

EL DORADO CITY COMMISSION MEETING

January 22, 2008

The El Dorado City Commission met in regular session on January 22, 2008, at 7:00 p.m. in the Commission Room with the following present: Vice-Mayor Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Attorney Andrew Piekalkiewicz, Assistant City Engineer Scott Rickard and City Clerk Kendra Porter. Absent: Mayor Tom McKibban.

VISITORS

Julie Anderson	El Dorado Times	El Dorado, Kansas
Chaplin Mark Somerville	515 W. Locust	El Dorado, Kansas
Allen Cooley	532 Tenth	Towanda, Kansas
Bill Mason	1661 Arizona	El Dorado, Kansas
Brandi Erwin	505 Edgewood Ave.	Augusta, Kansas
Natalie & Tim Donges	2873 S.E. Hwy 54	El Dorado, Kansas
Jennie Turner	400 N. Topeka	El Dorado, Kansas
Lana Cronk	820 W. 2 nd Ave.	El Dorado, Kansas
Robin Gonzales	707 W. 13 th	El Dorado, Kansas
Bill O’Connell	337 N. Topeka	El Dorado, Kansas
Ray Connell	2520 Chase	El Dorado, Kansas
Jonathan Brickley	924 N. Topeka	El Dorado, Kansas
Larry Adams	1756 W. Third	El Dorado, Kansas
James Shinkle	824 N. Topeka	El Dorado, Kansas
Roy Voth	608 Plover	El Dorado, Kansas
Jeff Glaves	720 W. Tenth	El Dorado, Kansas
Doug Mitchell	1300 N. Topeka	El Dorado, Kansas
Roger Wieckhorst	835 S.E. Spires	El Dorado, Kansas
John Sebben	820 W. First	El Dorado, Kansas
Norma Johnson	812 W. Central	El Dorado, Kansas
Betty Kirkpatrick	718 W. Second	El Dorado, Kansas

CALL TO ORDER

Vice-Mayor Linda Clark called the January 22, 2008, City Commission meeting to order.

INVOCATION

Chaplin Mark Somerville, Hospice Care of Kansas, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Denise Carter’s Third Grade Class from Lincoln Elementary School led the Pledge of Allegiance.

PERSONAL APPEARANCE

Allen Cooley, 532 Tenth, Towanda, Kansas, Executive Director of the World War II History Center, currently located on the fourth floor of the Commerce Bank, updated the Commissioners of the Centers goals for 2008.

Bill Mason, 1661 Arizona, encouraged citizens to get involved with the World War II History Center.

PUBLIC COMMENTS

Vice-Mayor Linda Clark opened the floor for public comments.

With no one appearing, Vice-Mayor Linda Clark closed the public comment session.

CONSENT AGENDA

- a) Approval of the December 17, 2007, City Commission minutes.

Commissioner Steve Reynolds moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

TOPEKA STREET – DISCUSSION

Vice-Mayor Linda Clark stated that at the December 3, 2007, City Commission meeting, Staff was directed to send letters to the Benefit District for the North Topeka Street paving project. The letters were sent and the property owners were notified of their potential estimated cost for building a standard City Street with curbs and gutters or resurfacing the current street. Vice-Mayor Linda Clark stated that the City Commission requested feedback from the benefit district, and had only a few responses. In addition, the City Commission asked the benefit district to attend tonight to voice concerns and comments with the Commission.

Tim Donges, 2873 S.E. Hwy 54, stated that he was opposed to paving Topeka Street.

Roger Wieckhorst, 835 S.E. Spires Road, expressed his concerns regarding the paving of Topeka Street.

Natalie Donges, 2873 S.E. Hwy 54, expressed her concerns regarding the paving of Topeka Street. Ms. Donges also read a prepared statement from Patrice Humig, 1616 North Topeka, expressing her concerns regarding Topeka Street.

City Manager Herb Llewellyn explained that property owners have the opportunity to petition out and stop the project from proceeding.

Jonathan Brickley, JCI Rental Manager, expressed his concerns regarding the cost of resurfacing Topeka Street.

James Shinkle, 824 North Topeka, addressed his concerns regarding the paving of Topeka Street.

Roy Voth, 608 Plover, stated that he owns rental property on North Topeka, and addressed his concerns regarding the paving of Topeka Street.

Jeff Graves, 720 West Tenth Avenue, asked for clarification on why the City wanted to widen Topeka Street.

Assistant City Engineer Scott Rickard stated that it is for future development of the area, and the Comprehensive Plan has identified Topeka Street as a collector street.

Doug Mitchell, 1300 North Topeka, inquired if Coastal Refinery had a vote on paving Topeka Street, and if they did what would be the impact to the residents of Topeka Street.

Assistant City Engineer Scott Rickard stated that Coastal Refinery is not within the City limits and would not have a vote as to whether Topeka Street is paved.

Roger Wieckhorst, 835 S.E. Spires, asked for clarification of residency requirements to sign a petition.

City Manager Herb Llewellyn explained that the State requirement indicates property owners must reside in the city limits.

Natalie Donges, 2873 S. E. Hwy 54, inquired on the future plans for a Trafficway and if there would be any grant money for the project.

Assistant City Engineer Scott Rickard stated that applications have been submitted; however, the prospect of receiving grant money does not look promising.

Larry Adams, 1756 West Third, stated that Topeka Street should be repaired reasonably until future expansion would require a wider street.

Discussion ensued amongst City Manager Herb Llewellyn and the Commissioners regarding the paving of North Topeka Street.

Commissioner Steve Reynolds moved to table this item until the February 4, 2008, City Commission meeting.

Commissioner David Chapin seconded the motion.

Motion carried 3-0-1. (Commissioner Steve Pershall abstained)

BG SPECIAL USE PERMIT TO ALLOW PETROLEUM AND COAL PRODUCTS ON PROPERTY ZONED I-1 LIGHT DISTRICT (CASE NO. 07-013-SUP)

Vice-Mayor Linda Clark stated that the applicant, BG Products, is requesting a Special Use Permit to allow petroleum and coal product production on property commonly referred to as the Pierpoint property.

Ray Connell, 2520 Chase, counsel for BG Products, stated that at the December 27, 2007, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit application by a vote of 7 to 0.

ORDINANCE NO. G-1016

Commissioner Steve Pershall moved that the recommendation of the Planning Commission to approve Case No. 07-007-SUP requesting a Special Use Permit to allow Petroleum and Coal Products production on land zoned I-1 Light Industrial District be accepted and that Ordinance No. G-1016 be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Absent
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Vice-Mayor Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

PROJECT NO. 298-2008 SALES TAX CURB AND GUTTER AND DRIVEWAY REHABILITATION

Vice-Mayor Linda Clark stated that the Commission established this date for a Public Hearing on Project No. 298, which is proposed to be included in the 2008 Sales Tax Program projects.

Assistant City Engineer Scott Rickard stated that this action is required because the property owners will be assessed for a portion of this work. A letter was mailed to each property owner notifying them about their proposed costs and the date established for the public hearing.

2008 SALES TAX PROJECT – the proposed project funded with the 2008 Sales Tax is as follows:

Project No. 298– curb and gutter and driveway rehabilitation on McCollum Road (Country Club to Potters Court), Adams Court, Murray Court and Weber Court.

PUBLIC HEARING

Vice-Mayor Linda Clark opened the public hearing.

With on one appearing, Vice-Mayor Linda Clark closed the public hearing.

RESOLUTION NO. 2595

Commissioner Steve Pershall moved that Resolution No. 2595, a resolution determining the advisability of the making of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings, subject to protest for Project No. 298, be adopted, and authorize the City Manager to prepare plans and take bids on this project.

Commissioner Steve Reynolds seconded the motion.

Motion carried 4-0.

APPLICATION TO REZONE PROPERTY FROM C-1 GENERAL BUSINESS DISTRICT TO R-3 MULTIPLE-FAMILY DWELLING DISTRICT (CASE NO. 07-008-REZ)

Vice-Mayor Linda Clark stated that the applicant, Sawyer Memorial Homes, is requesting property located at 115 N. Jones, 117 N. Jones, 150 Eunice, and the alleyway running between Jones Street and 150 Eunice, be rezoned from C-1 General Business District to R-3 Multiple-Family Dwelling District.

EL DORADO CITY COMMISSION MEETING

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Assistant to the City Manager Matt Rheder stated that at the December 27, 2007, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the rezoning application by a vote of 7 to 0. Mr. Rheder further stated that this rezoning allows for future development.

ORDINANCE NO. G-1017

Commissioner Steve Reynolds moved that the recommendation of the Planning Commission to approve Case No. 07-008-REZ requesting a rezoning of certain property located at 115 N. Jones, 117 N. Jones, 150 Eunice, and the alleyway running between Jones Street and 150 Eunice, be accepted and that Ordinance No. G-1017 be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 2	Vice-Mayor Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Absent
Position No. 1	Commissioner Steve Reynolds	Yes

ISLAND ANNEXATION OF PROPERTY

Vice-Mayor Linda Clark stated that local property owners have petitioned the City of El Dorado to annex a parcel of their land into the City of El Dorado city limits. This property is north of the Country Club Addition and west of the El Dorado Lake. Since the property owners requested annexation, the City passed a resolution on November 19, 2007, to begin the annexation proceedings. The Butler County Commission approved this action at their December 18, 2007, meeting.

City Manager Herb Llewellyn stated that the Mayor had requested to have this property annexed and this ordinance will finalize the annexation process.

ORDINANCE NO. G-1018

Commissioner David Chapin moved that Ordinance No. G- 1018, an ordinance annexing land to the City of El Dorado, Kansas, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Vice-Mayor Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Absent

APPLICATION TO REZONE PROPERTY FROM R-1 RESIDENTIAL-LOW DENSITY DISTRICT TO C-1 GENERAL BUSINESS DISTRICT (CASE NO. 07-007-REZ)

Vice-Mayor Linda Clark stated that the applicant, Susan B. Allen Hospital, is requesting the lot located at 205 North Topeka be rezoned from R-1 Residential-Low Density District to C-1 General Business.

Assistant to the City Manager Matt Rehder stated that at the December 27, 2007, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission voted to deny the application by a vote of 7 to 1. Mr. Rehder further stated that it would be a spot zone, and a storage unit would be out of structure for that area.

Discussion ensued amongst City Manager Herb Llewellyn and the City Commissioners regarding this address.

John Sebben, 820 West First, addressed his concerns regarding the rezoning of this property.

Norma Johnson, 812 West Central, read a prepared statement regarding the rezoning of the property located at 205 North Topeka.

Betty Kirkpatrick, 718 West Second, stated that she appreciates the hospital, but does not feel the hospital's growth has benefited her neighborhood.

CASE NO. 07-007-REZ

Commissioner David Chapin moved to deny Case No. 07-007-REZ requesting a rezone of the lot located at 205 N. Topeka from R-1 Residential-Low Density District to C-1 General Business District, for reasons stated in the staff report and heard at this meeting.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

ADVISORY BOARDS AND COMMITTEES POLICY AMENDMENT

Vice-Mayor Linda Clark stated that on April 15, 2002, the City Commission approved the current procedures for the City's advisory boards and committees. Previously, new applications had no time limit for submission, and reappointments had to be submitted 30 days prior to the re-appointment date. Staff suggests the submission time for applications and reappointments be changed to the same amount of time of 14 days.

City Manager Herb Llewellyn stated that there is also an option to amend the number of meetings for the discussion of applicants. City Manager Llewellyn further requested to change the language to consider committee member applications at any meeting not necessarily just at work sessions.

Commissioner David Chapin inquired if there should be a time limit for submission of applications for Advisory Boards and Committees.

Discussion ensued amongst City Manager Herb Llewellyn and the City Commissioners regarding the elimination of time limits.

Commissioner Steve Reynolds moved to accept Staff's recommendation to amend the Standard Procedures for City Advisory Boards and Committees.

Commissioner Steve Pershall seconded the motion.

Motion carried 3-1. (Commissioner David Chapin opposed)

BOARD APPOINTMENTS

Vice-Mayor Linda Clark stated that the City Commission appoints members to various advisory boards. There are no applicants for the Convention & Tourism Committee. The Recycling Committee had a member resign; this position needs replaced.

RECREATION ADVISORY BOARD – NO TERM LIMITS (2-YEAR TERM)

Commissioner Steve Reynolds moved to appoint Jane Squires, Doug Bell and Troy Morrell to the Recreation Advisory Board for a term set to expire January 15, 2010.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

RECYCLING ADVISORY COMMITTEE

Commissioner David Chapin moved to appoint Kathie Monroe to the Recycling Advisory Committee for a partial term ending May 1, 2008.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

NEW BUSINESS – DISCUSSION ITEMS

Vice-Mayor Linda Clark opened the floor for Commissioners' comments.

Commissioner David Chapin thanked the Street Department for their efforts in making the streets safe in last night's ice storm. Commissioner Chapin reminded everyone of all the fine El Dorado citizens that make our community the wonderful city it is today.

Commissioner Steve Pershall inquired if our Compliance Officer has spoken with anyone at the Lawndale apartments regarding some maintenances issues.

City Manager Herb Llewellyn stated that our Compliance Officer Christy Beaman will address the issues.

Commissioner Steve Pershall inquired if everything was taken care of regarding the error of past due bills that were sent to the State.

City Manager Herb Llewellyn state that everything was taken care of and of the three people notified, only one had a legitimate complaint.

Commissioner Steve Pershall and Commissioner Steve Reynolds expressed their condolences to the families of Galen Blackmore and Charles Heilman.

Vice-Mayor Linda Clark stated that recently while in Kansas City she met a couple who traveled from Texas to Kansas City. During their travels, they stopped in El Dorado and received wonderful hospitality at the Holiday Inn Express, JBrian's Pub, and all the people they met were friendly.

Vice-Mayor Linda Clark closed the Commissioners' comments.

CITY MANAGER'S REPORT

- 1) City Manager Herb Llewellyn stated that the State has changed the seat belt regulations, and the Police department is observing the changes.
- 2) City Manager Herb Llewellyn stated that on Thursday some employees are going to Topeka for City Hall Day.
- 3) City Manager Herb Llewellyn stated that a luncheon will be held next Tuesday with the Lake Corp of Engineers.
- 4) City Manager Herb Llewellyn updated the Commissioners on a meeting with the County regarding the Senior Center.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:53 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

City Clerk Kendra Porter

Vice-Mayor Linda Clark

EL DORADO CITY COMMISSION MEETING

February 4, 2008

The El Dorado City Commission met in regular session on February 4, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Attorney Andrew Piekalkiewicz, Assistant City Engineer Scott Rickard and City Clerk Kendra Porter.

VISITORS

Matt Rehder	220 E. First	El Dorado, Kansas
Julie Anderson	El Dorado Times	El Dorado, Kansas
Bill O’Connell	337 N. Topeka	El Dorado, Kansas
Brad Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Jean Plummer	323 ½ Main	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Donald Matthews		
Jim Pierpoint		
James Cook	719 Fredrick Drive	El Dorado, Kansas
Tim Donges	2873 S.E. Hwy 54	El Dorado, Kansas
Jeffery Black	1360 Terrace	El Dorado, Kansas
Virginia Hedrick	1528 N. Topeka	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the February 4, 2008, City Commission meeting to order.

INVOCATION

Reverend Bill O’Connell, First Presbyterian Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Michelle Neuschafer’s Third Grade Class from Washington Elementary School led the Pledge of Allegiance.

PERSONAL APPEARANCE

Jean Plummer, 323 ½ North Main, on behalf of El Dorado Main Street, presented the City with a plaque in honor of the Frontier Western Celebration.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With no one appearing, Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the January 22, 2008, City Commission minutes.
- b) Approval of Appropriation Ordinance No. 01-08 in the amount of \$1,204,966.10.

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

TOPEKA STREET PAVING

Assistant City Engineer Scott Rickard stated that at the January 22, 2008, City Commission meeting, the discussion item of paving Topeka Street was tabled until the February 4, 2008, meeting. At the December 3, 2007, meeting, the City Commission directed Staff to send letters to the benefit district for the North Topeka Street paving project. The letters were sent and the property owners were notified of their potential estimated cost for building a standard City Street with curbs and gutters or resurfacing the current street. Property owners in the benefit district addressed their questions and concerns to the Commission at the January 22, 2008, meeting. Correspondence from the benefit district was also received by e-mails and letters passed on to the Commission.

Virginia Hedrick, 1528 North Topeka, expressed her concerns regarding the paving of Topeka Street.

Don Adlesperger, 1285 South Topeka, expressed his concerns regarding the petition process.

Virginia Hedrick, 1528 North Topeka, inquired on a drainage issue at her address.

Mayor Tom McKibban stated that the issue will be addressed.

Tim Donges, 2873 S.E. Hwy 54, addressed his concerns regarding the paving of North Topeka Street and offered his suggestions for the Commission to consider.

Discussion ensued amongst the City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard and City Commissioners regarding the paving of North Topeka Street.

City Manager Herb Llewellyn discussed the State Statute which refers to the processes to petition out of a project; however, the City Commission can make other stipulations.

PAVING NORTH TOPEKA STREET

Commissioner Linda Clark moved to place the North Topeka Street Paving project on a future City Commission agenda with the recommendation to complete the project as a standard City Street with curbs and gutters and allowing the residents to carry a petition and to bring the petition back to the City Commission to be re-evaluated.

Commissioner David Chapin seconded the motion.

Motion carried 3-1-1. (Commissioner Steve Reynolds opposed and Commissioner Steve Pershall abstained).

DISCHARGE OF FIREARMS AND PROJECTILES WITHIN THE CITY LIMITS

City Manager Herb Llewellyn stated that this issue was first discussed at the December 17, 2007, City Commission meeting. At that time, the Commission requested the City Attorney review and interpret the application of the ordinance in reference to the College Acres subdivision. He has now done that and believes that they would not be allowed to hunt at their homes if annexed. The Commission authorized the prior owner of some of the ground that houses the waste water treatment facility to hunt. This is in conflict with current ordinances.

City Manager Herb Llewellyn stated that there would be a limited opportunity for citizens to hunt on the wetlands; however, the City has given permission to the previous property owner to continue to hunt when the City purchased the property for the Water Reclamation facility.

Discussion ensued amongst City Manager Herb Llewellyn, City Attorney Andrew Piekalkiewicz and the City Commissioners regarding this issue.

Larry Adams, 1756 West Third, addressed his concerns regarding hunting within the City limits.

Commissioner Steve Reynolds moved to table this agenda item until February 18, 2008, City Commission meeting.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-1. (Commissioner Linda Clark opposed).

CEREAL MALT BEVERAGE (CMB) ORDINANCE AMENDMENT

City Manager Herb Llewellyn stated that staff is recommending changing the City's Cereal Malt Beverage (CMB) law to mirror state statutes. The state of Kansas changed the laws regarding the fees for licenses that are issued to businesses selling CMB products for off-premise consumption. The proposed ordinance also brings the Municipal Code into alignment with the state law to allow sales of CMB products on election days.

ORDINANCE NO. G-1019

Commissioner Steve Pershall moved that Ordinance No. G-1019, an ordinance amending the City of El Dorado Municipal Code Section 4.08.080 regarding the sale of cereal malt beverages, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

SALES TAX COMMITTEES

City Manager Herb Llewellyn stated that the following motion will provide for the creation of a task force to begin the process for the renewal of the local one-cent sales tax. The local sales tax is due to sunset on October 1, 2009. This committee historically has had 30 appointees as follows:

Sales Tax Advisory Committee – 7 members; El Dorado Inc representative – 1 member; Youth Commissioners – 2 members; and 20 at-large members.

City manager Herb Llewellyn stated that the Sales Tax Advisory Committee is appointed by the Mayor (2 appointees), the Commission (1 appointee each), and the Planning Commission (1 member). The Advisory Committee serves a one-year term (without limits), and has served on the Sales Tax Task Force when the Task Force was in session. The Commission may appoint new Advisory Committee members at this time.

Commissioner Steve Pershall stated that he would like to appoint Richard Albright to the Sales Tax Advisory Committee, and appoint Kent Williams to the Sales Tax Task Force Committee.

City Manager Herb Llewellyn explained the differences between the Sales Tax Task Force Committee and the Sales Tax Advisory Committee.

SALES TAX ADVISORY COMMITTEE – No Term Limits (1-year term)

Commissioner Steve Pershall moved to appoint Kendra Wilkinson (Commissioner Clark), Richard Albright (Commissioner Pershall), and Jeffery Black (Commissioner Reynolds) to the Sales Tax Advisory Committee for a term ending March 1, 2009.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds stated that he appreciates the dedication of our sanitation workers in inclement weather.

Commissioner Linda Clark thanked the Public Works Department for repairing the potholes on North Main.

Commissioner Steve Pershall updated the City Commission on the City Hall Day meeting that was held in Topeka and the recent luncheon that was held with the Corp of Engineers.

