that the review was done independently so that there was no influence by others.

Commissioner Lewis asked what would happen if PEC didn't get the project done on time.

City Engineer Rickard stated that they can put something in the contract regarding damages if they don't complete it on time.

City Manager David Dillner stated that their first deadline is next week, and so we will know soon if they are unable to perform on the deadline.

Commissioner Lewis stated that even though the Mayor has done everything he should, it's about the perception of the Mayor receiving money from the City.

Commissioner Nick Badwey stated that these procedures were put in place for small towns like us where there might be conflicts. He stated that the city should want to do business with those who live, work and pay taxes here. He stated as long as there are procedures in place, he felt that doing business with your neighbors was possible.

Vice Mayor Wilkinson stated that the school district has worked with Gravity Works before and are happy with what they have produced. She asked what the cost of the concession/restroom facility would be.

Mr. Staib stated that the total cost would be \$150,000 maybe, but that isn't what Gravity Works would receive. He stated that he reached out to Gravity Works because he wanted someone who was familiar with the community.

Commissioner Badwey asked if it could be done on time if the proposal is sent back.

Mr. Staib stated that it would not be.

Commissioner Matt Guthrie stated that his concerns lie in the delays on the last project the City hired PEC for and that PEC had to go out and hire others to get this project done. He stated that he is also concerned about the perception if PEC is given the project and Mayor Haines is the subcontractor.

Mr. Staib stated that PEC has recognized the previous issues and has reorganized. The people on the previous project are not working on this project.

Vice Mayor Wilkinson asked if Hellas identified others.

City Engineer Rickard stated that Hellas did not identify subcontractors which is one of their concerns, the other companies did identify a method for those items.

Commissioner Guthrie asked why Hellas was sent a proposal.

City Engineer Rickard stated that they all received information on the requirements of the project. He stated that they didn't talk to Hellas about their plan because they were not the highest ranking proposal.

Vice Mayor Wilkinson stated that we need to be able to utilize our local businesses, especially because we encourage shopping local.

Commissioner Badwey asked what happens if the proposal is not approved.

City Manager Dillner stated that he would recommend that the City Commission direct him to discuss a plan with the Superintendent of 490.

Commissioner Nick Badwey moved to authorize the City Manager to sign the agreement with Professional Engineering Consultants for the design of the El Dorado Tennis Court Complex.

Vice Mayor Kendra Wilkinson seconded the motion.

Motion failed 2 – 2 (Commissioners Guthrie and Lewis voted against).

Vice Mayor Wilkinson informed the Mayor of the vote.

Mayor Vince Haines asked if his firm was not part of the conversation if the vote could go forward.

Commissioners Lewis and Guthrie stated that they voted on record.

Mayor Haines stated that he would like to withdraw his firm from the consideration and call the question again. He stated that the project and the timeline were too important to hold it up with more conversation amongst the boards.

City Manager Dillner stated that the contract with PEC does not specifically mention Gravity Works and so the Commission could approve it with the withdrawal of Gravity Works.

Commissioner Wilkinson asked if USD 490 considered Gravity Works as part of this proposal.

City Engineer Rickard stated that the conversation was about the process, not the specific companies.

Mayor Vince Haines moved to authorize the City Manager to sign the agreement with Professional Engineering Consultants for the design of the El Dorado Tennis Court Complex sans Gravity Works.

Commissioner Nick Badwey seconded the motion.

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

LAKE DEBT PRE-PAYMENT AUTHORIZATION

EL DORADO CITY COMMISSION MEETING

May 6, 2019

City Manager David Dillner provided a brief review of lake debt and the previous investments of the lake debt monies. He stated that due to the current low interest rates, staff are suggesting that the City Commission pay off stages two and three of the lake debt.

Commissioner Matt Guthrie stated that this will pay off 48.7 percent of the water. He stated that he was excited to do this.

City Manager Dillner stated that we are paying off stage three entirely, but haven't actually used all of the capacity yet.

City Engineer Scott Rickard stated that there is still approximately a million gallons available per day.

Commissioner Matt Guthrie moved to pay off stages two and three of the lake debt.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

REAL ESTATE POLICY

City Manager David Dillner briefly reviewed the proposed real estate policy.

Commissioner Nick Badwey moved to approve Resolution No. 2880, a Resolution providing a Real Estate Policy for the City of El Dorado.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

PROSECUTOR AGREEMENT

City Manager David Dillner reviewed the proposed contract. He stated that there are minor changes to the language, but no increase to fees.

Commissioner Kendra Wilkinson moved to direct the City Manager to sign the contract for prosecutorial services with Wernert Law.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

FIRST QUARTER STRATEGIC AND FINANCIAL REPORT

City Manager David Dillner presented the first quarter strategic and financial report.

Commissioner Matt Guthrie asked what a clarified water study is.

City Manager Dillner stated that it is an economic development project that MKEC is looking at for us to help HollyFrontier with one of their processes.

Commissioner Matt Guthrie asked who buys the CNG from us.

City Manager Dillner stated that we use a lot of it, but we also sell to people who are traveling.

Commissioner Nick Badwey stated that we have a fast fill option that people like to use.

REPORTS

CITY COMMISSION

EL DORADO CITY COMMISSION MEETING

May 6, 2019

Commissioner Kendra Wilkinson stated that Parks and Recreation Advisory Board met but did not have a quorum.

Commissioner Wilkinson asked when the excess sales tax committee meets.

City Clerk Tabitha Sharp stated that they meet May 14th at 5:30 p.m.

Commissioner Matt Guthrie asked what was happening with the delay on the bike path.

City Engineer Scott Rickard stated that a portion of the proposed path goes under the bridge and they are reviewing it. He stated that they have requested that the edge of the shed be two more feet away from their pier. He stated that with the flooding in other areas, they have not been quick in getting back to us.

Mayor Vince Haines stated that El Dorado Inc. met and approved their budget. He stated that he will be meeting with REAP and another Project Wichita initiative.

Mayor Haines thanked the Chamber of Commerce for hosting the Prayer Breakfast last week.

CITY MANAGER

City Manager David Dillner stated that severe weather is anticipated tonight. He stated that City Hall is open during watches and warnings, the Senior Center is open for warnings.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into executive session pursuant to the preliminary discussions relating to the acquisition of real property exception under K.S.A. 75-4319(b)(6) and to reconvene the meeting at 8:35 p.m. in the City Commission Room.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 8:35 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:36 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0 (Commissioner Gregg Lewis).

City Clerk Tabitha D. Sharp

Mayor Vince Haines