Commissioner David Chapin thanked the City employees for the recent snow removal and inquired on the status of our salt and sand supply.

City Manager Herb Llewellyn stated that the City is in good supply of salt and sand.

Mayor Tom McKibban stated that the City of El Dorado had a great opportunity with Presidential candidate Barack Obama's recent visit. Mayor Tom McKibban also updated the Commission on the upcoming national news program based out of Italy that will be in El Dorado covering the Super Tuesday Caucus on February 5, 2008.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

- 1) City Manager Herb Llewellyn stated that a work session is scheduled for 3:30 p.m February 13, 2008.
- 2) City Manager Herb Llewellyn reminded everyone of the Mayor's Annual Dinner February 7, 2008, at the Prairie Trails Country Club.
- 3) City Manager Herb Llewellyn stated that our new Building Inspector, Kyle McLaren, started today.
- 4) City Manager Herb Llewellyn stated that Oaks Addition has inquired on building a privacy wall and the cost would be borne by the property owners only.
- 5) Assistant City Engineer Scott Rickard discussed the residential sidewalk plan and encouraged citizens to take part in this program.
- 6) Assistant Public Works Director Brad Meyer updated the City Commission on the current method of snow and ice removal.
- 7) City Manager Herb Llewellyn discussed resolving a tax issue with property that the City has recently obtained.
- 8) Assistant City Engineer updated that City Commission on the Ninth Avenue and Main Street Bridges.
- 9) Mayor Tom McKibban inquired on the amount of his water bill.

City Clerk Kendra Porter stated that the higher bill could be due to a fluctuation of water usage and sewer rates currently based on actual consumption.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 8:55 p.m.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

February 13, 2008

The El Dorado City Commission met in special session on February 13, 2008, in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant Public Works Director Brad Meyer and Assistant City Engineer Scott Rickard.

VISITORS

Julie Anderson

El Dorado Times

El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the February 13, 2008, Special Meeting to order.

PARADE ROUTE DISCUSSION

City Manager Herb Llewellyn explained a letter he received from KDOT regarding the proper procedure of street closing due to a parade or celebration.

Assistant Public Works Director Brad Meyer discussed the proposed plan for closing streets due to parades and celebrations.

Discussion ensued amongst the City Commission.

City Manager Herb Llewellyn stated that he would prepare a letter for each organization explaining the proposed changes in the parade routes and request donations to help with the additional cost.

Consensus of the City Commission was to place this issue on the March 3, 2008, City Commission Agenda.

SALES TAX TASK FORCE COMMITTEE

City Manager Herb Llewellyn stated that the Sales Tax Advisory Committee is appointed by the Mayor (2 appointees), the Commission (1 appointee each), and the Planning Commission (1 member). The Advisory Committee serves a one-year term (without limits), and has served on the Sales Tax Task Force when the Task Force is in session.

Commissioner Steve Pershall moved to appoint Larry Gaston, Jason Burke, (Mayor Tom McKibban) and Tony Grunder (Commissioner David Chapin) to the Sales Tax Advisory Committee for a term ending March 1, 2009.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

Discussion ensued amongst the City Commission regarding the option of a general election verses mail ballots for continuing the one-cent sales tax.

Discussion ensued amongst the City Commission regarding appointments for the Sales Tax Task Force Committee. Commissioner Pershall stated that his choices were Kent Williams and Reed Campbell. Commissioner Reynolds stated that his choice was Ladislado Hernandez.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 4:40 p.m.

Commissioner David Chapin seconded.

Motion passed 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

February 18, 2008

The El Dorado City Commission met in regular session on February 18, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Attorney Andrew Piekalkiewicz, and City Clerk Kendra Porter. Absent: Assistant City Engineer Scott Rickard.

VISITORS

Julie Anderson	El Dorado Times	El Dorado, Kansas
Jack Dickson	401 E. Central	El Dorado, Kansas
Brad Meyer	2012 Chelsea	El Dorado, Kansas
Dan Rice	120 S. Gordy	El Dorado, Kansas
Diane Briggs	2365 W. Central	El Dorado, Kansas
Donnie Matthews	West Sixth	El Dorado, Kansas
Natalie Donges	2873 S.E. Hwy 54	El Dorado, Kansas
Tina & Jared Rauth	727 S. Washington	El Dorado, Kansas
M. Hart	1610 S. Edgemoor	El Dorado, Kansas
Cindy Phillips	220 N. Jones	El Dorado, Kansas
Allen Potter	1154 S.W. Bluestem Rd.	El Dorado, Kansas
Sharon D. Wallace	302 N. Washington	El Dorado, Kansas
Larry Scott	225 N. Residence	El Dorado, Kansas
Matt Rehder	220 E. First	El Dorado, Kansas
Sam McVay	141 N. Emporia	El Dorado, Kansas
Nicole Stump	2515 Kacey Ct.	El Dorado, Kansas
Reverend Rick Barrett	220 E. BelAir	El Dorado, Kansas
Sue Francis	115 S. Washington	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the February 18, 2008, City Commission meeting to order.

INVOCATION

Reverend Rick Barrett, Assembly of God Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Kari Lee’s Third Grade Class from Washington Elementary School led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With no one appearing, Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the February 4, 2008, City Commission minutes.
- b) Approval of the February 13, 2008, Special City Commission minutes.

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

888 ALCOHOL MONIES ALLOCATION

Mayor Tom McKibban stated that the Governing Body has received requests for the use of the alcohol tax monies for 2007. State law requires the 888 Alcohol funds be spent "...only for the purchase, establishment, maintenance or expansion of services or programs whose principal purpose is alcoholism and drug abuse prevention and education, alcohol and drug detoxification, intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers." It appears all requests meet the criteria.

Sam McVay, 141 North Emporia, gave an overview of the Butler County Homeless Initiative Organization and answered questions from the Commission.

Sue Francis, Court Advocate for the Family Life Center, stated that the Family Life Center assists families in domestic violence situations by offering a safe environment, classes and group counseling. Ms. Francis stated that last year they assisted 52 families.

Jack Dickson, 401 East Central, representing Ministry To Survivors, stated that the ministry provides direct assistance to educate the community and provide for the needs of abused victims.

Nicole Stump, 2515 Kacy Court, stated that last year the Sunlight Children's Advocacy and Rights Foundation assisted with 77 victims, and updated the Commission on the foundations activities.

Dan Rice, 120 South Gordy, with South Central Mental Health, stated that the South Central Mental Health facility offers a high risk program at the High School level. They provide services at El Dorado High School to help with alcohol and drug abuse among teenagers.

Larry Scott, 225 North Residence, Drug Awareness Chairman for the El Dorado Elks Lodge #1407, stated that along with the Safe Night Out program, the Elks Lodge hands out drug awareness information pamphlets. Mr. Scott stated that recently the Elk's lodge purchased a drug awareness trailer. The upcoming Safe Night Out event is scheduled for May 7, 2008.

Allen Potter, 1154 S.W. Bluestem Road, with Mothers Against Methamphetamines, stated that Mothers Against Methamphetamines is a local non-profit organization for educating the community about methamphetamines, and updated the Commission on recent activities.

There was discussion amongst the Commissioners regarding the requests of each organization.

Commissioner Linda Clark moved to allocate the alcohol tax monies in the following manner and to authorize the City Manager to execute the appropriate documents and contracts with the following recipients as he sees needed:

<u>Requesting Organization</u>	<u>Commission Allocation</u>
Ministry To Survivors	\$ 1,500.00
SCARF	\$ 1,500.00
Family Life Center	\$ 5,000.00
BC Homeless Initiative dba City of Refuge	\$ 1,500.00
Youth Leadership Butler	\$ 300.00
SC Mental Health Counseling	\$ 2,500.00
El Dorado Elks Lodge #1407	\$ 2,200.00
Mothers Against Meth	\$ 2,000.00
	<hr/>
Total	\$16,500.00

Commissioner Steve Reynolds seconded the motion.

Motion carried 4-0-1 (Commissioner Steve Pershall abstained)

SET A PUBLIC HEARING FOR PROJECT NO. 301 PAVING TOPEKA STREET (SIXTH AVENUE TO REFINERY ROAD)

City Manager Herb Llewellyn stated that at the February 4, 2008, City Commission meeting Staff was directed to draft resolutions for the paving of Topeka Street. Tonight the Commission will consider setting a public hearing on March 3, 2008, to allow for public comment on this project. Property owners will be notified of the public hearing, and a notice will be published in the El Dorado Times twice prior to the meeting.

The process of initiating this project is as follows:

February 18th – Commission sets a public hearing date by resolution.

Following passage - Letters sent to property owners notifying them of a public hearing, notification also published twice in the El Dorado Times newspaper.

March 3rd – Commission holds public hearing for comment.

March 3rd – The Commission sets out their Findings and Determinations by Resolution. Property owners may sign a protest petition within 20 days of the publication of the Findings and Determinations Resolution.

City Manager Herb Llewellyn stated that a Public hearing will allow the City Commission an opportunity to hear the public comments and concerns. This will allow a petition to be drafted if desired.

RESOLUTION NO. 2596

Commissioner Linda Clark moved that Resolution No. 2596, a resolution ordering a public hearing on the paving of Project No. 301, be adopted.

Commissioner David Chapin seconded the motion.

Motion carried 4-0-1 (Commissioner Steve Pershall abstained)

PROJECT NOS. 297,298 AND 299 – 2008 SALES TAX PROJECTS

City Manager Herb Llewellyn stated that bids were received on the following projects and the low bid was below the Engineer’s Estimate.

Project No. 297 – 2008 Sales Tax - Resurfacing McCollum Road. (Country Club Road to Potter Court), Adams, Murray, and Weber Court.

Project No. 298 – 2008 Sales Tax – Curb and Gutter Rehabilitation McCollum Road (Country Club Road to Potter Court), Adams, Murray, and Weber Court.

Project No. 299 – 2008 Sales Tax – Resurfacing Third Avenue. (Washington Street to Main Street)

Mayor Tom McKibban asked that the bids be spread for the record.

Bids for Project Nos. 297, 298, & 299

Engineer’s Estimate	\$ 234,887.16
APAC Kansas	\$ 179,415.41
Cornejo & Sons	\$ 295,852.17
La Farge	\$ 204,010.81

Commissioner Steve Pershall moved that as APAC Kansas has submitted the lowest and best bid for Project Nos. 297, 298 and 299, and since their combined bid of \$179,415.41 was under the Engineer’s Estimate, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

SALES TAX TASK FORCE COMMITTEE

Mayor Tom McKibban stated that the following motion will provide for the creation of a task force to begin the process for the renewal of the local one-cent sales tax. The local sales tax will sunset on October 1, 2009.

Sales Tax Advisory Committee – 7 members; El Dorado Inc representative – 1 member; Youth Commissioners – 2 members; and 20 at-large members. Kendra Wilkinson and Ladislado Hernandez have applied to be on this committee.

Sales Tax Advisory Committee (7 appointees)

Kendra Wilkinson, Richard Albright, Jeffrey Black, Jason Burk, Larry Gaston, Tony Grunder, and the Planning Commission appointee (to be appointed February 28.).

Commissioner Steve Reynolds moved to appoint the following citizens to serve on the Sales Tax Task Force until this project is complete:

At-Large (20 appointees)

Kent Williams, Ed Gard, Bernadett Spradling and Reed Campbell(Commissioner Pershall), Red Acklin, Barb Dankert and Tobey Johnson (Commissioner Chapin), Ken Petz, Andy McElhiney, Sharon Mangels and Ladislado Hernandez (Commissioner Reynolds), Dustin Demo and Matt Grange (Mayor McKibban).

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

DISCHARGE OF FIREARMS AND PROJECTILES WITHIN THE CITY LIMITS

City Manager Herb Llewellyn stated that the City Commission has been discussing allowing hunting within the city limits due to possible future annexations. The consensus of the Commission during previous discussions was to not allow hunting in city limits, with the exception of one individual due to his contract of land sale to the City of El Dorado. This action would only allow Mr. Mike Thompson the ability to discharge weapons in conjunction with his contractual arrangement with the City.

Discussion ensued amongst the City Commissioners, City Manager Herb Llewellyn, and City Attorney Andrew Piekalkiewicz regarding this ordinance.

ORDINANCE NO. G-1020

Commissioner Linda Clark moved that Ordinance No. G-1020, an ordinance allowing one exception to hunting within City limits, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Steve Reynolds stated that he had a concern from a citizen regarding the sand removal.

City Manager Herb Llewellyn stated that when weather permits the street sweeper has been in operation.

Commissioner Linda Clark asked when City crews would be doing maintenance work at the cemeteries.

City Manager Herb Llewellyn stated that this issue would be addressed with the Parks Director, John Scanlon.

Commissioner Steve Pershall inquired on the status of the Ninth Avenue and Main Street bridges.

City Manager Herb Llewellyn stated that due to the weather, work on the bridges has slowed down.

Commissioner Steve Pershall inquired on an update on the Stormwater Utility process.

City Manager Herb Llewellyn stated that we are in the process of hiring staff to obtain the information needed to proceed.

Commissioner David Chapin stated that he has received a lot of positive feedback from citizens regarding the City of El Dorado Police Department.

City Manager Herb Llewellyn updated the Commission on plans for traffic light improvements at the intersection of Central Avenue and Village Road.

Mayor Tom McKibban commented on the blog regarding the Fire Marshal at the recent Caucus. Mayor McKibban commended the Fire Marshal's efforts to protect the citizens.

Mayor Tom McKibban inquired on the handicap parking with the wheelchair markings on the street not being visible.

City Manager Herb Llewellyn stated that the issue will be addressed and signage will be placed in visible locations.

Mayor Tom McKibban inquired on the street lamps not working between Second and Third Avenue along North Main.

Assistant Public Works Director Brad Meyer stated that the issue is being addressed.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

- 1) City Manager Herb Llewellyn updated the Commission on Vision 20/20.

City Manager Llewellyn stated that the Parks and Recreation Department have adopted a class through Vision 20/20.

- 2) City Manager Herb Llewellyn updated the Commission on the need for a track hoe, and stated that he would like to solicit bids on purchasing this equipment.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing legal issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 9:00 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 9:00 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

March 3, 2008

The El Dorado City Commission met in regular session on March 3, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Attorney Andrew Piekalkiewicz, City Clerk Kendra Porter and Assistant City Engineer Scott Rickard.

VISITORS

Robert and Beverley Wood	1460 N. Topeka	El Dorado, Kansas
Kyle McLaren	3096 N.E. Parallel	El Dorado, Kansas
Brad Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Jim Schmidt	2100 N. Ottio	Augusta, Kansas
Matt Rehder	220 E. First	El Dorado, Kansas
Steve Hysom	1740 W. Third	El Dorado, Kansas
Cliff Rogers	3425 W. Towanda	El Dorado, Kansas
Darrel and Sue Erikson	3435 W. Towanda	El Dorado, Kansas
Gary Boardman	3355 W. Towanda	El Dorado, Kansas
R.L. and Evelyn Saferite	3215 W. Towanda	El Dorado, Kansas
Donald Matthews	West Sixth	El Dorado, Kansas
Kristin Royse	528 Marmaton	El Dorado, Kansas
Janell Graves	720 W. Tenth	El Dorado, Kansas
Natalie and Tim Donges	2873 S.E. Hwy 54	El Dorado, Kansas
Karis Schwindt	3515 W. Towanda	El Dorado, Kansas
Doug Mick		Newton, Kansas
Brian Kellmann	El Paso Corp.	Colorado Springs, Colorado
Larry Adams	1756 W. Third	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Julie Anderson	El Dorado Times	El Dorado, Kansas
Tom Murry	1650 Jason Dr.	El Dorado, Kansas
Bruce Andrews	802 W. Sixth	El Dorado, Kansas
Raul Gonzales	707 W. 13 th	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the March 3, 2008, City Commission meeting to order.

INVOCATION

Reverend Steve Hysom, Trinity United Methodist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Building Inspector Kyle McLaren led the Pledge of Allegiance.

PROCLAMATION

Mayor Tom McKibban read a proclamation to proclaim the week of March 10, 2008, through March 14, 2008, as Severe Weather Awareness Week.

Jim Schmidt, Butler County Emergency Management, explained the importance of severe weather awareness with spring approaching. Mr. Schmidt stated that March 10, 2008, at 6:30 p.m. there will be a weather spotting class held at the 4-H Building, and invited everyone to attend.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Darrel Erikson, 3435 West Towanda, asked for clarification of how the College Acres residents would be without homes unless they were annexed.

City Manager Herb Llewellyn stated that the State requires that the College Acres division abandon the lagoon system and be connected to the City sewer system. In order for this to happen, College Acres will need to be annexed per City code. City Manager Llewellyn further stated that a home without a wastewater system is not habitable.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the February 18, 2008, City Commission minutes.
- b) Approval of Appropriation Ordinance No. 02-08 in the amount of \$1,452,888.05.

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

SETTING A PUBLIC HEARING – COLLEGE ACRES ANNEXATION

City Manager Herb Llewellyn stated that the Kansas Department of Health and Environment has notified Butler County of its intent to revoke the wastewater discharge permit for College Acres subdivision. They also are requiring that College Acres discharge into the City of El Dorado's waste water collection system. The City requires that anyone wishing to hook up to our system be annexed into the City per Municipal Code 13.16.020(E). This resolution was first passed on December 17, 2007. Staff failed to publish the proper public hearing notice. This resolution will allow the public to express their opinion about the annexation. This action will initiate the process, which includes the setting of a public hearing, to integrate land to the west of the City.

Discussion ensued amongst City Manager Herb Llewellyn and the City Commissioners regarding the annexation of College Acres.

No motion was made at this time.

City Manager Herb Llewellyn stated that since there was no motion, he would send a letter to Butler County informing them of the City Commissioner's discussion.

STADIUM AND TRACK AND FIELD PROJECT UPDATE

Mayor Tom McKibban stated that at the December 3, 2007, City Commission meeting, the Commission appointed Tom Murry as a city at large member of the community Stadium and Track and Field project. The Commission also appointed Commissioner David Chapin as its Commission representative to the project with Commissioner Steve Reynolds as an alternate.

Tom Murry, 1650 Jason Drive, updated the Commissioners on the recent events regarding the stadium and track and field project. Mr. Murry stated that Sandy Hull has been hired to help determine the overall needs of the stadium.

Discussion ensued amongst the City Commission and Tom Murry regarding this project and the possible funding that will be required.

**PUBLIC HEARING FOR PROJECT NO. 301 – PAVING TOPEKA STREET
(SIXTH AVENUE TO REFINERY ROAD)**

Assistant City Engineer Scott Rickard stated that the purpose of this agenda item is to hold a public hearing, and then consider authorizing the improvements of paving North Topeka Street. Property owners were notified by mail of this meeting. In addition, two publications were placed in the El Dorado Times. Property owners will have 20 days after the publication of the Resolution authorizing the project to protest. Staff will create a protest petition if an owner wishes to carry the petition

PUBLIC HEARING

Mayor Tom McKibban opened the floor for the public hearing.

Commissioner Steve Reynolds read a prepared statement from Robert Neumayer who resides at 1320 North Topeka.

Commissioner Linda Clark read a prepared statement from Virginia Hedrick who resides at 1528 North Topeka.

Mayor Tom McKibban read a prepared statement from John Brickley, who has a rental property at 924 North Topeka.

Tim Donges, 2873 S.E. Hwy 54, stated that he has rental property on North Topeka, and addressed his concerns regarding paving North Topeka Street.

Bruce Andrews, 802 West Sixth, requested clarification as to why his property is included in the benefit district since his property does not intersect Topeka Street.

Assistant City Engineer Scott Rickard explained the conditions of a benefit district.

Brian Kellmann, with El Paso Corporation, gave an update on the demolition of the old refinery and requested that the City of El Dorado wait to repave North Topeka. The demolition process will involve heavy equipment traffic over the road for the next five to ten years.

Janell Graves, 720 West Tenth, addressed her concerns regarding paving North Topeka.

City Manager Herb Llewellyn explained the conditions of the benefit district being able to petition out.

Natalie Donges, 2873 S.E. Hwy 54, stated that she did not see the need for a petition due to the response from the benefit district.

Beverly Wood, 1460 North Topeka, read a prepared statement addressing her concerns of paving North Topeka Street.

EL DORADO CITY COMMISSION MEETING

March 3, 2008

Robert Wood, 1460 North Topeka, inquired on removing an old siren that is on his property.

Mayor Tom McKibban stated that the issue will be addressed, and City staff will be in contact with Mr. Wood.

Raul Gonzales, 707 West Thirteenth Street, stated his concerns regarding the paving of North Topeka Street.

Janell Graves, 720 West Tenth, stated her preference of having North Topeka graveled to give the feeling of living in the country.

Larry Adams, 1756 West Third, inquired on residency clarification.

City Manager Herb Llewellyn explained the State statue regarding property ownership and residency ownership, stating that property owners must live in the city limits.

Don Adlesperger, 1285 South Topeka, asked about the petition requirements.

City Manager Herb Llewellyn stated that the petition is available right now if the City Commission approves the paving of Topeka.

Discussion ensued amongst City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, Assistant Public Works Director Brad Meyer and the Commission regarding paving North Topeka.

Consensus of the City Commission was to leave North Topeka as is and to maintain as needed.

SALES TAX TASK FORCE COMMITTEE

Mayor Tom McKibban stated that at the February 18, 2008, City Commission meeting, the City Commission appointed the majority of the Sales Tax Task Force members. The Mayor still needs to appoint two at-large members and Commissioner Clark needs to appoint four at-large members.

Commissioner Linda Clark moved to appoint the following citizens to serve on the Sales Tax Task Force until this project is complete:

Sales Tax Advisory Committee (1 Planning Commission appointee)
Wayne White;

El Dorado Inc. (1 appointee)
Vince Haines;

Youth Commission (2 appointees)
Clint Harden and Laura Haines;

At-Large (6 appointees)
John Peiffer, Zach Sundgren, Kathie Monroe, Stew Cauble (Commissioner Clark), Sean McKibban and Eddie Dean, Jr. (Mayor McKibban), Peter Todd (Commissioner Chapin).

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin stated that the recent economic round table discussion was very informative and thanked Mayor McKibban and everyone involved who helped make it a success.

Commissioner Steve Pershall stated that he supported the North Topeka project; however, he did realize the financial burden it would have caused fellow residents. Commissioner Pershall requested that City Staff discuss the pending truck traffic with El Paso Corporation.

Commissioner Linda Clark stated that the economic round table meeting was very informative and thanked everyone involved.

Commissioner Steve Reynolds inquired as to when the annual City wide clean up will be scheduled.

Assistant Public Works Director Brad Meyer stated that the City wide clean up is normally the second week in April. The actual date will be published in the El Dorado Times and on Channel 7.

Commissioner Steve Reynolds inquired on the future paving of Boyer Road and Sixth Avenue.

Discussion ended amongst Assistant City Engineer Scott Rickard, City Manager Herb Llewellyn and the Commissioners regarding Boyer Road and Sixth Avenue.

Commissioner Steve Reynolds stated that he felt the economic round table discussion was very beneficial.

City Manager Herb Llewellyn stated that a summary of what was discussed during the round table will be provided to all who attended.

Mayor Tom McKibban thanked everyone for their participation of the economic round table.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

1. Public Utilities Director Kurt Bookout stated that the newly completed wetlands reclamation facility was chosen by the American Public Works Association as project of the year and updated the commission on the facility operation.
2. City Manager Herb Llewellyn updated the Commissioners on the 1958 Tornado Memorial project.

Commissioner Steve Pershall stated that the project is still on schedule for the dedication ceremony on June 10, 2008, at 5:45 p.m. which will be the 50 year anniversary.

3. Assistant City Engineer Scott Rickard updated the Commissioners on the North Main Bridge and the Ninth Avenue Bridge.

4. City Manager Herb Llewellyn stated that there will be a Work Session Wednesday, March 12, 2008, at 3:30 p.m.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing legal and non-elected personnel issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing legal and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 9:45 pm.

Commissioner Linda Clark seconded the motion

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 9:45 p.m.

Commissioner Steve Reynolds moved to extend the Executive Session for the purpose of discussing legal and non-elected personal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 10:20 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0. (Commissioner Steve Pershall remained in the conference room).

Mayor Tom McKibban reconvened the meeting at 10:20 p.m.

City Manager Herb Llewellyn asked if the City Commission supported funding as stated in the letter received from the City of Yates Center.

Consensus of the City Commission was to support the funding.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 10:20 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

The El Dorado City Commission met in special session on March 12, 2008 in the City Hall Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Dave Chapin, Commissioner Steve Pershall, Public Utilities Director Kurt Bookout, Parks and Recreation Director John Scanlon, Assistant City Engineer Scott Rickard, and Assistant to the City Manager Matt Rehder.

Visitors: John Bailey, Rod Young, and Julie Anderson

CALL TO ORDER

Mayor Tom McKibban called the March 12, 2008 Special Meeting to order.

WATER PRESSURE UPDATE

John Bailey and Rod Young from Professional Engineering Consultants (PEC) updated the Commission on the water distribution study performed for the City. PEC checked every water pipe four (4) inches and larger in the City. PEC identified the following water issues: BG Products and Frontier Refinery water needs, and low water pressure in Township Village. PEC recommended changes in two phases. Phase I includes boosting water pressure to the west end of the City by placing a pump station in the El Dorado Industrial Park. Also, PEC recommended placing four new 12-inch water lines in western El Dorado. The lines are recommended to be placed at the intersection of Central and Haverhill, two in the Industrial Park, and one on Boyer Road. Phase II includes running a 24-inch water line the length of the city, starting at the Water Plant on East Central Avenue and ending west of Industrial Road.

PEC stated Phase I would cause minimal disruption to the City and could be completed by the end of 2008. City Manager Herb Llewellyn stated a water rate increase will not be required for these projects.

DOG AND SKATE PARK UPDATE

Parks and Recreation Director John Scanlon provided the Commission with a footprint of the Dog Park. A parking lot is included in the footprint. The park will be located south of the softball diamonds in East Park. The City is applying for a \$15,000 grant from Hamburger Helper to defray costs. Fencing for the park is estimated to cost \$4,600. Discussion ensued.

Mr. Scanlon stated a committee was formed for the development of the Skate Park. The site for the park is the old tennis court in Forest Park. Mr. Scanlon stated he received different ideas for components of the park from the committee. Total cost for the park range from \$20,000 to \$110,000, depending on how many pieces of equipment are purchased. The city was denied a grant from the Tony Hawk Foundation for the Skate Park. Discussion ensued.

ADJOURNMENT

Commissioner Pershall moved to adjourn the meeting at 5:05 pm.

Commissioner Chapin seconded the motion.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

March 17, 2008

The El Dorado City Commission met in regular session on March 17, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Attorney Andrew Piekalkiewicz, City Clerk Kendra Porter and Assistant City Engineer Scott Rickard.

VISITORS

Brad Meyer	2012 Chelsea	El Dorado, Kansas
David Ellis	208 S. Summit	El Dorado, Kansas
John & Darlene Montgomery	967 S.E.Spires Rd.	El Dorado, Kansas
Eden Fuson	711 N. Star	El Dorado, Kansas
Trisha Lake	1088 S.E.Kafir Rd.	El Dorado, Kansas
Michelle Davis	840 Railroad St.	El Dorado, Kansas
Shirley Reed	1123 W. Third	El Dorado, Kansas
Earl Cartmell	608 N. Star	El Dorado, Kansas
Donald Matthews	Pierpont Properties	El Dorado, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
Kay & Joe Metzinger	2430 S.E. 30 th	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Larry Adams	1756 W. Third	El Dorado, Kansas
Julie Anderson	El Dorado Times	El Dorado, Kansas
Jim Miller	345 N. Hunton Rd.	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the March 17, 2008, City Commission meeting to order.

INVOCATION

Reverend Spencer Stewart, New Life Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Reverend Spencer Stewart led the Pledge of Allegiance.

PERSONAL APPEARANCE

Michelle Davis, 840 Railroad, Coordinator for Journey for Recovery, a consumer ran organization, read a prepared statement regarding the organization, and requested support from the City.

Mayor Tom McKibban asked for Ms. Davis to submit her request in writing to the City Commission.

John Montgomery, 967 S.E. Spires Road, President of the Senior Center Board, invited the City Commission, City Manager Herb Llewellyn, and Parks and Recreation Director John Scanlon to a luncheon at the Senior Center on March 24, 2008, at 11:30 a.m.

PROCLAMATION

Mayor Tom McKibban read a proclamation to proclaim the month of April as Fair Housing Month.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Earl Cartmell, 608 North Star, expressed that a neighboring drainage issue is causing a foundation problem at his residence, and requested that City staff investigate this issue.

Mayor Tom McKibban asked Mr. Cartmell to make an appointment with City Manager Herb Llewellyn to discuss this issue.

Kay Metzinger, 2430 S.E. 30th, read a prepared statement regarding low flying aircraft flying over her property, and presented a video to the City Commissioners.

Jim Miller, 345 North Hunton Road, stated his concerns regarding the Boyer Road intersection at the turnpike exit.

Assistant City Engineer Scott Rickard stated that Boyer Road is not being considered for a truck route. It is being considered a collector street.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the March 3, 2008, City Commission minutes.
- b) Approval of the March 12, 2008, Special City Commission minutes.

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT TO ALLOW A RESIDENCE ON THE SECOND FLOOR OF THE BUILDING LOCATED AT 121 EAST PINE. (CASE NO. 08-001-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant Robert Ryan is requesting a Special Use Permit to allow a residence on the second floor of the building located at 121 East Pine. The properties are zoned C-2, Central Business District. Assistant to the City Manager Rehder further stated that at the February 28, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit by a vote of 8 to 0.

ORDINANCE NO. G-1021

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-001-SUP requesting a Special Use Permit to allow a residence on the second floor of the building located at 121 E. Pine be accepted, and that Ordinance No. G-1021 be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

BOARD APPOINTMENTS

Mayor Tom McKibban stated that the City Commission appoints members to various advisory boards. Listed below are the current boards needing members.

Discussion ensued amongst the City Commissioners regarding the various board appointments.

LIBRARY BOARD – 2 Consecutive Terms (4-year term)

Commissioner Steve Pershall moved to appoint Glenda Taylor to the Library Board for a term ending May 1, 2010.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

AIRPORT ADVISORY BOARD – No Term Limit (3-year term)

Commissioner Steve Reynolds moved to appoint Ted Dankert and Jim Stump to the Advisory Board for a term ending April 1, 2011.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

BOARD OF ZONING APPEALS – 2 Consecutive Terms (3-year term)

Commissioner Linda Clark moved to appoint Jerry Mosier and Eddie Dean Jr. to the Board of Zoning Appeals for a term ending April 1, 2011.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

EL DORADO INC – No Term Limits (follows Commissioner’s term)

Commissioner Steve Pershall moved to appoint Rodney Nelson (Commissioner Pershall) to the El Dorado Inc. Advisory Board for a term ending May 1, 2009.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

PLANNING COMMISSION – 2 Consecutive Terms (3-year term)

Commissioner David Chapin moved to appoint Wayne White to the Planning Commission for a term ending April 1, 2011.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

TREE BOARD – No Term Limit (3-year term)

Commissioner Linda Clark moved to appoint Eden Fuson and Betty Kirkpatrick to the Tree Board for a term ending April 1, 2011.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin inquired on the traffic light issues at the intersection of Central Avenue and Village Road.

Assistant Public Works Director Brad Meyer stated that there have been some software upgrades to the entire camera system which should improve the operation of the traffic lights in El Dorado.

Commissioner Steve Pershall inquired on the remarking of the streets after such a heavy winter.

Assistant Public Works Director Brad Meyer stated that they are preparing to remark the streets with a new paint that will wear better than the paint we are currently using.

Assistant Public Works Director Brad Meyer updated the Commission regarding thermo plastic markings for the streets.

Commissioner Steve Reynolds asked about the progress of the double turn lane at the intersection of Main Street and Twelfth Avenue.

Assistant City Engineer Scott Rickard stated that they could not meet the radius for a double turn lane at that intersection and without that radius a double turn lane would be a hazard.

Commissioner Steve Reynolds inquired on the repairs of the City pool and stated that the plans for the skate park are progressing well.

Discussion ensued amongst City Manager Herb Llewellyn and the Commissioners regarding the repairs of the City pool and the new skate park plans.

Mayor Tom McKibban thanked City employees for their hard work, and reminded citizens to be aware of the children who are out of school for Spring Break.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that historically we have had a part-time Patrolman position that walked around the downtown area and checked downtown parking. Police Chief Tom Boren has requested to change this position to a full-time Patrolman position.

Consensus of the Commission was to change the position to full-time.

Assistant City Engineer Scott Rickard and Assistant Public Works Director Brad Meyer distributed a handout to the Commissioners that showed future parade routes and discussed the cost and requirements for street closing during a parade.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing non-elected personnel issues.

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:15 pm.

Commissioner Steve Pershall seconded the motion

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 8:15 p.m.

Commissioner Steve Pershall moved to award a three percent merit increase to City Manager Herbert E. Llewellyn Jr. and the City Manager be directed to work with the City Attorney in preparing an agreement.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 8:16 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

March 31, 2008

The El Dorado City Commission met in special session on March 31, 2008, in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner David Chapin, Commissioner Steve Pershall, City Manager Herb Llewellyn, Public Utilities Director Kurt Bookout, Assistant Public Works Director Brad Meyer, and Assistant to the City Manager Matt Rehder.

Visitors: None

CALL TO ORDER

Mayor Tom McKibban called the March 31, 2008, Special Meeting to order.

STREET POLICY DISCUSSION

The current street policy was presented to the Commission. The policy states for a street to be improved, special assessment taxes must be assessed to property owners within a defined benefit district. The assessments pay for a 31-foot, curb and gutter street. Any over sizing is paid for by City-at-Large. Discussion ensued concerning changing the policy. One alternative is including a City match to the entire cost of improving a street.

WATER CONSERVATION POLICY ORDINANCE

Public Utilities Director Kurt Bookout reviewed a Water Conservation Policy for the Commission. This policy has been in place for six years but was never approved. The policy limits water usage during times of drought, among other policies concerning water usage during times of drought. Discussion ensued.

ORDINANCE NO. G-1022

Commissioner Clark moved that Ordinance No. G-1022, an ordinance stating the City of El Dorado’s policy regarding water conservation, be approved.

Commissioner Chapin seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

EXECUTIVE SESSION

Commissioner Clark moved to recess into an Executive Session for the purpose of discussing non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 4:45 pm.

Commissioner Pershall seconded the motion.

Motion carried 5-0.

The meeting reconvened at 4:45 pm.

Commissioner Clark moved to extend the Executive Session to 5:05 pm.

EL DORADO CITY COMMISSION MEETING

March 31, 2008

Commissioner Reynolds seconded the motion.

Motion carried 4-0.

The meeting reconvened at 5:05 pm.

ADJOURNMENT

Commissioner Pershall moved to adjourn the meeting at 5:05 pm.

Commissioner Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

April 7, 2008

The El Dorado City Commission met in regular session on April 7, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Prosecuting Attorney James I. Murfin, City Clerk Kendra Porter and Assistant City Engineer Scott Rickard. Absent: City Attorney Andrew Piekalkiewicz

VISITORS

James Cook	719 Fredrick Dr.	El Dorado, Kansas
Derek Waite	115 Genna Ct.	El Dorado, Kansas
Scott Stewart	2053 Dragonfly Dr.	El Dorado, Kansas
Larry Scott	225 N. Residence	El Dorado, Kansas
Bill & Lillian Gray	1401 Terrace Dr.	El Dorado, Kansas
Brenda Blowers	1521 Norwood	El Dorado, Kansas
Katie Runnion	1459 Lawndale	El Dorado, Kansas
Barbara Templin	515 N. West	Leon, Kansas
Marlene Avery	219 Hillcrest	El Dorado, Kansas
Jody McNemee	1529 Norwood	El Dorado, Kansas
Brian McArdle	1575 Terrace Dr.	El Dorado, Kansas
Mark McNemee	1957 Arlington	El Dorado, Kansas
Tom & Missy Storrer	1330 Glenview	El Dorado, Kansas
Tommy & Kristin Howland	1724 Lakeland Ct.	El Dorado, Kansas
Everett Haskins	320 N. High	El Dorado, Kansas
Allen & Amanda Stalnaker	1155 S. Emporia	El Dorado, Kansas
Orin Stalnaker	1155 S. Emporia	El Dorado, Kansas
Holly Baines	521 N. Summit	El Dorado, Kansas
Sue Sommers-Barrientos	901 S. Haverhill	El Dorado, Kansas
Connie Hamilton	314 N. Star	El Dorado, Kansas
Earlene Bogart	347 Eunice	El Dorado, Kansas
Casei Drewek	819 W. Cave Springs	El Dorado, Kansas
Jamie Jellison	1639 Montana	El Dorado, Kansas
Brooke Wolf	216 S. Fourth	Towanda, Kansas
David Stewart	431 N. Summit	El Dorado, Kansas
Jim Miller	345 Hunton Road	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the April 7, 2008, City Commission meeting to order.

INVOCATION

City Manager Herb Llewellyn, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Shum’s Third Grade Class from Grandview Elementary School led the Pledge of Allegiance.

PERSONAL APPEARANCE

David Stewart, 431 North Summit, President of the Rotary Club, gave a brief update on the progress of the Tornado Memorial and thanked the City and the community for their support.

EL DORADO CITY COMMISSION MEETING

April 7, 2008

City Commissioner David Chapin and Mayor Tom McKibban both pledged monies to the Tornado Memorial fund.

City Commissioner Steve Pershall stated that Lisa Cooley is requesting anyone with information on the history of the tornado to contact her.

PROCLAMATION

Sue Sommers-Barrientos, 901 South Haverhill, read a prepared statement regarding the Week of the Young Child.

Mayor Tom McKibban read a proclamation to proclaim the week of April 13 through April 19, 2008 as Week of the Young Child.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Larry Scott, 225 North Residence, requested approval for the Elks to host the annual Safe Night Out block party on May 9, 2008.

Jim Miller, 345 Hunton Road, stated that it is hard to hear the commission meeting on Channel 7, and requested the volume control be addressed. Mr. Miller stated that he has witnessed Semi trucks driving on Boyer Road and commented on the poor condition of Locust Street.

Jim Miller, 345 Hunton Road, inquired on the Cities and the Counties involvement with the new proposed sports stadium.

City Manager Herb Llewellyn stated that numerous cities have partnered with school districts. City Manager Llewellyn further stated that the high school and college both use McDonald Stadium, which is owned by the City.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the March 17, 2008, City Commission minutes.
- b) Approval of the March 31, 2008, Special City Commission minutes.
- c) Approval of Appropriation Ordinance No. 03-08 in the amount of \$1,021,271.26

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

MUNICIPAL BAND AGREEMENT

Mayor Tom McKibban stated that the 2008 Budget includes an allocation of \$6,750 to the Municipal Band Association. A representative from the band will be present to update the City Commission on the schedule of events for the 2008 Municipal Band season.

Marlene Avery, 219 Hillcrest, Municipal Band Association President, gave a brief overview of the Municipal Band Associations activities. Ms Avery stated that the first Municipal Band Concert is scheduled for June 5, 2008, and thanked the City for their past assistance.

Commissioner Steve Pershall questioned if the Ninth Street Bridge would be open in time for the first Municipal Band concert in June.

Assistant City Engineer Scott Rickard stated that the Ninth Street Bridge is scheduled to be open by mid-summer.

MUNICIPAL BAND AGREEMENT

Commissioner Steve Reynolds moved to approve the 2008 Municipal Band Agreement.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

BOARD APPOINTMENT

At the March 17, 2008 City Commission meeting, the Planning Commission needed an outside member appointed, but did not have an eligible applicant. An eligible applicant has applied.

PLANNING COMMISSION – 2-Consecutive Terms (3-year term)

Commissioner Linda Clark moved to appoint Dan Hill to the Planning Commission for a term ending April 1, 2011.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin updated the Commission on the stadium project and stated that PKHLS has been chosen as the consultants for future site recommendations.

Discussion ensued amongst City Manager Herb Llewellyn and the City Commissioners regarding the needs of the stadium project and the need for a consulting firm.

STADIUM PROJECT

Commissioner Linda Clark moved to proceed with PKHLS on a recommendation for a future stadium site.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

Commissioner Steve Reynolds reminded the citizens that spring clean up is starting the week of April 14, 2008.

Commissioner Linda Clark asked that the condition of the alley between Intrust Bank and the Post Office be addressed by City staff.

Commissioner David Chapin discussed the outcome of the Fly Across Kansas event stating that the outcome was not what was anticipated due to the weather.

Mayor Tom McKibban closed the Commissioners' comments.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for acquisition of land.

Commissioner Linda Clark moved to recess into an Executive Session for acquisition of land, and to reconvene the regularly scheduled meeting in the City Commission room at 7:55 pm.

Commissioner David Chapin seconded the motion

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 7:55 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 7:58 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

EL DORADO CITY COMMISSION MEETING

April 21, 2008

The El Dorado City Commission met in regular session on April 21, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Attorney Andrew Piekalkiewicz, Assistant to the City Manager Matt Rehder and Assistant City Engineer Scott Rickard. Absent: City Clerk Kendra Porter

VISITORS

Brad Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Reverend Mike McGuire	502 S. Denver	El Dorado, Kansas
Mike Lemke	1720 Rado	El Dorado, Kansas
Lee Huff	1425 W. Olive	El Dorado, Kansas
Earl Cartmell	608 N. Star	El Dorado, Kansas
Julie Anderson	El Dorado Times	El Dorado, Kansas
Don Adelsperger	1285 S. Topeka	El Dorado, Kansas
Jim Miller	345 Hunton Rd.	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the April 21, 2008, City Commission meeting to order.

INVOCATION

Reverend Mike McGuire, First United Methodist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Reverend Mike McGuire led the Pledge of Allegiance.

PERSONAL APPEARANCE

Mike Lemke, 1720 Rado, representing Mission El Dorado, gave an overview of Mission El Dorado and requested that the City of El Dorado waive the permit fees, advertise Mission El Dorado on Channel 7, donate water bottles on June 7, 2008, and host a BBQ at the Civic Center June 18, 2008, for all the volunteers. Mr. Lemke stated that citizens can send donations to Ministerial Alliance, 400 West Central, El Dorado, Kansas 67042.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Earl Cartmell, 608 N. Star, discussed a letter he received from the City regarding cats and dogs running at large on his property.

Jim Miller, 345 Hunton Road, inquired on the width of the sidewalk being built on the Ninth Street Bridge.

Assistant City Engineer Scott Rickard discussed the regulations involved in building a sidewalk that is attached to a bridge.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the April 7, 2008, City Commission minutes.

Commissioner Linda Clark moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

PAVING BOYER ROAD – PROJECT NO. 310

Assistant City Engineer Scott Rickard stated that a Public Hearing needs to be set for May 19th, 2008 to allow for public comment on this project. Property owners will be notified of the public hearing as well as notice being published in the El Dorado Times twice, prior to the meeting. Staff would also like to have an informational meeting with the public on May 12, 2008. Letters will be sent to property owners notifying them of a Public Hearing. Staff would also recommend a public meeting for the project to be held on Monday, May 12, 2008, at 7:00 p.m.

May 19, 2008, the Commission will set out their Findings and Determinations by Resolution. Property owners may sign a protest petition within twenty days of the publication of the Findings and Determinations Resolution.

RESOLUTION NO. 2597

Commissioner Steve Reynolds moved that Resolution No. 2597, a resolution calling and providing for the giving of notice of a public hearing on the advisability of the making of a certain internal improvement in the City of El Dorado, Kansas, under the provisions of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; and providing for the giving of notice of said hearing (Paving Improvements/Project no. 310).

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

RESIDENTIAL SIDEWALK PROJECT NO. 305

Assistant City Engineer Scott Rickard stated that staff has received a petition to improve residential sidewalks under the current sidewalk policy. The proposed bid date is April 30, 2008, and the Commission will consider the bids at the May 5, 2008, meeting.

Project No. 305- 2008 Residential Sidewalks

811 West Central, 325 South Emporia, 503 South Star, 323 South Star, 311 South Star, 826 West Fourth, 415 Race, 425 Race, 500 North Ohio, 110 South Taylor, 521 South Star, 211 North Emporia, 512 West Pine, 501 Race, 920 West Central, 407 South Emporia, 411 South Emporia, 401 South Emporia

RESOLUTION NO. 2598

Commissioner Linda Clark moved that Resolution No. 2598, a Resolution determining the advisability of making certain internal improvements in the City of El Dorado; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Sidewalk Improvements/Project No. 305).

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0-1 (Commissioner David Chapin abstained)

SAFE ROUTES TO SCHOOL

Assistant City Engineer Scott Rickard stated that City Staff is seeking authorization to submit a grant application for the Safe Routes to Schools Program.

Discussion ensued amongst Assistant City Engineer Scott Rickard and the City Commissioners regarding this program.

RESOLUTION NO. 2599

Commissioner Steve Pershall moved that Resolution No. 2599, an resolution authorizing the City Manager of the City of El Dorado, Kansas, to submit an application for the Safe Routes to Schools Program, and authorize the Mayor to sign the Resolution of Support.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**SANITARY SEWER PRAIRIE LAND ESTATES SECOND ADDITION –
PROJECT NO. 308**

Assistant City Engineer Scott Rickard stated that the developer of Prairie Land Estates Addition has requested sanitary sewer to be placed in the Second Addition. Staff has received this petition.

RESOLUTION NO. 2600

Commissioner Linda Clark moved that Resolution No. 2600, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Sanitary Sewer Improvements/Project No. 308).

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

PAVING PRAIRIE LAND ESTATES SECOND ADDITION – PROJECT NO. 307

Assistant City Engineer Scott Rickard stated that the developer of Prairie Land Estates has requested the paving of the Second Addition. The Petition has been received.

RESOLUTION NO. 2601

Commissioner David Chapin moved that Resolution No. 2601, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Paving Improvements/Project No. 307).

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

APPOINTMENT OF VICE-MAYOR

Mayor Tom McKibban stated that each year a Vice-Mayor is appointed to serve a one-year term beginning in May. A new Vice-Mayor needs to be appointed.

Commissioner Linda Clark moved to appoint Steve Reynolds as Vice-Mayor for a one-year term.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

BOARD APPOINTMENTS

The City Commission appoints members to various advisory boards. The current boards needing members are listed below.

LIBRARY BOARD – 2 Consecutive Terms (4-year term)

Commissioner Linda Clark moved to appoint Bill Kloebler to the Library Board for a term ending May 1, 2012.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

RECYCLING & SOLID WASTE ADVISORY COMMITTEE – No Term Limits (3-year terms)

Commissioner Steve Pershall moved to appoint Kathie Monroe, Ladislado Hernandez, Vivian McGowin, and Debra LaForge to the Recycling & Solid Waste Advisory Committee for a term ending May 1, 2011.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin stated that the Spring Clean-Up last week was a success, and asked if the crews were still picking up limbs.

Assistant Public Works Director Brad Meyer stated that the crew did a great job and will be picking up limbs this week.

Mayor Tom McKibban inquired on disposing of old paint cans.

Assistant Public Works Director Brad Meyer stated that the third Saturday of every month the landfill accepts hazardous waste products.

Commissioner David Chapin introduced Lee Huff, Youth Commissioner, to the City Commissioners.

Commissioner Steve Pershall discussed the Federal Stimulus package, and encouraged the citizens of El Dorado to help stimulate the local economy by shopping in El Dorado.

Commissioner Steve Reynolds thanked the Public Works Department for doing a great job with the Spring Clean-Up, and thanked the high school staff for their clean up efforts on picking up trash along the bike patch. Commissioner Reynolds also thanked the Planning Commissioners for the work they do for the City Commission.

Commissioner Linda Clark thanked the Public Works Department on the recent Spring Clean-up. Commissioner Clark asked if there has been any consideration of moving the compost site.

Assistant Public Works Director Brad Meyer stated that there have been discussions regarding the compost site, however nothing has been decided.

Mayor Tom McKibban thanked the Public Works Department for the Spring Clean-up, and inquired on the progress of the Ninth Street bridge.

Assistant City Engineer Scott Rickard explained what was still required in order to finish the Ninth Street bridge.

Assistant City Engineer Scott Rickard updated the Commissioners on the progress of the North Main bridge.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER REPORT

City Manager Herb Llewellyn stated that he had nothing new to report at this time.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for discussing confidential data relating to trade secrets of second parties.

Commissioner Linda Clark moved to recess into an Executive Session for discussing confidential data relating to trade secrets of second parties, and to reconvene the regularly scheduled meeting in the City Commission room at 8:15 p.m.

Commissioner David Chapin seconded the motion

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 8:17 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:18 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

May 5, 2008

The El Dorado City Commission met in regular session on May 5, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Attorney Andrew Piekalkiewicz, City Clerk Kendra Porter and Assistant City Engineer Scott Rickard.

VISITORS

Sam McVay	141 N. Emporia	El Dorado, Kansas
Mary Lou Taylor	2950 W. Fourth	El Dorado, Kansas
Larry Scott	225 N. Residence	El Dorado, Kansas
Teri Bowlin	510 N. Ohio	El Dorado, Kansas
JD Reinhart	51 S.W. Morley	El Dorado, Kansas
Roger Cutsinger	712 W. 14 th	El Dorado, Kansas
Larry McEachern	1124 Towanda	El Dorado, Kansas
Tom & Kathy Clark	90 S.W. Morley	El Dorado, Kansas
John Montgomery	967 Spires	El Dorado, Kansas
Vicki Manke	1930 Quail Run	El Dorado, Kansas
Larry Haury	1401 Country Club	El Dorado, Kansas
Wayne White	728 W. Pine	El Dorado, Kansas
Christy Fletcher	132 Warren Rd.	El Dorado, Kansas
Karlee Maitland	1805 Lakeland Dr.	El Dorado, Kansas
Clint Harden	1806 W. Fourth	El Dorado, Kansas
Kristin Royse	528 Marmaton Rd.	El Dorado, Kansas
Laura Nightengale	1206 Davis Ct.	El Dorado, Kansas
Michael Zepeda	1112 S. High	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the May 5, 2008, City Commission meeting to order.

INVOCATION

Reverend Sam McVay, New Life Equipping Ministry, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms Debbie Smith’s Third Grade Class from Grandview Elementary led the Pledge of Allegiance.

PROCLAMATIONS

Larry Scott, 225 North Residence, invited everyone to attend the annual Safe Night Out event on May 9, 2008, and thanked the City of El Dorado for their support.

Mayor Tom McKibban read a proclamation to proclaim the week of May 4, 2008, through May 10, 2008, as El Dorado Elks Lodge Youth Week and presented a signed copy to Larry Scott with the Elks Lodge.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

John Montgomery, 967 Spires Road, President of the Senior Center Organization, presented a check to City Manager Herb Llewellyn in the amount of \$10,000 to replenish the Senior Center fund for allocation of utility bills.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the April 21, 2008, City Commission minutes.
- b) Approval of Appropriation Ordinance No. 04-08 in the amount of \$1,080,643.28.
- c) Approval of a Cereal Malt Beverage license for the Main Street Organization for Frontier Western Celebration to be held June 13-15, 2008.

Commissioner Linda Clark moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

SALES TAX ADVISORY COMMITTEE – RECOMMENDATION

Wayne White, 728 West Pine, Chairperson of the Sales Tax Advisory Committee, read a prepared statement and gave the following recommendations:

- 1). Restroom facility at Forrest Park
- 2). North Main Park shelter
- 3). Bike Path Phase II lighting
- 4). Property tax reduction

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing.

With on one appearing, Mayor Tom McKibban closed the public hearing.

Discussion ensued amongst Wayne White and the Commissioners regarding the Sales Tax Advisory Committee's recommendations.

Commissioner Steve Reynolds moved to accept for consideration the Sales Tax Advisory Committee's recommendations on the use of uncommitted sales tax for 2008.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

PROJECT NO. 285 (SIXTH AND MAIN)

Assistant City Engineer Scott Rickard stated that Project No. 285 was authorized by Resolution No. 2589 on November 19, 2007, in the amount not to exceed \$62,000.00. The cost authorized for this project are only to cover preliminary design of the project. As the design process is underway the City has determined it necessary to replace the storm sewer in the intersection to meet the designed stormwater flow. A section of the storm sewer pipe runs underneath Dillion’s north driveway and the bike path and continues north to the outfall at the Walnut River. Staff feels that it is imperative to replace the pipe now while construction on the bridge is ongoing. By completing the work we will not have to tear out new concrete to replace the pipe in 2010.

Discussion ensued amongst the Commissioners and Assistant City Engineer Scott Rickard regarding Project No. 285.

RESOLUTION NO. 2602

Commissioner Linda Clark moved that Resolution No. 2602, a resolution to amend Resolution No. 2589, authorizing the issuance of bonds in the amount not to exceed \$138,000.00 in payment of the cost of said Project No. 285 – Sixth and Main, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

PROJECT NO. 266 – CENTRAL AVENUE (SCHOOL TO HAVERHILL)

Assistant City Engineer Scott Rickard stated that Project No. 266 was authorized by Ordinance No. S-1250 on November 21, 2005, in the amount not-to-exceed \$1,484,120.00. Since the time that this project was initially authorized, costs have increased on the project and many changes had to be made through the design process. Funding levels from KDOT have changed over the three year design process also. KDOT’s share of funding for the project has increased from \$800,000 to \$1,000,000. City-at-Large costs have increased from \$684,120 to \$806,953. Staff decided to hold off on increasing the authorized amount until bids were received.

Discussion ensued amongst the Commissioners and Assistant City Engineer Scott Rickard regarding Project No. 266.

ORDINANCE NO. S-1293

Commissioner David Chapin moved that Ordinance No. S-1293, an ordinance to amend Ordinance No. S-1250, authorizing the issuance of bonds for the cost of said Project No. 266 – Central Avenue (School to Haverhill).

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

PROJECT NO. 266

Commissioner Steve Pershall moved that since Cornejo & Sons, Inc. presented the lowest and best bid for Project No. 266 Central Avenue (School to Haverhill) that the City of El Dorado award the contract and commit funds to the State of Kansas.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

BOARD APPOINTMENT

The City Commission appoints members to various boards. The Convention and Tourism Committee needs several appointments and now has applicants.

CONVENTION AND TOURISM COMMITTEE – No Term Limits (2-year term)

Commissioner Steve Reynolds moved to appoint Jean Plummer, John Pyle, Teresa Bachman, Broderick Bean, and Lonnie Currier to the Convention and Tourism Committee for a term ending May 1, 2010, and Jim Gardner and Gerald Haines for a term ending May 1, 2009.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds stated that on May 12 and 13, 2008, El Dorado will be hosting the 4A Regional Softball tournament at the East Park Softball Diamonds.

Commissioner Linda Clark thanked the Youth Commissioners who are graduating this May.

Commissioner Steve Pershall inquired on the new building codes.

City Manager Herb Llewellyn stated that Building Inspector Kyle McLaren is contacting the committee members to schedule a meeting to discuss the new building codes.

Commissioner Steve Pershall discussed a need for more rental property in El Dorado, and would like to start a housing committee to explore all avenues regarding housing.

City Manager Herb Llewellyn stated that Staff is reviewing a study that addresses housing needs. The State of Kansas has also approved monies to help cities with housing issues.

Commissioner David Chapin thanked City employees for everything they do.

Commissioner David Chapin read a letter he received from a citizen regarding Topeka Street with concerns of milling the entire street.

EL DORADO CITY COMMISSION MEETING

May 5, 2008

City Manager Herb Llewellyn stated that only the sections that are failing on Topeka Street will be milled.

Commissioner David Chapin thanked the Youth Commission for attending the City Commission meeting tonight.

Mayor Tom McKibban asked on the status of the Comprehensive Plan.

Assistant to the City Manager Matt Rehder updated the City Commission on the Comprehensive Plan. Assistant to the City Manager Rehder stated that it takes 2 years to develop an entire plan, and a portion of the plan should be finished in December.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER REPORT

1. City Manager Herb Llewellyn stated that there will be a 2009 Budget Work Session with the Department Heads on Monday, May 12, 2008, at 3:30 p.m.
2. City Manager Herb Llewellyn discussed replacing the lights at the East Park softball diamonds.

Consensus of the Commission was to mail letters to USD 490 and Butler County College asking if they would consider contributing to the cost.

3. City Manager Herb Llewellyn stated that the 4A Regional Softball Tournament will be held the week of May 12th and the City will close a section of Woodland to use for bus parking.
4. City Manager Herb Llewellyn stated that the City has received a brochure regarding the Sister City Conference which will be held in Kansas City, Missouri.

Commissioner Steve Reynolds stated that a Sister City Representative will be in El Dorado to meet with the Commission in June.

5. City Manager Herb Llewellyn stated that our Wastewater plant and wetlands won an award for best environmental design through the Kansas Chapter of American Public Works Association, as well as an award through the National Association.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to trade secrets of second parties, and legal and non-elected personnel issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing confidential data relating to trade secrets of second parties, legal and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:20 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 8:20 p.m.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 8:20 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

May 12, 2008

The El Dorado City Commission met in special session on May 12, 2008, in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herb Llewellyn, Finance Director Dee Anne Grunder, Assistant City Engineer Scott Rickard, Assistant Public Works Director Brad Meyer, Parks and Recreation Director John Scanlon, Public Utilities Director Kurt Bookout, Deputy Police Chief Ricky Kennedy, IT Manager Scott Porter, and Fire Chief Ken Nakaten.

VISITORS

Seth Clements

El Dorado Times

El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the May12, 2008, Special Meeting to order.

CAPITAL OUTLAY AND CAPITAL IMPROVEMENT PLAN (CIP)

A representative from each department presented their capital outlay and CIP items in detail. Discussion ensued after each presentation.

The consensus of the Commission regarding Public Works 2008 budget was to utilize \$116,000 that was budgeted to purchase a tandem axel truck to be reallocated to purchase additional vehicles as well as maintenance to existing fleet.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 5:30 p.m.

Commissioner David Chapin seconded the motion.

Motion passed 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

May 19, 2008

The El Dorado City Commission met in regular session on May 19, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn Jr., City Attorney James Murfin, Finance Director Dee Anne Grunder and Assistant City Engineer Scott Rickard. Absent: City Clerk Kendra Porter.

VISITORS

Art Anderson	635 Marmaton Rd.	El Dorado, Kansas
Charlotte Knox	651 Marmaton Rd.	El Dorado, Kansas
Brad & Jennifer Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Dacia & Bill Young	1751 Lakeland	El Dorado, Kansas
Darrin Devinney	2942 W. Third	El Dorado, Kansas
David Greene	250 N.E. 30 th	El Dorado, Kansas
Jim Phillips	216 W. Central	El Dorado, Kansas
Kevin Wishart	125 S. Orchard	El Dorado, Kansas
Kyle McLaren	3096 N.E. Parallel	El Dorado, Kansas
Barb Dankert	1631 Sherry Lee Lane	El Dorado, Kansas
Jim Anderson	2926 W. Third	El Dorado, Kansas
Rick & Cathy Cox	2902 W. Third	El Dorado, Kansas
James Gardner	930 Fairway Ct.	El Dorado, Kansas
Lee Huff	2425 W. Olive	El Dorado, Kansas
Kristin Royse	528 Marmaton Rd.	El Dorado, Kansas
Tom Murry	1650 Jason Dr,	El Dorado, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
Arnold Starkel	521 Village Rd.	El Dorado, Kansas
Ed Gard	601 N.W. 30 th	El Dorado, Kansas
Don Taylor	2950 W. Fourth	El Dorado, Kansas
Bob Poe	625 School Rd.	El Dorado, Kansas
Tim Gfeller	2926 W. Fourth	El Dorado, Kansas
Doug Adlesperger	2954 W. Third	El Dorado, Kansas
Don Adleesperger	1285 N. Topeka	El Dorado, Kansas
Dick Pennington	635 School Rd.	El Dorado, Kansas
Steve Wilson	2925 W. Fourth	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the May 19, 2008, City Commission meeting to order.

INVOCATION

Reverend Brian Johnson, Hope Covenant Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms Debbie Smith’s Third Grade Class from Grandview Elementary led the Pledge of Allegiance.

PERSONAL APPEARANCE

Kristin Royse, 528 Marmaton Road, and Lee Huff, 1425 West Olive, with the Youth Commission, presented to Commissioner Steve Pershall a check in the amount of \$257.19 for the Tornado Memorial fund.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Tom Murry, 1650 Jason Drive, with Insurance Center Inc., gave an overview of the KMU Program and presented a dividend check in the amount of \$67,901.92 to the City of El Dorado. Mr. Murry stated that the City has earned a dividend in all but three of the last twenty-two years.

Art Anderson, 635 Marmaton Road, suggested that the stoplight at the intersection of Towanda and Haverhill be adjusted to allow motor vehicles more time to proceed through the intersection. Mr. Anderson stated that he feels it is a very dangerous intersection.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the May 5, 2008, City Commission minutes.
- b) Approval of the May 12, 2008, Special City Commission minutes.

Commissioner Linda Clark moved that the Consent Agenda, as presented, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

SALES TAX TASK FORCE RECOMMENDATION

Mayor Tom McKibban stated that the City Commission appointed an Ad Hoc Committee to review and recommend actions regarding the local one-cent sales tax. The committee is prepared to submit a recommendation for the City Commission's consideration.

Ed Gard, 601 N.W. 30th, Chairman of Sales Tax Task Force, gave a PowerPoint presentation outlining the background of the sales tax. Mr. Gard thanked the committee members and stated that they have been meeting regularly to formulate recommendations. The recommendation is to place the question to renew the local 1% sales tax for an additional five years on the August 5, 2008, primary ballot.

Discussion ensued amongst the commissioners and City Manager Herb Llewellyn regarding the Sales Tax Task Force recommendations.

ORDINANCE NO. S-1294

Commissioner Steve Pershall moved that Ordinance No. S-1294, an ordinance pledging the future use of all the revenue which may be received by a one percent retailer's sales tax levied in the City of El Dorado, Kansas, should the qualified electors of such city vote in favor thereof at a special election to be called for such purpose, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

RESOLUTION NO. 2603

Commissioner Steve Reynolds moved that Resolution No. 2603, a resolution to submit to the qualified electors of the City of El Dorado, Kansas, the proposition of levying a retailer’s sales tax effective October 1, 2009, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

YOUTH COMMISSION ANNUAL REPORT

The Youth Commission was initiated in May 2002 and has completed its sixth year. Kristin Royse, 528 Marmaton, with the Youth Commission read a prepared statement updating the City Commissioners on the Youth Commission activities for the past year.

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 2012 CHELSEA DRIVE (CASE NO. 08-003-SUP)

City Manager Herb Llewellyn stated that the applicants, Brad and Jennifer Meyer, are requesting a Special Use Permit to allow a Day Care Center at 2012 Chelsea Drive. The property is zoned R-1, Residential-Low Density District. At the April 22, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit for the establishment of the Day Care Center by a vote of 6 to 0 with 1 abstention.

Discussion ensued amongst the Commissioners and Jennifer Meyer regarding state approval and the parking issues.

ORDINANCE NO. G-1023

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-003-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 2012 Chelsea Drive be accepted and that Ordinance No. G-1023, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

SPECIAL USE PERMIT TO ALLOW A DAY CARE HOME ON PROPERTY LOCATED AT 519 SIMPSON ROAD (CASE NO. 08-002-SUP)

City Manager Herb Llewellyn stated that the Applicant, Jenny Rierson, is requesting a Special Use Permit to allow a Day Care Home at 519 Simpson Road. The property is zoned R-1, Residential-Low Density District. At the April 22, 2008 Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit for the establishment of the Day Care Home by a vote of 6 to 0 with 1 abstention.

ORDINANCE NO. G-1024

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-002-SUP requesting a Special Use Permit to allow the establishment of a Day Care Home on property located at 519 Simpson Road be accepted and that Ordinance No. G-1024, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

PUBLIC HEARING FOR PROJECT NO. 310 – PAVING BOYER ROAD AND SIXTH (CENTRAL TO METCALF)

Assistant City Engineer Scott Rickard stated that the purpose of this agenda item is to hold a public hearing, and then consider authorizing the improvements of paving Boyer Road & Sixth Avenue. Property owners were notified by mail of this meeting. In addition, two publications were placed in the El Dorado Times. Property owners also attended an informational meeting on May 12, 2008, regarding the project.

Property owners will have 20 days after the publication of the resolution authorizing the project to protest. Staff will create a protest petition if an owner wishes to carry the petition.

PUBLIC HEARING

Mayor Tom McKibban opened the floor for public comments.

Darrin Devinney, 2942 West Third, discussed what an Improvement District is and how the benefit of improvement must be a direct correlation to the property itself. Mr. Devinney suggested that the City Commission consider City-at-Large paying a greater percentage of the total project.

Assistant City Engineer Scott Rickard stated that the wording in the ordinance and the resolution is “Improvement District”.

Dick Pennington, 635 School Road, stated that he is in agreement with Mr. Devinney’s statements and is not in favor of paving Boyer Road.

EL DORADO CITY COMMISSION MEETING

May 19, 2008

Don Taylor, 2950 West Fourth, questioned why the residents are required to pay for a road being used by trucks, since the truck traffic is the cause of the deterioration of the road. Mr. Taylor stated that he is not in favor of paving Boyer Road.

Jim Phillips, 216 West Central, stated that he was not in favor of paving Boyer Road due to the increase of the assessments on Phase II of Constant Creek Village along with the other improvement cost.

Charlotte Knox, 651 Marmaton Road, stated that the usage of Boyer Road has increased so much that it is dangerous and feels Boyer Road needs improved.

Steve Wilson, 2925 West Fourth, stated that he feels the City should absorb more of the cost. Mr. Wilson further stated that he is not in favor of paving Boyer Road.

Don Adlesperger, 1285 North Topeka, addressed his concerns regarding the paving of Boyer Road, and feels the City needs to research the flooding issues before proceeding.

Assistant City Engineer Scott Rickard stated that all items were considered when the cost estimates were compiled; culverts are being proposed.

Art Anderson, 635 Marmaton Road, stated he felt that Boyer Road should be treated like North Topeka. Mr. Anderson also addressed his concerns regarding the increase of traffic near the grade school.

Bob Poe, 625 School Road, asked Assistant City Engineer Rickard to confirm what was said in the informational meeting regarding petitioning Boyer Road.

Assistant City Engineer Scott Rickard confirmed that Boyer Road could not be petitioned out.

Bob Poe, 625 School Road, addressed his concerns regarding Boyer Road, and feels that the City-at-Large should pay a higher percentage of the cost. Mr. Poe also addressed issues related to the 2001 annexation.

Rick Cox, 2902 W. Third, addressed his concerns regarding the paving of Boyer Road.

Tim Gfellers, 2926 West Fourth, stated his concerns regarding Boyer Road, and feels that the City-at-Large should pay a higher percentage of the cost.

Doug Adlesperger, 2954 West Third, addressed his concerns regarding Boyer Road, and also feels that the City-at-Large should pay a higher percentage of the cost.

Mayor Tom McKibban closed the public hearing.

Discussion ensued amongst the City Commissioners, Assistant City Engineer Scott Rickard, and City Manager Herb Llewellyn regarding the Boyer Road concerns that were addressed.

RESOLUTION NO. 2604

Commissioner Linda Clark moved that Resolution No. 2604, a resolution determining the advisability of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; repealing Resolution No. 2496 and authorizing and providing for the improvements in accordance with such findings, subject to protest (Paving Improvements/Project No. 310), be adopted.

Motion failed for lack of a second.

Mayor Tom McKibban stated that the City Commission will need to decide how to proceed with Boyer Road. Mayor McKibban stated that this issue will be addressed at the next Work Session.

Commissioner David Chapin stated that the policy needs to be addressed regarding improving collector streets.

PROJECT NO. 305 – RESIDENTIAL SIDEWALKS

Assistant City Engineer Scott Rickard stated that bids were received for the residential sidewalk project and the low bid was above the Engineer’s Estimate. Bid packets were sent to nine concrete contractors and Staff only received two bids. Staff feels that there is enough contingency built into the project to cover the amount of Barkley’s bid.

Mayor Tom McKibban asked that the bids be spread on the record.

Engineer’s Estimate	\$27,711.00
Barkley Construction	\$29,700.00
Cornejo & Sons	\$31,407.00

ACCEPTING THE BID

Commissioner Steve Reynolds moved that as Barkley Construction has submitted the lowest and best bid for Project No. 305, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0-1. (Commissioner David Chapin abstained)

ISSUE TEMPORARY NOTES – PROJECT NO. 266

Assistant City Engineer Scott Rickard stated that staff needs funding for Project No. 266. Staff requests issuing temporary notes in the amount of \$707,000 to finance the project.

RESOLUTION NO. 2605

Commissioner Steve Pershall moved that Resolution No. 2605, a resolution relating to the issuance of Temporary Note No. 1879 for Project No. 266, be adopted.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

BOARD APPOINTMENT

Mayor Tom McKibban stated that the Board of Code Review needs a member appointed due to the resignation of a current member.

Commissioner David Chapin moved to appoint Red Acklin to the Board of Code Review for a term to expire October 1, 2009.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Pershall thanked the audience for everyone's responses on a controversial issue and congratulated the College and High School graduates. Commissioner Pershall also wished City Manager Herb Llewellyn a happy birthday.

Commissioner Steve Reynolds congratulated all graduates and wished City Manager Herb Llewellyn a happy birthday.

Commissioner Linda Clark stated that she has had some complaints regarding overgrown grass on properties.

Mayor Tom McKibban expressed appreciation for the mannerism everyone displayed during Boyer Road discussions. Mayor McKibban also thanked Assistant City Engineer Scott Rickard for a great job under pressure at the informational meeting, and wished City Manager Herb Llewellyn a happy birthday.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER REPORT

1. City Manager Herb Llewellyn stated that there will be a CIP Administrative Hearing Friday, May 30, 2008 at 4:00 p.m.
2. City Manager Herb Llewellyn stated that the City Commission's public hearing for the CIP will be held Monday, June 2, 2008.
3. City Manager Herb Llewellyn explained the quorum ordinance and asked if the Commission would like to continue with the current ordinance.

Consensus of the Commission was to continue with the current ordinance, and have City Manager Herb Llewellyn draft a new quorum ordinance.

4. City Manager Herb Llewellyn stated that there will not be a quorum at the next Work Session and the City has re-bid the banking agreement which expires June 1, 2008. The next Work Session either needs rescheduled or the Commissioners need to allow Staff to accept the bid.

Consensus of the Commission was to allow Staff to make that decision and report back at the next regular meeting.

5. City Manager Herb Llewellyn stated that the franchise agreement with Cox Communication expired May 16, 2008. The fee is currently set at 3%, and all the other franchise agreements are at 5%. He asked if the Commission would like to change the percentage.

Consensus of the commission was to raise the fee to 5%.

6. City Manager Herb Llewellyn stated that the City has received official notice from the Governor that the City of El Dorado has been awarded a \$400,000 CDBG grant for sewer improvements,

City Manager Herb Llewellyn stated that there has been discussion regarding scorekeeping and umpire training. Citizens have also asked to discuss the possibility of the recreation league becoming more competitive.

Recreation Program Director Kevin Wishart stated that he has visited with the Recreation Advisory Board and the consensus of the Recreation advisory Board was to change the rules for baseball and softball to mirror other cities and to utilize scoreboards and post wins and losses this year.

Discussion ensued amongst the Recreation Program Director and the City Commissioners regarding the Recreation Advisory Board changes.

EXECUTIVE SESSION

Mayor Tom McKibban stated that City Manager Herb Llewellyn will send each Commissioner an e-mail updating the commission, so there will be no need for an Executive Session.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 9:25 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

June 2, 2008

The El Dorado City Commission met in regular session on June 2, 2008, at 7:00 p.m. in the Commission Room with the following present: Commissioner Linda Clark, Commissioner David Chapin, Vice-Mayor Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn, Jr., Assistant City Engineer Scott Rickard, City Attorney James Murfin, and Finance Director Dee Anne Grunder. Absent: City Clerk Kendra Porter, City Attorney Andrew Piekalkiewicz and Mayor Tom McKibban.

VISITORS

Meredyth Bellows	Susan B. Allen Hospital	El Dorado, Kansas
Steven Trevino		Wichita, Kansas
Alex Mauricio		Wichita, Kansas
Sandy Ziemann	1220 S. Topeka	El Dorado, Kansas
Stan Seymour	827 N. Washington	El Dorado, Kansas
Gary Wright	229 N. Washington	El Dorado, Kansas
Jimmy Fulcher	1522 W. First	El Dorado, Kansas
Theresa Earles	917 W. Carr	El Dorado, Kansas
Mattie Cervantes	818 S. Denver	El Dorado, Kansas
Andy Williams	620 Osage #A1	Augusta, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
John Jones	827 N. Gordy	El Dorado, Kansas

CALL TO ORDER

Vice-Mayor Steve Reynolds called the June 2, 2008, City Commission meeting to order.

INVOCATION

Reverend Meredyth Bellows, Susan B. Allen Memorial, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Reverend Meredyth Bellows led the Pledge of Allegiance.

PROCLAMATION

Vice-Mayor Steve Reynolds read a proclamation to proclaim June 15, 2008, as Pastor Gary Wright Day and presented a signed copy to Pastor Garry Wright.

PUBLIC COMMENTS

Vice-Mayor Steve Reynolds opened the floor for public comments.

Sandy Ziemann, 1220 South Topeka, Host Family Coordinator for the El Dorado Broncos, read a prepared statement and introduced two of the Bronco players. She then invited everyone to attend the Broncos games this summer.

Theresa Earles, 917 West Clark, with Journey for Recovery, a consumer ran organization, introduced Mattie Cervantes, 818 South Denver, and Jimmy Fulcher, 1522 West First, and read a prepared statement regarding the organization, and requested support from the City.

Vice-Mayor Steve Reynolds closed the public comment session.

CONSENT AGENDA

- a) Consider approval of the May 19, 2008, City Commission minutes.
- b) Consider approval of Appropriation Ordinance No. 05-08 in the amount of \$1,061,009.83.
- c) Consider the Engineer's First & Final Pay Estimate dated May 27, 2008 on Project No. 285, Storm Sewer Dillons Northwest corner to Walnut River to the Contractor, Alan's Excavating, in the amount of \$62,350.00.

Commissioner Linda Clark moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

PROJECT NO. 300-KDOT AGREEMENT 33-08

Vice-Mayor Steve Reynolds stated that in order for Project No. 300-KLINK 1R Resurfacing Main Street from Kansas Avenue to Central Avenue to move forward, the agreement between the City and KDOT needs to be signed.

Assistant City Engineer Scott Rickard stated this project is scheduled for 2010, and was awarded last summer. Assistant City Engineer Rickard stated this is a typical KLINK agreement.

RESOLUTION NO. 2606

Commissioner Steve Pershall moved that Resolution No. 2606, a resolution designating, authorizing and directing the Mayor and City Clerk to execute for and on behalf of the City of El Dorado, Agreement No. 33-08 between the City and the Kansas Department of Transportation, for Project No. 300 for KLINK 1R Resurfacing Main Street from Kansas Avenue to Central Avenue, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

2009 – 2014 CIP – PUBLIC HEARING

Vice-Mayor Steve Reynolds stated that Staff has initiated the six-year Capital Improvement Program 2009-2014. The City Commission has been provided with a copy of the CIP and an Administrative Hearing was held May 30, 2008.

PUBLIC HEARING

Vice-Mayor Steve Reynolds opened the public hearing.

With no one appearing, Vice-Mayor Steve Reynolds closed the public hearing.

CITY COMMISSION QUORUM

Vice-Mayor Steve Reynolds stated that on September 15, 2003, the City Commission approved a change in the Commission quorum from three members to four members by passing Ordinance No. G-949 and Charter Ordinance No. 19. The ordinance states that the quorum shall expire June 15 of each year, and a new ordinance must be approved by at least four commission members.

ORDINANCE NO. G-1025

Commissioner David Chapin moved that Ordinance No. G-1025, an ordinance exempting the City of El Dorado from the provisions of K.S.A. 15-106 and providing substitute provisions, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Absent
Position No. 1	Vice-Mayor Steve Reynolds	Yes

GRANT AGREEMENT 08-PF-827

Vice-Mayor Steve Reynolds stated that the City of El Dorado has been awarded a CDBG Sewer Grant and Staff is asking the Commission to authorize the Mayor to execute a contract with the Kansas Department of Commerce to initiate the project. Projects included in the grant are listed below.

Project Title and Description:

1. 8th Street lift station - pumping capacity will be increased by installing new pumps and an additional 10"-12" force main.
2. Manhole rehabilitation of the next 200-300 sewer manholes in most need of repair as determined by an inspection and evaluation conducted by the Utilities Department.
3. Gravity sewer main to 8th Street Lift Station (from the north) will need to be enlarged to eliminate bottleneaking flows from the north.
4. Sewer improvements on Douglas Road and 10th Avenue.

Project Justification:

Lift Station: Most of the growth in El Dorado over the last 20 years has been in the NE area of town, all of which flows through the 8th Street lift station. This lift station's three pumps are at capacity during heavy rainfall events and the wet well has been observed rising with all three pumps on. All lift stations must be designed to stay ahead of influent flows with one of the pumps being down. Given current conditions, if one pump were to go down during a heavy rain, the other two pumps could not keep up and massive sewer backups would occur. This lift station is 23 years old, but can be effectively rebuilt.

Manhole Rehabilitation: There are approximately 1,600 manholes in El Dorado's sewer system, most of which were built with brick and mortar construction. Over time the mortar deteriorates from sewer gases and aging, causing manholes to leak groundwater into the sewer system. Tree roots also cause significant damage, seeping water in the manholes. Staff rehabilitated 300 of the manholes in the most need of repair in 1999, but need to continue this program to eliminate I & I and preserve our sewer system.

Force Main: Pump engineers have determined that our current 10" force main is at capacity and increasing pump size and horsepower would not significantly add to this lift station's pumping capacity. A parallel 10" or 12" force main will be needed to take care of future growth in northeast El Dorado. The new force main would need to extend further south to dump into a larger interceptor so that the increased flows do not create problems where they enter the gravity main system.

Gravity Main: Existing gravity mains from the north are experiencing sewer surge charges and bottleneck problems from the area of Random/North Main south. Sewer modeling studies done in 2004 have determined the appropriate line size, location etc. to alleviate this problem.

Sewer improvements on Douglas Road and 10th Avenue are needed to serve citizens not currently connected to sanitary sewer. Residents would pay for the connections, but grant money may be applied to cover miscellaneous costs of removing septic tanks, etc.

GRANT AGREEMENT NO. 08-PF-827

Commissioner Linda Clark moved to authorize the Mayor to execute, for and on behalf of the City of El Dorado, Grant Agreement No. 08-PF-827 between the City and the Kansas Department of Commerce.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

NEW BUSINESS – DISCUSSION ITEMS

Vice-Mayor Steve Reynolds opened the floor for Commissioners' comments.

Commissioner Steve Pershall asked about the success of the dog park during its first week of operation.

Commissioner Linda Clark stated that the dog park has been a big success and the hours of operation are from dawn to dusk.

Commissioner Steve Pershall updated the Commissioners on the Tornado Memorial, and reminded the citizens of El Dorado of the dedication ceremony scheduled for June 10, 2008, at 5:30 p.m. at Graham Park.

Commissioner David Chapin requested an update on the bridge projects.

Assistant City Engineer Scott Rickard stated the Ninth Avenue Bridge is anticipated to open the end of June. Once the curbs are in place on North Main, traffic will be shifted to the west side and work will begin on the east side.

Commissioner David Chapin inquired about the fence on the vacant lot in the 100 block of West Central.

City Manager Herb Llewellyn stated that the fence is owned by Mr. Johnson, and he has indicated it will be removed soon.

Vice-Mayor Steve Reynolds stated there will be an Airport Master Plan open house June 5, 2008, from 4:00 p.m. to 6:00 p.m. in the City Commission room. Vice-Mayor Reynolds reminded everyone that the Frontier Western Celebration will be held June 13-15, 2008, and encouraged the public to attend.

Vice-Mayor Steve Reynolds closed the Commissioners' comments.

CITY MANAGER'S REPORT

1. City Manager Herb Llewellyn stated he received an anonymous letter regarding South High, and encouraged the sender to call City Hall so he can address the issues.
2. City Manager Herb Llewellyn stated that the smell that occurred last week was from bio-solids from the wastewater treatment plant.

Public Utilities Director Kurt Bookout stated that the temporary odor should not occur again. The odor came from the bio-solids placed on the ground waiting for distribution into the fields. Public Utilities Director Bookout stated that they have researched the issues and have learned how to prevent any future issues.

3. City Manager Herb Llewellyn stated that during last weeks storms there was an infiltration of stormwater into the sanitary sewer; largely due to people using sump pumps that drain to the sanitary sewer system. Fifteen years ago, the City planned on performing door-to-door inspections to determine the number of sump pumps that were connected directly to the sanitary sewer system.

Public Utilities Director Kurt Bookout stated sump pumps that drain into the sanitary sewer can contribute thousands of gallons a day into the sanitary sewer.

Discussion ensued amongst City Manager Herb Llewellyn, Public Utilities Director Kurt Bookout, and City Commissioners regarding this issue.

4. City Manager Herb Llewellyn stated that Staff has made a decision regarding the banking agreement.

Finance Director Dee Anne Grunder stated the City has reviewed the proposals received from each bank, and the City Manger has authorized to continue with Intrust Bank.

5. City Manager Herb Llewellyn stated that seventeen new residential building permits have been issued this year, which indicates, at this rate, we will have a record year for new housing.

EXECUTIVE SESSION

Vice-Mayor Steve Reynolds stated this item is for the purpose of discussing confidential data relating to property acquisition and non-elected personnel issues.

Commissioner Steve Pershall moved to recess into an Executive Session for the purpose of discussing confidential data relating to property acquisition and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:05 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

Vice-Mayor Steve Reynolds reconvened the meeting at 8:05 p.m.

RESOLUTION NO. 2607

Commissioner Linda Clark moved that Resolution No. 2607, a resolution to complete disposition of the case entitled *In the Matter of the Acquisition of Property by Eminent Domain, The City of El Dorado Kansas, A Municipal Corporation, vs. Helen Irene Frisbie, et al.*, Case No. 2007CV 52 and *Helen Irene Frisbie, et al. vs, The City of El Dorado*, Case No. 2007 CV 225, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 8:07 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

June 16, 2008

The El Dorado City Commission met in regular session on June 16, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn, Jr., Assistant City Engineer Scott Rickard, City Clerk Kendra Porter, and City Attorney Andrew Piekalkiewicz.

VISITORS

James Cook	719 Fredrick Dr.	El Dorado, Kansas
Jim Gardner	930 Fairway Ct.	El Dorado, Kansas
Kristin Royce	528 Marmaton Rd.	El Dorado, Kansas
Robin Nixon	3810 S.E. 90 th	Leon, Kansas
Charles Williams	815 N. Taylor	El Dorado, Kansas
Jack Brown	811 N. Taylor	El Dorado, Kansas
Richard Edds	1815 Quail Run	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the June 16, 2008, City Commission meeting to order.

INVOCATION

Reverend Richard Edds, First Southern Baptist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

City Attorney Andrew Piekalkiewicz, led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Charles Williams, 815 North Taylor, discussed placing speed limit signs in the 800 block of North Taylor to help regulate the traffic.

City Manager Herb Llewellyn stated that the City should be able to post additional speed limit signs in the area.

Jack Brown, 811 North Taylor, questioned if the City was responsible for trimming trees and filling pot holes in the alley behind his home.

City Manager Herb Llewellyn stated that Staff will determine if this is a utility easement or a right-a-way. If it is an easement the City does not have an obligation to maintain.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the June 2, 2008, City Commission minutes.

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

YOUTH COMMISSION – APPOINTMENTS

Mayor Tom McKibban stated that the Youth Commission was initiated in May 2002 and has completed its sixth year. The City Commission needs to appoint the new Youth Commission members.

This board needs 16 members; three from each grade level of Freshman, Sophomore, Junior and Senior, and four at-large members. The Freshman grade has three applicants; the Sophomore grade has four applicants; the Junior grade has six applicants; and the Senior grade has one applicant. This board still needs two applicants from the Senior grade.

Commissioner David Chapin moved to appoint Elizabeth Ankrom, Taylor Briscoe, Alex Pennington, Laura Haines, John Jones, Kaylan Miles, Anastasia Rausch, Ty Butler, Lee Huff, Kyle Koerner, Ashley Leckliter, Robbie Milton, Chyla Pugh and Hannah Hulse to the Youth Commission for a one-year term ending June 30, 2009.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds stated that he enjoyed the activities of the Frontier Western Celebration last weekend.

Commissioner Linda Clark stated that a few citizens would like an update each week in the El Dorado Times regarding the bridge construction.

Assistant City Engineer Scott Rickard stated that he would e-mail the Commissioners and the El Dorado Times of the weekly meetings with the contractors.

Commissioner Steve Pershall commended our community on holding two major events; the Frontier Western Celebration and the Tornado Memorial ceremony. Commissioner Pershall stated that 400-500 people attended the memorial ceremony and thanked the community for all the private donations which made the Tornado Memorial possible.

Commissioner David Chapin recently spoke with an Augustan that recognized the positive growth of El Dorado. Commissioner Chapin thanked Commissioner Pershall for his work on the Tornado Memorial.

Mayor Tom McKibban stated that he participated in the Frontier Western Celebration and the Tornado Memorial and thanked all the volunteers for their hard work. Mayor McKibban stated he had a chance to speak with someone from Ark City that complimented El Dorado.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

1. City Manager Herb Llewellyn stated that a Work Session is set for June 30, 2008, at 3:30 p.m. to discuss street policy as well as the 2009 budget and CIP.
2. City Manager Herb Llewellyn stated that Staff is discussing options of checking for sump pumps that are discharging into the sanitary sewer system.
3. City Manager Herb Llewellyn discussed the street repair the City will be doing in the 200 block of North Star.
4. City Manager Herb Llewellyn stated that the west branch of the Walnut River rose 3 to 3 ½ inches. Staff is watching and do not anticipate any problems.
5. City Manager Herb Llewellyn stated that the City sent bottled water to Chapman, Kansas.

Mayor Tom McKibban requested that Will Johnson attend the Work Session on June 30, 2008, to discuss the annexation of College Acres.

Discussion ensued amongst City Manager Herb Llewellyn and the Commissioners regarding the reasoning of passing a sewer annexation regulation. City Manager Llewellyn explained that sanitary sewer regulations help city's control their borders.

Assistant City Engineer Scott Rickard stated that on July 7, 2008, the West Central project will begin and the inside lanes will be blocked off.

Mayor Tom McKibban stated that with the repairs to West Central, adequate speed limit signs need to be posted on Boyer Road as well as increased police patrol.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 7:50 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

June 30, 2008

The El Dorado City Commission met in special session on June 30, 2008, at 3:30 p.m. in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herb Llewellyn, Finance Director Dee Anne Grunder, Assistant City Engineer Scott Rickard, Assistant Public Works Director Brad Meyer, Public Utilities Director Kurt Bookout, Fire Chief Ken Nakaten, Parks and Recreation Director John Scanlon, City Building Official Kyle McLaren, Chief of Police Tom Boren, Assistant to the City Manager Matt Rehder, City Attorney Andrew Piekalkiewicz and City Prosecutor Jim Murfin. Absent: City Clerk Kendra Porter.

VISITORS

Dan Woydziak	320 Driftwood Ct.	Rosehill, Kansas
Will Johnson	205 W. Central	El Dorado, Kansas
Bruce Remsberg	902 Broadway	Pittsburg, Kansas
Don Adlesperger	1285 S. Topeka	El Dorado, Kansas
Kenneth Blake	3525 W. Towanda	El Dorado, Kansas
Kimberly Blake	3625 W. Towanda	El Dorado, Kansas
Karis Schwindt	3515 W. Towanda	El Dorado, Kansas
Wade Graber	3505 W. Towanda	El Dorado, Kansas
Darrel & Susan Erikson	3435 W. Towanda	El Dorado, Kansas
Connie & Cliff Rogers	3425 W. Towanda	El Dorado, Kansas
Gary Boardman	3355 W. Towanda	El Dorado, Kansas
Bob & Evelyn Saferite	3215 W. Towanda	El Dorado, Kansas
Wava Seymour	450 Eunice	El Dorado, Kansas
Jim Hatfield	3205 W. Towanda	El Dorado, Kansas
Curt & Michele Tucker	3345 W. Towanda	El Dorado, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
Fred Kropf	2001 W. Towanda	El Dorado, Kansas
Amanda Scott	220 E. First	El Dorado, Kansas
Jeffrey Black	1360 Terrace	El Dorado, Kansas
David Ellis	208 S. Summit	El Dorado, Kansas
Andrea Coleman	9075 N.E. Bluestem Rd	El Dorado, Kansas
Shelley Reiswig	938 W. Third	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the June 30, 2008, Special City Commission Meeting to order.

CDBG – BG PRODUCTS

Linda Jolly, 2100 Pico Court, El Dorado Inc., explained the CDBG Grant for infrastructure and requested that the City Commission hold a public hearing to gain input from citizens regarding the BG Products project.

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing.

With no one appearing, Mayor McKibban closed the public hearing.

City Manager Herb Llewellyn explained the housing displacement form and the resolution to be approved, stating that this project will not be displacing anyone.

RESOLUTION NO. 2608

Commissioner Linda Clark moved to approve Resolution No. 2608, authorizing the Mayor to sign and submit, on behalf of the City of El Dorado, an application for the 2008 Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

Commissioner Linda Clark moved to authorize the Mayor to sign, and the City to adopt, the Residential Anti-displacement and Relocation Assistance Plan.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

BUTLER COUNTY – COLLEGE ACRES DISCUSSION

Dan Woydziak, Butler County Commission Chairman, stated KDHE issued the County a directive to have College Acres connected to the City's sewer system by September 1, 2008. Mr. Woydziak stated that the property owners like their rural setting, and being annexed would cause property taxes to increase approximately 25% in addition to the cost for sewer hookup. The College Acres property owners are requesting that the City provide sewer service at a higher fee without annexation.

Mayor Tom McKibban asked for clarification on comments made by two County Commissioners at a prior County Commission meeting regarding the annexing of an area near Augusta and Rosehill.

Dan Woydziak stated that there are times that cities should be annexed due to growth; however the change in lifestyle is the issue with annexing College Acres.

Mayor Tom McKibban questioned if the County and City allow bonfires on properties.

Dan Woydziak stated that with permission, fires are allowed in the county; however at times they are banned due to weather conditions.

City Manager Herb Llewellyn stated that recreational fires are allowed by the City, with permission, weather permitting.

Mayor Tom McKibban questioned if the residents of College Acres would still be allowed to have livestock.

City Manager Herb Llewellyn stated that livestock would be allowed as a non-conforming use as long as they have the livestock.

Mayor McKibban questioned if the discharge of firearms was permitted within the city limits.

City Manager Llewellyn stated that the discharge of firearms is not allowed within the city limits.

Discussion ensued amongst the City Commissioners, Dan Woydziak, and City Manager Herb Llewellyn regarding the benefits of College Acres being annexed into the city.

Commissioner Steve Pershall stated there are residential communities around the outskirts of many cities. Commissioner Pershall questioned if the County had a plan that deals with these situations in the future.

Dan Woydziak stated that the County does not have a plan. This is the first time he is aware of that the citizens have requested the County approach a city on their behalf.

Will Johnson, Butler County Administrator, 205 W. Central, stated this is the only sewer district that is not already connected to city sewer.

Commissioner Steve Pershall questioned if the County had a policy that does not allow them to install septic tanks in College Acres.

Dan Woydziak confirmed the County has a policy and stated the reasons installing septic tanks in College Acres is not allowed by the County.

Discussion ensued amongst the City Commissioners, Dan Woydziak, Will Johnson, and City Manager Herb Llewellyn regarding the cost of annexation and what would happen if the City did not provide sewer service.

Karis Schwindt, 3515 West Towanda, questioned whether the City would benefit from the annexation of College Acres and whether the additional property taxes the City would receive would cover the related cost.

Kenneth Blake, 3525 West Towanda, stated the City had set a precedent in the past by providing sewer to other areas without annexation. He stated the City has an ordinance that would allow sewer service without annexation.

Public Utilities Director Kurt Bookout stated he had called several other cities and informed the Commission of each of their policies regarding requests for sewer service outside city limits. He stated he did not find any cities that would connect sewer without being in the city limits.

Commissioner David Chapin and Commissioner Linda Clark questioned whether an agreement could be signed in which the property owners agree to annexation at a stated time in the future in exchange for the City providing sewer service at this time.

Discussion ensued amongst City Attorney Andrew Piekalkiewicz and City Manager Herb Llewellyn regarding the legal aspects and potential problems with that type of agreement.

Commissioner David Chapin suggested that the County Commission meet with residents of College Acres and then present a plan to the City Commission at the July 21, 2008, City Commission meeting.

STREET POLICY DISCUSSION

Mayor Tom McKibban stated that this item is for discussing how streets are financed by the City-at-large and by property owners.

Assistant City Engineer Scott Rickard stated that he had provided the Commissioners with information on the policy history and policies of other cities similar in size to El Dorado. Mr. Rickard introduced former City Engineer Bruce Remsberg.

Bruce Remsberg, 902 Broadway, Pittsburg Kansas, provided the history of the City's street policy. He noted few cities have streets comparable to El Dorado's. He noted that all discussions about street policies in the past years had arrived at the recognition that the property owner receive a benefit and they need to help pay for it. Mr. Remsberg stated that the mix of public and private participation is what has allowed the City of El Dorado to have the streets it has now. The City could not have afforded it otherwise.

Discussion ensued amongst the City Commissioners regarding the current street policy.

Commissioner David Chapin stated that over the past few weeks he has a better understanding of the current street policy. Since there is not a majority of the Commission in favor of changing the policy, he is willing to move forward.

City Manager Herb Llewellyn stated that this discussion of the street policy has helped everyone to understand the need for the current policy.

Discussion ensued amongst the City Commissioners, Assistant City Engineer Scott Rickard, and City Manager Herb Llewellyn regarding the repaving of Towanda Avenue, Boyer Road and Sixth Avenue.

Consensus of the City Commission was to leave the street policy as is and to place Boyer Road and Sixth Avenue on the July 21, 2008 agenda.

2009 BUDGET AND 2009-2014 CAPITAL IMPROVEMENT PLAN

Each of the department heads informed the City Commission of noteworthy items in their 2008 revised and 2009 proposed budgets.

Discussion ensued amongst the Commission and City Manager Herb Llewellyn regarding the \$30,000 funding for Main Street that was included in the first draft of the 2009 budget.

Andrea Coleman, Main Street Program Director, responded to several questions from the Commission.

Commissioners Clark and Pershall stated they desired the funding be reduced to \$20,000, as scheduled in a previous year as a step in the plan for Main Street to become self-supporting in the future. Commissioners Reynolds and Chapin and Mayor McKibban stated they were in favor of leaving the funding at \$30,000.

The consensus of the Commission was for the City Manager to draft a contract with Main Street outlining the services to be provided by the organization in exchange for the City's funding.

The Commission discussed three scenarios staff provided for possible 2009 Cost of Living Adjustments to salaries and the impact on the 2009 budget. No decision was made at this time.

Mr. Llewellyn stated the Health Insurance Committee had asked that the Commission consider increasing the City's share of health insurance premiums from 76% to 80%. He provided some background on the self-funded plan and changes in the employer/employee percentages over the last few years. The effect on the budget was also discussed.

The consensus of the Commission was to leave the City's share at 76%.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing legal and non-elected personnel issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing legal and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 7:15 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 7:15 p.m.

Commissioner Linda Clark moved to extend the Executive Session for the purpose of discussing legal and non-elected personal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 7:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0. (Commissioner Steve Pershall remained in the conference room).

Mayor Tom McKibban reconvened the meeting at 7:37 p.m.

Discussion ensued between City Manager Herb Llewellyn and Commissioners regarding the employer percentage of health insurance.

ADJOURNMENT

Commissioner Linda Clark moved to adjourn the meeting at 7:47 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

July 7, 2008

The El Dorado City Commission met in regular session on July 7, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn, Jr., Assistant City Engineer Scott Rickard, City Clerk Kendra Porter, City Building Inspector Kyle McLaren and City Prosecutor Jim Murfin. Absent: City Commissioner David Chapin and City Attorney Andrew Piekalkiewicz

VISITORS

Kevin Pickrell	704 Maplewood	El Dorado, Kansas
Rick Baker		Haysville, Kansas
Jeffrey Black	1360 Terrace	El Dorado, Kansas
William Caughey	338 Hunton Rd.	El Dorado, Kansas
Sharon Decker	1017 S. Denver	El Dorado, Kansas
Jim Phillips	216 W. Central	El Dorado, Kansas
Audra Kenneson		Wichita, Kansas
Charlene Miller	1122 N.W. 75 th	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the July 7, 2008, City Commission meeting to order.

INVOCATION

Reverend Bill Caughey, Grace Lutheran Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Kevin Pickrell, 704 Maplewood, led the Pledge of Allegiance.

PERSONAL APPEARANCE

Kevin Pickrell and Rick Baker with the Kansas Veterans Family Reunion invited everyone to the event scheduled July 17 – 20, 2008, at Veterans Point at the El Dorado State Park. Mr. Pickrell updated the Commissioners on the weekend events.

Jim Phillips, 216 West Central, updated the Commissioners on the events of the upcoming Prairie Port Festival, and thanked the Commissioners, City Staff and all the volunteers in advance that help with the Prairie Port Festival each year.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With on one appearing, Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the June 16, 2008, City Commission minutes.
- b) Approval of the June 30, 2008, City Commission minutes.
- c) Approval of Appropriation Ordinance No. 06-08 in the amount of \$2,590,375.70.

Commissioner Steve Reynolds moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

YOUTH COMMISSION – APPOINTMENT

Mayor Tom McKibban stated that fourteen applicants were appointed to this board at the June 16, 2008, City Commission meeting, which left two appointments open. Another student has applied and passed the application process.

Commissioner Linda Clark moved to appoint Delaney Smith to the Youth Commission for a one-year term ending June 30, 2009.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

RESIDENTIAL STRUCTURES USED EXCLUSIVELY AS CHILD CARE CENTERS

Assistant to the City Manager Matt Rehder stated that at the June 26, 2008, Planning Commission meeting, an application was presented for a Special Use Permit to allow a day care center at 311 S. Orchard. The applicants do not make this address their residence. The sole use of the structure would be as a day care. This is not an allowable use according to the home occupation section in Article 6 of the Zoning Regulations. Article 6 states “No person shall be engaged in such home occupation other than a person occupying such dwelling unit as his residence.”

In researching this application and from statements made at the June 26, 2008, public hearing, there are two similar day cares in town. The two properties are located at 521 North Star and 622 Park Avenue. Staff is seeking direction from the Commission on how to proceed with this matter.

Input was requested from nearby landowners of the properties in question. The response was positive for both. No landowners in the area had any concerns.

Staff’s recommendation is to allow the day care centers to continue operations. In addition, Staff is recommending a letter be sent by the City informing the centers they are considered Nonconforming Uses and cannot transfer operations to a new site without applying for a Special Use Permit. Because the sites will be considered Nonconforming Uses, the rules of Article 9 of the Zoning Regulations will apply.

City Manager Herb Llewellyn explained that this item is to inform the Commissioners of this Zoning Regulation that was not historically enforced.

EL DORADO CITY COMMISSION MEETING

July 7, 2008

Discussion ensued amongst the City Commissioners, City Manager Herb Llewellyn and Assistant to the City Manager Matt Rehder regarding this issue.

Sharon Decker, 1017 S. Denver, stated that she owns the property at 311 South Orchard and is in favor of the daycare in the home. Ms. Decker asked if the other two daycare centers in question will be able to continue to operate.

City Manager Herb Llewellyn stated that the City plans on enforcing it’s zoning regulations and the Special Use Permit for 311 South Orchard will be addressed at the July 21, 2008, City Commission meeting.

TRANSIENT VENDOR ORDINANCE AMENDMENT

City Building Official Kyle McLaren stated that the ordinance was created to clarify what is required from transient vendors. It will help ensure the safety of the citizens of El Dorado and help encourage merchants to build permanent buildings for their businesses.

Discussion ensued amongst the Commissioners, City Manager Herb Llewellyn, City Clerk Kendra Porter and City Building Official Kyle McLaren regarding the new regulations for a transient vendor permit and the regulations for a vendor at the Prairie Port Festival.

ORDINANCE NO. G-1026

Commissioner Linda Clark moved that Ordinance No. G-1026, an ordinance of the City of El Dorado amending Title 5, Chapter 5.08 of the El Dorado Municipal Code Relating to Transient Vendors, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Absent
	Mayor Tom McKibban	Yes

PROJECT NO. 314-KDOT AGREEMENT 216-08

Assistant City Engineer Scott Rickard stated that in order for Project No. 314– Concrete pavement patching on Central (US 254) from School Road to the west City limits to move forward, the agreement between the City and KDOT needs to be signed.

RESOLUTION NO. 2609

Commissioner Steve Pershall moved that Resolution No. 2609, a resolution designating, authorizing and directing the Mayor and City Clerk to execute for and on behalf of the City of El Dorado, Agreement No.216-08 between the City and the Kansas Department of Transportation, for Project No. 314 for Concrete pavement patching on Central (US 254) from School Road to the west City limits, be approved.

Commissioner Steve Reynolds seconded the motion.

Motion carried 4-0.

CDBG SEWER GRANT – APPROVAL OF POLICIES

Assistant City Engineer Scott Rickard stated that during any project which has CDBG participation the following documents are approved to insure that all grant guidelines are being met. Approving these policies now will eliminate the need to adopt them with any future CDBG grants. Four policies are now submitted for the City Commission’s consideration.

The policies are 1) CDBG procurement procedures 2) City purchasing policy for grant related projects 3) Code of ethics 4) Civil rights procedures.

All are required for the City to proceed with the documentation and the approval of the grant agreement with the State of Kansas.

CDBG APPROVAL OF POLICIES

Commissioner Linda Clark moved to authorize the Mayor to execute on behalf of the City of El Dorado the CDBG procurement procedures, City purchasing policy for grant related projects, Code of ethics and the Civil rights procedures.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

PROJECT 308 – SANITARY SEWER-PRAIRIE LAND ESTATES SECOND ADDITION

Assistant City Engineer Scott Rickard stated that bids were received for the sanitary sewer project and the bid was below the Engineer’s Estimate. Bid packets were sent to four contractors and we only received one bid. Two of the contractors indicated they were not available and the other was late to the bid opening.

Mayor asked that the bid be spread for the record.

Engineer’s Estimate	\$127,897.00
Nowak Construction	\$124,501.18

ACCEPTING THE BID

Commissioner Steve Pershall moved that as Nowak Construction has submitted the lowest and best bid for Project No. 308, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

STORM WATER ORDINANCE

Assistant City Engineer Scott Rickard stated that Staff is ready to present an ordinance for the creation of the Storm Water Utility. The goal of the storm water utility is that every property in the city limits would be responsible for the cost of maintaining and improving storm water concerns; Either that being through clean water initiatives or construction projects.

In 1972 the federal government passed the Clean Water Act, which established the NDPEs (National Pollutant Discharge Elimination System). Further amendments were created in 1987 by the EPA to create a phased approach to regulating storm water under the NDPEs. Which leads us to the [Storm water Phase II rule](#) which was published on December 8, 1999, and generally requires operators of small MS4s (municipal separate storm sewer systems) in urbanized areas to develop and implement a storm water management program, which addresses six minimum control measures. The six minimum control measures are as follows.

BMP 1 -[Public Education and Outreach](#)

BMP 2 -[Public Participation/Involvement](#)

BMP 3 -[Illicit Discharge Detection and Elimination Minimum Control](#)

BMP 4 -[Construction Site Runoff Control](#) -

BMP 5 -[Post Construction Runoff Control](#)

BMP 6 -[Pollution Prevention/Good Housekeeping](#)

With the above requirements in mind and no way to fund construction and maintenance projects, it was determined that the City should look into the creation of a storm water utility. The advisory committee was formed and staff held meetings with the committee and recommendations were made to the City Commission. After reviewing a draft ordinance for the creation of the utility, staff proceeded with the collection of data.

City Staff collected data through the year to generate a database of properties and their associated cost to the storm water utility. The first task was to determine the ERU (equivalent residential unit). This was done by sectioning the City into 10-acre grids. Then one residential property was picked at random from that grid and measured to determine its impervious area. After the residential areas were completed, an average was created and then we calculated the ERU to be 2,314 S.F. The drainage fee for nonresidential developed property was calculated by taking the ERU rate multiplied by the numerical factor obtained by dividing the total impervious area of a nonresidential developed property by the number of square feet in one ERU.

Revenues were estimated at \$3.00/month for one ERU. A maximum fee of 30 ERU's was assumed for the revenues.

Discussion ensued amongst the Commissioners, City Manager Herb Llewellyn and Assistant City Engineer Scott Rickard regarding how the ERU was calculated per property.

Jeffrey Black, 1360 Terrace Drive, with the El Dorado Chamber of Commerce discussed his concerns regarding the fee structure and the possible hardship to the small business owners in El Dorado.

Consensus of the Commission was that they realized the expense but felt this was the most reasonable way to accomplish the City's goal.

ORDINANCE NO. G-1027

Commissioner Steve Pershall moved that Ordinance No. G-1027, an ordinance amending Title 13, creating Chapter 13.03 Stormwater service rates and charges of the El Dorado Municipal Code, be approved.

Commissioner Linda Clark seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Absent

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Steve Pershall requested that Assistant Public Works Director Brad Meyer and City Manager Herb Llewellyn meet with the City Commissioners during a work session to discuss their views on the County recycling program.

Discussion ensued amongst City Manager Herb Llewellyn and Assistant Public Works Director regarding the funding and fees for the County taking over the recycling program.

Commissioner Linda Clark thanked City employees for a wonderful 4th of July celebration.

Commissioner Linda Clark inquired about the work being done on Eight Street.

Assistant Public Works Director Brad Meyer stated that Eight Street had previously been slurry sealed, which caused a problem when the street was milled.

Commissioner Steve Reynolds also thanked the City employees for a wonderful 4th of July celebration. Commissioner Reynolds commended the Sanitation Department for a job well done getting everyone’s trash picked up before the holiday.

Mayor Tom McKibban read a letter from Sandy Zieman thanking the City for our support of fireworks at the Broncos game.

Mayor Tom McKibban closed the Commissioners’ comments.

CITY MANAGER’S REPORT

1. City Manager Herb Llewellyn reminded everyone to keep all political signs out of the right-of-way.
2. City Manager Llewellyn stated that there are lots of properties with overgrown grass. Staff is working on this issue; however, we are short handed since our Code Enforcement position is vacant.
3. City Manager Llewellyn commended the police and fire department for their enforcement of firework regulations.

Mayor Tom McKibban questioned if court costs had increased.

City Prosecutor Jim Murfin explained that district court costs have increased but municipal fees have not.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 8:55 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

July 16, 2008

The El Dorado City Commission met in special session on July 16, 2008, in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner David Chapin, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herb Llewellyn and Finance Director Dee Anne Grunder. Absent: Commissioner Linda Clark and City Attorney Andrew Piekalkiewicz.

VISITORS

Julie Clements	El Dorado Times	El Dorado, Kansas
Matt Rehder	220 E. First	El Dorado, Kansas
Andrea Coleman	El Dorado Main Street	El Dorado Kansas
Ricke Whiteside	220 E. First	El Dorado, Kansas
Ken Nakaten	220 E. First	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the July 16, 2008, Special Meeting to order.

2009 BUDGET AND 2009-2014 CIP

OPEB

Finance Director Dee Anne Grunder provided a PowerPoint presentation explaining the new accounting statement related to Other Post-Employment Benefits, GASB statement #45 (GASB 45). Under GASB 45 the City of El Dorado must begin recording retiree healthcare benefits on an accrual basis, effective in 2008. An actuarial valuation is required every three years, and El Dorado’s 2008 valuation has been completed. Ms. Grunder stated the Commission must decide whether to fund the Annual Required Contribution (ARC). The 2008 ARC computed by the actuary is \$78,192 if the Commission chooses to fund it. If it is funded, the ARC must be placed in an irrevocable trust to be utilized only for retiree healthcare benefits. At the end of each year, the trust will reimburse the City for the actual amount of retiree healthcare costs paid during the year. For 2008, retiree healthcare costs of \$33,839 were estimated by the actuary. Therefore, the net new cost to the City of funding the 2008 ARC is estimated at \$44,353. If the ARC is not fully funded every year, a Net OPEB Obligation must be recorded in the financial statements. Staff’s recommendation is to fund the ARC.

Discussion ensued amongst the City Commission, City Manager Herb Llewellyn, and Finance Director Dee Anne Grunder. The consensus of the Commission was to fund the ARC annually.

KP & F / RETIREMENT

City Manager Herb Llewellyn distributed two spreadsheets to the Commission reflecting two possible scenarios for funding a proposed retirement program. Mr. Llewellyn stated the Fire Department had approached him about implementing KP&F for the police and fire departments. Most other cities offer KP&F which allows participants to retire at an earlier age than they could retire under KPERS. There has been considerable turnover in the Fire Department due to employees accepting jobs in other cities that offer higher salaries and benefits. Mr. Llewellyn stated he had directed them to provide a plan to fund the considerably higher costs of KP&F, as well as funding an additional matching retirement benefit for all other employees. Mr. Llewellyn stated participation in KP&F by the police and fire departments would be mandatory, but the retirement program for other employees would be voluntary. If all employees took the full benefit available, the cost

to the City would be 6 additional mills. Staff proposed levying one mill a year for six years beginning in 2009, and implementing the retirement program in 2012.

Discussion ensued amongst the City Commission and City staff. Commissioner Pershall stated he is concerned about implementing this program when the economy is in its current uncertain condition. He noted he is in favor of levying one mill in 2009, and making the final decision of whether to implement the program in a year.

Mayor McKibban questioned what it would cost to fund only KP&F. Fire Chief Ken Nakaten stated 1.79 mills. Mr. McKibban stated he would like KP&F implemented sooner than 2012, and then implement the retirement benefit for other employees later once more funds had been accumulated.

Commissioner Reynolds requested that the employees in departments other than police and fire be polled to better determine the total cost to the City. Mr. Llewellyn stated he would poll the employees and report back to the Commission.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing land acquisition and non-elected personnel.

Commissioner Steve Pershall moved to recess into an Executive Session for the purpose of discussing land acquisition and non-elected personnel issues and to reconvene the regularly scheduled meeting in the City Commission room at 5:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

Mayor Tom McKibban reconvened the meeting at 5:34 p.m.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 5:34 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

July 21, 2008

The El Dorado City Commission met in regular session on July 21, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herbert E. Llewellyn, Jr., Finance Director Dee Anne Grunder, Assistant City Engineer Scott Rickard, and City Attorney Andrew Piekalkiewicz. Absent: City Clerk Kendra Porter

VISITORS

Amanda & Ethan Stalnaker	1155 S. Emporia	El Dorado, Kansas
Amanda Showalter	405 N. Emporia	El Dorado, Kansas
Danielle Decker	1003 S. Denver	El Dorado, Kansas
Rodger & Sharon Decker	1017 S. Denver	El Dorado, Kansas
Steve Wilson	2925 W. Fourth	El Dorado, Kansas
Charlotte Knox	651 Marmaton Rd.	El Dorado, Kansas
Art & Julie Anderson	635 Marmaton Rd.	El Dorado, Kansas
Michelle Tucker	3345 W. Towanda	El Dorado, Kansas
Cliff & Connie Rogers	3425 W. Towanda	El Dorado, Kansas
Sue Erikson	3435 W. Towanda	El Dorado, Kansas
Gary Boardman	3355 W. Towanda	El Dorado, Kansas
Jack Buckner	3605 W. Towanda	El Dorado, Kansas
Eugene Herrmann	405 School Rd.	El Dorado, Kansas
LeRoy Hildreth	601 Village Rd.	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Sandra Ring	209 E. William	Wichita, Kansas
Rick Rawlings	SCKEDD	Wichita, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Rev. Bill O’Connell	337 N. Topeka	El Dorado, Kansas
Matt Rehder	220 E. First	El Dorado, Kansas
Dan Woydziak	320 Driftwood Ct.	Rosehill, Kansas
Jamie Downs	11935 S.W. 30 th	Benton, Kansas
Mark Long	668 Hunton	El Dorado, Kansas
Tim Gfeller	2926 W. Fourth	El Dorado, Kansas
Kendra Wilkinson	1016 S. Denver	El Dorado, Kansas
Will Johnson	205 W. Central	El Dorado, Kansas
Brad Meyer	2012 N. Chelsea Dr.	El Dorado, Kansas
Norm Manley	1859 Lawndale	El Dorado, Kansas
Kurt Bookout	2520 Kacy Ct.	El Dorado, Kansas
Michelle Waite	625 W. 14 th	El Dorado, Kansas
Wava Seymour	450 Eunice	El Dorado, Kansas
Darrel Shipman	3235 W. Towanda	El Dorado, Kansas
Teri Jimenez	1019 S. Denver	El Dorado, Kansas
Lindsay Light	1424 W. Olive	El Dorado, Kansas
Audra Kenneson		Wichita, Kansas
DeAnna Bromlow	521 N. Star	El Dorado, Kansas
Charlene Miller	1122 N.W. 75 th	El Dorado, Kansas
David Hambrick	659 Marmaton	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the July 21, 2008, City Commission meeting to order.

INVOCATION

Reverend Bill O’Connell, First Presbyterian Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Reverend Bill O’Connell, 337 North Topeka, led the Pledge of Allegiance.

PERSONAL APPEARANCE

City Manager Herbert Llewellyn presented the Government Finance Officers Association Certificate of Achievement for Excellence in Financial Reporting award to Finance Director Dee Anne Grunder. Mr. Llewellyn stated that this is the thirtieth year the City of El Dorado has received this award.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With on one appearing, Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the July 7, 2008, City Commission minutes.
- b) Approval of the July 16, 2008, Special City Commission minutes.

Commissioner Linda Clark moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT-DAYCARE CENTER AT 625 WEST 14TH (CASE NO. 08-004-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant, Michelle Waite, is requesting a Special Use Permit to allow a daycare center at 625 West 14th. The property is zoned R-1, Residential-Low Density District. At the June 26, 2008 Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit for the establishment of the daycare center by a vote of 7 to 0.

ORDINANCE NO. G-1028

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-004-SUP requesting a Special Use Permit to allow the establishment of a Daycare Center on property located at 625 W 14th be accepted and that Ordinance No. G-1028, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

SPECIAL USE PERMIT-DAYCARE CENTER AT 311 SOUTH ORCHARD (CASE NO. 08-005-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant, Tammy Brown, is requesting a Special Use Permit to allow a daycare center at 311 South Orchard. The property is zoned R-1, Residential-Low Density District. At the June 26, 2008 Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission denied the Special Use Permit for the establishment of the daycare center by a vote of 7 to 0.

Discussion ensued amongst Commissioner Linda Clark, City Manager Herb Llewellyn and Assistant to the City Manager Matt Rehder regarding the City grandfathering in the other two daycare centers in which the daycare provider does not reside in the home.

Consensus of the Commissioners was to have the Planning Commission review the policy regarding allowing businesses in a residential area.

Mayor Tom McKibban questioned the difference between a pre-school and a day care.

Jamie Downs, 11935 S.W. 30th, Benton, Kansas, with the Butler County Health Department, read the KDHE definitions of a daycare center and a pre-school.

Norm Manley, representing Tammy Brown and Amanda Schowalter, stated that he agrees with City Manager Herb Llewellyn but would like to have this issue remanded back to the Planning Commission for deliberation and discussion about regulations.

Commissioner Steve Reynolds moved to table this issue until the Planning Commission provides a recommendation on this policy.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

SCKEDD – BG PRODUCTS CDBG PUBLIC HEARING

Sandy Ring and Rick Rawlings with SCKEDD, were present to answer any questions from the City Commission or the public regarding the Community Development Block Grant for BG Products.

PUBLIC HEARING

Mayor Tom McKibban opened the floor for the public hearing.

With on one appearing, Mayor Tom McKibban closed the public hearing session.

City Manager Herb Llewellyn stated that the administrator bids were opened and SCKEDD will be the administrator for the Community Block Grant of BG Products.

COLLEGE ACRES – SEWER HOOKUP

Mayor Tom McKibban stated that at the June 30, 2008 City Commission meeting, the Commission requested the City Attorney to research this issue. The City Attorney does not recommend connection without annexation; in the best case scenario, this would be problematic.

Butler County Commissioner Dan Woydziak stated that the residents of College Acres have requested to delay the annexation until the contract with RWD #2 has been terminated, since this will help to offset the cost.

Public Utilities Director Kurt Bookout stated that College Acres is served by RWD #2, and currently pay twice the in-city water rates. If we renegotiate the rate with the RWD #2, they indicated they would be receptive to releasing College Acres.

Discussion ensued amongst the City Commissioners, City Manager Herb Llewellyn and County Commissioners Will Johnson and Dan Woydziak regarding providing service for College Acres now and annexing them at a later date.

Commissioner Linda Clark moved to annex College Acres and to spread the cost over 15 to 20 years, to be determined later.

Mayor Tom McKibban seconded the motion.

Motion failed 2-3

Discussion ensued amongst the City Commissioners, City Manager Herb Llewellyn and County Commissioners Dan Woydziak and Will Johnson regarding sending this issue back to the County for approval.

Commissioner David Chapin moved to send the issue to the County under KSA 12-521.

Commissioner Steve Pershall seconded the motion.

Motion carried 3-2.

PROJECT NO. 310 – BOYER ROAD AND SIXTH AVENUE

Mayor Tom McKibban stated that the purpose of this agenda item is to reconsider authorizing the improvements of paving Boyer Road and Sixth Avenue.

Property owners will have 20 days after the publication of the resolution authorizing the project to protest. Staff will create a protest petition if an owner wishes to carry the petition.

LeRoy Hildreth, 601 Village Road, addressed his concerns regarding the paving of Boyer Road and Sixth Avenue.

Assistant City Engineer Scott Rickard explained the policy regarding benefits districts.

Eugene Herrmann, 405 School Road, questioned when School Road and Third Avenue will be improved. Mr. Herrmann stated that he is in favor of the improvements to Boyer Road and Sixth Avenue.

Assistant City Engineer Scott Rickard stated that the improvements to School Road are scheduled for 2010.

City Manager Herb Llewellyn clarified that the property owners have the option to petition out if they do not want their street improved.

Art Anderson, 635 Marmaton, discussed that the improvement cost will put a burden on the citizens who are on a fixed income, and asked the Commissioners to consider that burden.

Commissioner David Chapin stated that he has considered this burden; however, when streets are improved, property value increases as well.

LeRoy Hildreth, 601 Village Road, addressed his concerns that the City was planning to extend the truck route to include Boyer Road.

City Manager Herb Llewellyn stated that the City has no plans on extending the truck route and have recently increased the police patrol in the area as well as the cost of fine violations.

Steve Wilson, 2925 West Fourth, addressed his concerns regarding the need for the improvements of Boyer Road. Mr. Wilson stated he is not in favor of the improvements to Boyer Road and Sixth Avenue.

Mark Long, 668 Hunton, asked for explanation of the percentage for the City-at-large cost.

Assistant City Engineer Scott Rickard stated that the city-at-large will cover 71%, which includes some of the cost of the benefit district due to large parcels of land that the City must pay.

Tim Gfeller, 2926 West Fourth, addressed his concerns regarding the improvements for Boyer Road and Sixth Avenue. Mr. Gfeller stated that he is not in favor of the improvements to Boyer Road and Sixth Avenue.

Kendra Wilkinson, 1016 South Denver, stated that the school district would like the street to be wider and the district is also concerned about the truck route issue.

Don Adlesperger, 1285 South Topeka, inquired if Boyer residents would be given the same opportunity as North Topeka residents for an exception as to who could vote on the petition.

Commissioner Steve Pershall clarified that the Commission never approved the North Topeka project.

City Manager Herb Llewellyn explained if the Commission should approve this resolution and move forward, then petition can be requested.

RESOLUTION NO. 2610

Commissioner Linda Clark moved that Resolution No. 2610, a resolution determining the advisability of the making of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; repealing Resolution No. 2496 and authorizing and providing for the making of the improvements in accordance with such findings, subject to protest (paving improvements/Project No. 310), be adopted and the City draw up a petition for residents to carry if they so choose.

Commissioner David Chapin seconded the motion.

Commissioner Steve Pershall stated that he has been opposed to the improvements to Boyer Road and Sixth Avenue due to the cost.

Motion carried 4-1. (Commissioner Steve Pershall opposed)

INTERLOCAL AGREEMENT – TOWANDA AVENUE IMPROVEMENTS – PROJECT 295

Mayor Tom McKibban stated that the purpose of this agenda item is to reconsider an Interlocal Cooperation Agreement with Butler County and El Dorado Township for the purpose of paving Towanda Avenue.

Since Towanda Avenue lies on the corporate boundary limits of the City and Butler County and a portion is maintained by El Dorado Township, an Interlocal Agreement needs to be authorized before any improvements can move forward. The City previously approved this agreement with Resolution No. 2585, but it also needs the approval of the County and Township.

City Manager Herb Llewellyn stated that the County Commission would like to revisit this issue. City Manager Llewellyn inquired if the City Commission wanted to move forward and continue with the agreement.

Consensus of the City Commissioners was to continue with the agreement and allow the County to revisit this issue.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds encouraged the citizens of El Dorado to attend the Prairie Port Festival scheduled for next weekend. Commissioner Reynolds commended David Wagner and USD 490 for getting the bleachers moved and thanked the City for moving dirt to the east side of the Civic Center in preparation for the barbeque cook off. Commissioner Reynolds stated that one of the contestants will be Wichita Mayor Carl Brewer and there will be public tasting on Saturday from 9 a.m to 11 a.m.

Commissioner Linda Clark stated that she has received comments from citizens that they appreciate the bridge updates in the El Dorado Times. Commissioner Clark also inquired if Assistant City Engineer Scott Rickard could keep the citizens updated on the West Central project also.

Commissioner David Chapin discussed the Kansas Veterans Family Reunion that was held last weekend at the lake.

Mayor Tom McKibban thanked the community and the Commission for their input on the topics tonight. Mayor McKibban inquired when crews would begin repairing the potholes on Boyer Road.

Assistant Public Works Director Brad Meyer stated that crews have started working on Boyer Road today.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

1. City Manager Herb Llewellyn stated that the employees were polled on the proposed retirement program and an overwhelming response was in favor; almost all said they would contribute the 3% maximum. City Manager Llewellyn stated that the City would need a little over 3 mills to fund and if we levy 1 mill this year, 1 mill in 2009, .6 mills in 2010, and .6 mills in 2011, then we could implement KP & F in 2010. This would allow 1% for other employee's retirement in 2010, and then increase to the 3% maximum for other employee's retirement in 2011.

Consensus of the City Commissioners was to levy 1 mill in the 2009 budget.

2. City Manager Llewellyn stated that in this year's budget, we are purchasing a new tanker truck for the fire department. Staff has requested bids twice since the original bids were too high. We would like to accept a bid of \$186,000 unless the Commission has other concerns.

Consensus of the City Commissioners was to accept the bid of \$186,000.

INTERLOCAL AGREEMENT FOR REGULATION OF LAND

City Manager Herb Llewellyn stated that the purpose of this agenda item is to reconsider an Interlocal Cooperation Agreement between the City of El Dorado and Butler County for the purpose of allowing El Dorado to regulate zoning outside the City limits.

City Manager Herb Llewellyn stated that steps have been taken, but the agreement was never obtained. This allows the City in conjunction with the County to maintain and control zoning up to three miles outside the city limits. This agreement is the same as the County has with the City of Augusta.

Discussion ensued amongst the City Commissioners and City Manager Herb Llewellyn regarding this issue.

City Manager Herb Llewellyn stated that Assistant to the City Manager Matt Rehder will take this issue to the Planning Commission on Thursday night, and will be placed on the City Commission agenda in August.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing data related to property acquisition and legal issues.

Commissioner David Chapin moved to recess into an Executive Session for the purpose of discussing confidential data relating to property acquisition and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 10:00 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 10:02 p.m.

EL DORADO CITY COMMISSION MEETING

July 21, 2008

Commissioner Linda Clark moved to return to Executive Session until 10:25 p.m.

Commissioner Steve Reynolds seconded the motion.

Motion carried 4-0. (Commissioner Steve Pershall remained in the conference room)

Mayor Tom McKibban reconvened the meeting at 10:30 p.m, and noted that the City Commission returned at 10:25 p.m. but due to audio/video problems the meeting could not be reconvened until 10:30 p.m.

SALE OF LAND

Commissioner Linda Clark moved to approve the sale of land to M6 Concrete Accessories and Consolidated Oil.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 10:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

August 4, 2008

The El Dorado City Commission met in regular session on August 4, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, Finance Director Dee Anne Grunder, Assistant City Engineer Scott Rickard, City Building Official Kyle McLaren, Fire Marshall Joseph Haag, Assistant to the City Manager Matt Rehder and City Attorney Andrew Piekalkiewicz. Absent: City Manager Herb Llewellyn and City Clerk Kendra Porter.

VISITORS

Jim Murfin	220 E. First	El Dorado, Kansas
Adam See	Burns & McDonnell	El Dorado, Kansas
Jim Stump	2515 Kacy Ct.	El Dorado, Kansas
Kimberly Blake	3625 W. Towanda	El Dorado, Kansas
Chaplin Mark Somerville	515 W. Locust	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Steven Shannon	2049 Dragonfly Dr.	El Dorado, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
David Ellis	208 S. Summit	El Dorado, Kansas
Linda Baines	253 Post Rd.	El Dorado, Kansas
Lindsay Baines	1516 W. Third	El Dorado, Kansas
John C. Grange	1115 Rim Rock Rd.	El Dorado, Kansas
Brad Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Spencer Stewart	1129 S. Douglas Rd.	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the August 4, 2008, City Commission meeting to order.

INVOCATION

Reverend Spencer Stewart, New Life Equipping Ministry, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Julie Clements, El Dorado Times, led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Mayor Tom McKibban apologized for remarks made at the last meeting and read the Public Comment Policy.

With on one appearing, Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the July 21, 2008, City Commission minutes.
- b) Approval of Appropriation Ordinance No. 07-08 in the amount of \$1,345,978.00.
- c) Approval of the Engineer’s First Pay Estimate dated July 28, 2008 on Project No. 305, Residential Sidewalks to the Contractor, Barkley Construction, in the amount of \$23,598.01.

- d) Approval of the Engineer's First Pay Estimate dated July 28, 2008, on Project No. 308, Sanitary Sewer Prairie Land Estates 2nd Addition to the Contractor, Nowak Construction, in the amount of \$19,565.00.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

AIRPORT MASTER PLAN

Adam See with Burns & McDonnell, gave a short presentation, then discussed and answered questions regarding the Airport Master Plan. The FAA needs the City to approve the plan before moving forward; however, the FAA has the final authorization of this plan.

Discussion ensued amongst Adam See and the City Commissioner regarding the Airport Master Plan.

AIRPORT MASTER PLAN

Commissioner Linda Clark moved that the Airport Master Plan, as presented, be approved, and the City Manager be instructed to take the necessary actions to implement the plan.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

RESOLUTION – COLLEGE ACRES ANNEXATION

Assistant to the City Manager Matt Rehder stated that this item was initiated by the State of Kansas informing the residents of College Acres of the closing of their sewer lagoon. In order for the College Acres residents to connect to the City sewer system, City regulations require annexation of this area. The City Commission has discussed this item at various meetings with the College Acres residents advising the Commission of their displeasure of the need to be annexed into the City limits. The City Commission has decided to remand this item to the Butler County Commission.

Kimberly Blake, 3625 West Towanda, read a prepared statement regarding annexation and asked the City Commissioners to reconsider sending this to the County for annexation.

RESOLUTION NO. 2611

Commissioner Steve Pershall moved that Resolution No. 2611, a resolution authorizing the filing of a petition with the Board of Commissioners of Butler County, Kansas, to consider the annexation of certain territory as provide by K.S.A. 12-521, be approved.

Motion failed for lack of second.

Mayor Tom McKibben asked Assistant to the City Manager Matt Rehder to inform the County regarding this issue.

PROJECT NO. 314 – CONCRETE PAVEMENT PATCHING ON CENTRAL AVENUE (US 254)

Assistant City Engineer Scott Rickard stated that bids were received on Project No. 314 – Concrete pavement patching on Central (US 254) on July 16, 2008, in Topeka. All-In-One Construction, LLC, of Louisburg, Kansas, was the lowest bidder. The bid on the project was below the Engineer’s Estimate.

AWARDING THE CONTRACT

Commissioner Steve Reynolds moved that since All-In-One Construction, LLC presented the lowest and best bid for Project No. 314 Concrete pavement patching on Central (US 254) from School Road to the west City limits, the City of El Dorado award the contract to All-In-One Construction, LLC, and commit funds to the State of Kansas.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

INTERLOCAL AGREEMENT WITH BUTLER COUNTY FOR REGULATION OF LAND

Assistant to the City Manager Matt Rehder stated that this agenda item was discussed at the July 21, 2008, City Commission meeting and returned to the Planning Commission for review. The Planning Commission discussed this item at their July 24, 2008, meeting. The consensus was to approve and move forward. The purpose of this item is to reconsider the Interlocal Cooperation Agreement between the City of El Dorado and Butler County for the purpose of allowing El Dorado to regulate zoning outside the City limits.

INTERLOCAL AGREEMENT

Commissioner David Chapin moved that the Interlocal Agreement between Butler County, Kansas, and the City of El Dorado, Kansas, providing for the regulation of the use of land within territory designated as the growth area of the City of El Dorado, be approved.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

PUBLIC HEARING – 2009 BUDGET AND SIX-YEAR CAPITAL IMPROVEMENT PLAN

Finance Director Dee Anne Grunder stated that in order to comply with Kansas state law, the City Commission will conduct a public hearing for all interested citizens regarding the proposed 2009 Budget. Finance Director Grunder provided a brief review of the proposed 2009 Budget.

PUBLIC HEARING

Mayor Tom McKibban opened the floor for the public hearing.

With on one appearing, Mayor Tom McKibban closed the public hearing session.

ORDINANCE NO. S-1295

Commissioner Linda Clark moved that Ordinance No. S-1295, an ordinance attesting to an increase in tax revenues for Budget Year 2009 for the City of El Dorado, be approved, and to approve the 2009 Operating Budget and Capital Improvement Plan in the total amount of \$22,886,969, providing for an estimated mill levy of 46.512 mills and to certify the same to the County Clerk.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

MULTIPLE CODE AND FIRE ORDINANCES

City Building Official Kyle McLaren stated that the City of El Dorado has a current need to update the codes adopted by the city to regulate construction. These updates will make the City of El Dorado consistent with the surrounding areas. These amendments include updates to the Building, Residential, Uniform Plumbing, and Uniform Mechanical code and have been recommended by the Board of Code Review. Building Official Kyle McLaren stated that he has provided a recommended timeline and sample letter to local contractors. The Fire Department has provided Fire Code amendments.

2006 International Building Code - The adoption of the 2006 IBC would replace the 1997 Uniform Building Code which we are currently using.

2006 International Residential Code - The 2006 IRC would not replace any codes which we are currently using. It is a stand alone code that sets guidelines for one- and two-family dwellings.

2006 Uniform Plumbing Code - The adoption of the 2006 UPC would replace the 1991 Uniform Plumbing Code, which we are currently using.

2006 Uniform Mechanical Code - The adoption of the 2006 UMC would replace the 1991 Uniform Mechanical Code which we are currently using. The City of El Dorado does not currently enforce the mechanical code and will not begin enforcement of the new code at this time.

2006 Fire Code – The adoption of the 2006 Fire Code would amend the current code we are using.

Discussion ensued amongst the City Commissioners and Building Official Kyle McLaren regarding the updates to the Building, Residential, Uniform Plumbing, and Uniform Mechanical codes.

City Building Official Kyle McLaren stated that the City’s intensions would be to wait to enforce the 2006 Uniform Mechanical Code until 2010 in order for contractors to get licensed.

EL DORADO CITY COMMISSION MEETING

August 4, 2008

Commissioner Steve Reynolds thanked the members of the Board of Code Review.

ORDINANCE NO. G-1030

Commissioner Linda Clark moved that Ordinance G-1030, an ordinance adopting the 2006 Edition of the International Building Code, be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

ORDINANCE NO. G-1031

Commissioner Steve Pershall moved that Ordinance G-1031, an ordinance adopting the 2006 Edition of the International Residential Code, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

ORDINANCE NO. G-1032

Commissioner David Chapin moved that Ordinance G-1032, an ordinance adopting the 2006 Edition of the Uniform Plumbing Code, be approved.

Commissioner Linda Clark seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

ORDINANCE NO. G-1033

Commissioner Steve Reynolds moved that Ordinance G-1033, an ordinance adopting the 2006 Edition of the Uniform Mechanical Code, be approved.

Commissioner Linda Clark seconded the motion.

EL DORADO CITY COMMISSION MEETING

August 4, 2008

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

John Grange, 1115 Rim Rock Road, discussed his concerns if permits are required in the Mechanical Code.

ORDINANCE NO. G-1034

Commissioner Linda Clark moved that Ordinance G-1034, an ordinance adopting the 2006 Edition of the International Fire Code, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

Fire Marshall Joseph Haag discussed the changes in the 2006 Edition of the International Fire Code.

Mayor Tom McKibban thanked everyone involved in providing input to update the City of El Dorado Building Codes.

PROJECT NO. 307 – PAVING PRAIRIE LAND ESTATES SECOND ADDITION

Assistant City Engineer Scott Rickard stated that bids were received for the paving project and the bid was below the Engineer’s Estimate.

Assistant City Engineer Scott Rickard spread the bids for the record.

Engineer’s Estimate	\$327,469.50
APAC	\$330,323.08
Cornejo & Sons	\$298,954.60

AWARDING THE CONTRACT

Commissioner Linda Clark moved that as Cornejo & Sons has submitted the lowest and best bid for Project No. 307, the City Manager be directed to award the contract to said contractor providing that the Company furnish the proper bonds.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin stated that he is pleased with his new sidewalk and urged all citizens to take advantage of the sidewalk program next year.

Commissioner Steve Pershall updated the City Commission on a recent REAP water conference that he and Public Utilities Director Kurt Bookout attended.

Commissioner Linda Clark stated that she has received nice comments regarding the North Main bridge.

Commissioner Steve Reynolds encouraged everyone to vote tomorrow. Commissioner Reynolds commended the City for all their support and hard work with the Prairie Port Festival.

Mayor Tom McKibban thanked Commissioner Reynolds for organizing the barbeque cook off contest. Mayor McKibban discussed the Butler County 4-H foreign exchange program. Mayor McKibban also encouraged everyone to check on their neighbors, especially the elderly during the next few days due to the heat. Mayor McKibban encouraged everyone to vote tomorrow. Mayor McKibban also inquired if a crosswalk was going to be added at the intersection of Village Road and Central Avenue.

Assistant City Engineer Scott Rickard stated that the issue has been addressed.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

Assistant to the City Manager Matt Rehder encouraged everyone to vote in tomorrow's election.

Assistant to the City Manager Matt Rehder stated that there will be a Work Session August 13, 2008, at 3:30 p.m.

Assistant City Engineer Scott Rickard stated that the City would appreciate the Commission's support at the Butler County Commission Meeting on August 11, 2008, at 9:00 a.m. regarding paving Towanda Street.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 8:17 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

August 13, 2008

The El Dorado City Commission met in special session on August 13, 2008, in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner David Chapin, Commissioner Linda Clark, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herb Llewellyn, Finance Director Dee Anne Grunder and City Clerk Kendra Porter (arrived at 5:15). Absent: City Attorney Andrew Piekalkiewicz and Assistant City Engineer Scott Rickard.

VISITORS

Terry Steuber	Kansas Corporation Commission	Topeka, Kansas
Ryan Freed	Kansas Corporation Commission	Topeka, Kansas
Victor Edwards	Johnson Controls	Lenexa, Kansas
Harshvardhan Barve	Johnson Controls	Lenexa, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Ricke Whiteside	220 E. First	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas
Kevin McCoy	Consolidated Oil Services	El Dorado, Kansas
Matt Rehder	220 E. First	El Dorado, Kansas
Sue Givens	1230 E. Prairie View Rd.	El Dorado, Kansas
Kurt Bookout	220 E. First	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the August 13, 2008, Special Meeting to order.

ENERGY AUDIT – JOHNSON CONTROLS

City Manager Herb Llewellyn stated that the City of El Dorado has recently undergone an energy audit and representatives of Johnson Controls and the Kansas Corporation Commission are present to discuss moving forward with capital changes needed to reduce energy consumption.

Victor Edwards with Johnson Controls thanked the City Commission for allowing Johnson Controls to work with the City of El Dorado to help reduce energy cost and greenhouse gasses.

Ryan Freed with the Kansas Corporation Commission gave an overview of the Kansas Corporation Commission and their role in determining where energy is wasted.

Discussion ensued amongst the City Commissioners, City Manager Herb Llewellyn and Ryan Freed regarding the cost of the changes needed to reduce energy consumption.

City Manger Herb Llewellyn explained the City’s payback is sixteen and one-half years which includes the states fees and needed items that will not pay for themselves; such as the HVAC and low-flow toilets for City Hall and the Civic Center.

Victor Edwards with Johnson Controls gave a Power Point presentation on the history of Johnson Controls.

Harshvardhan Barve with Johnson Controls gave a Power Point presentation explaining the capital changes needed to reduce energy consumption.

City Manager Herb Llewellyn stated that he is currently reviewing the contract from the Kansas Corporation Commission and Johnson Controls and would like to move forward.

Commissioner Linda Clark stated her concerns regarding cost.

Commissioner David Chapin stated the importance of allowing local contractors to have equal ability to bid the work.

CONSOLIDATED OIL SERVICES

Assistant to the City Manager Matt Rehder stated that the applicant, Consolidated Oil Well Services, is requesting a Special Use Permit to allow Oil and Gas Extraction on property located in the El Dorado Industrial Park. At the July 24, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit application by a vote of 8 to 0.

Mayor Tom McKibban inquired if this special use permit was to allow Consolidated Oil Services to drill a well.

City Manager Herb Llewellyn stated that Consolidated Oil Services is simply a service provider of oil and gas wells.

Linda Jolly, 2100 Pico Court, explained that Consolidated Oil Services desires to build offices and a hydrochloric acid storage unit on property they own in the city limits. Therefore, due to the hydrochloric acid storage unit a special use permit is required.

Kevin McCoy with Consolidated Oil Services gave an overview of the company’s activities and explained the requirements needed to build a hydrochloric acid storage unit. Mr. McCoy stated that Consolidated Oil Services is a company very concerned with safety and environmental issues.

ORDINANCE NO. G-1035

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-007-SUP requesting a Special Use Permit to allow Oil and Gas Extraction on land zoned I-1 Light Industrial District be accepted and that Ordinance No. G-1035, be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

COLLEGE ACRES

City Manager Herb Llewellyn stated that the Butler County Commission passed a resolution requesting the City of El Dorado connect and annex the College Acres area into the City of El Dorado at their August 11, 2008, meeting. Below are two options for the City Commission’s review and discussion. Motion One will send a petition to Butler County to begin the annexation process. Motion Two will begin the annexation process by the City of El Dorado per Municipal Code 13.16.020(E). This motion requires annexation of the area in order to be connected to the City’s sewer system since KDHE is requiring College Acres to abandon the lagoon system.

Commissioner Steve Pershall addressed his concerns regarding remarks made by the County Commission; felt it was unfair criticism. Commissioner Pershall stated that the City Commission is working hard to find a solution to satisfy everyone and the options given are not appealing on either side.

Commissioner Steve Pershall also stated he was not inclined to annex College Acres if they did not want to be annexed and is concerned with the long term effects of connecting them without annexation.

Commissioner Linda Clark, Commissioner Chapin and Mayor Tom McKibban expressed their concerns of connecting College Acres residents to the City’s sewer system without annexation.

Discussion ensued amongst City Manager Herb Llewellyn and the City Commissioners regarding connecting College Acres onto the City’s sewer system.

RESOLUTION NO. 2611

Commissioner Linda Clark moved that Resolution No. 2611, a resolution declaring an interest in and establishing a public hearing date for considering the annexation of certain lands to the City of El Dorado, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

K P & F PRESENTATION

Fire Captain Ricke Whiteside gave a Power Point presentation and answered questions regarding K P & F retirement program.

City Manager Herb Llewellyn stated that 1 mill was added to the 2009 budget for enhanced retirement for City employees.

Discussion ensued amongst City Manager Herb Llewellyn and the City Commissioners regarding the cost.

City Manager Herb Llewellyn stated the need for the City of El Dorado to be competitive to maintain good employees.

Fire Captain Ricke Whiteside stated approximately ninety percent of other city’s our size participates in K P & F.

CHARTER SCHOOL LOCATION FOR USD #490

City Manager Herb Llewellyn stated that there have been some concerns regarding the Charter School location for USD 490. City Manager Llewellyn stated in July, USD 490 requested a special use permit and due to State mandated public notification

EL DORADO SPECIAL CITY COMMISSION MEETING

August 13, 2008

requirements the Planning Commission could not place it on the agenda until August; therefore, the City Commission could not review until September. The City and USD 490 are working together to try to find a temporary alternative location.

USD 490 Superintendent Sue Givens stated that they anticipated 20 students and currently they have 41 students enrolled. Therefore, they have outgrown the space in the special use request and must withdraw their request and find a new location.

Discussion ensued amongst City Manager Herb Llewellyn, the City Commissioners' and Superintendent Sue Givens regarding a location for the Charter School.

AUGUST 18, 2008, REGULAR MEETING

City Manager Herb Llewellyn stated that he will be in New Orleans to accept the American Public Works Association's Project of the Year award to the City of El Dorado for the Wetlands and Water Reclamation Facility, and will not be available to attend the regularly scheduled City Commission meeting on August 18, 2008. This motion would give the Commission the option of moving the regularly scheduled meeting.

Consensus of the City Commissioners was to hold the City Commission meeting on its regularly scheduled date.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing acquisition of real estate issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing acquisition of real estate issues and to reconvene the regularly scheduled meeting in the City Commission room at 5:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 5:40 p.m.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 5:40 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

August 18, 2008

The El Dorado City Commission met in regular session on August 18, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, Assistant City Engineer Scott Rickard, Assistant to the City Manager Matt Rehder, City Clerk Kendra Porter, City Attorney Andrew Piekalkiewicz and City Prosecutor Jim Murfin. Absent: City Manager Herb Llewellyn.

VISITORS

James Cook	719 Fredrick Dr.	El Dorado, Kansas
Brad Meyer	2012 Chelsea	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Rev. Rick Barrett	220 Belair	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the August 18, 2008, City Commission meeting to order.

INVOCATION

Reverend Rick Barrett, Assembly of God, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

City Attorney Andrew Piekalkiewicz led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Donald Adlesperger, 1285 South Topeka, stated that he was concerned that the park land in the Adlesperger Smith Addition is not getting mowed.

Mayor Tom McKibban stated that City Staff will address this issue.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the August 4, 2008, City Commission minutes.
- b) Approval of the August 13, 2008, Special City Commission minutes.
- c) Approval of Ordinance S-1296, an ordinance certifying the local retailer's sales tax.

Commissioner Linda Clark moved that the Consent Agenda, as presented, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 635 NORTH STAR (CASE NO. 08-006-SUP)

Assistant to the City Manager Matt Rehder stated that the applicants Damien Morris and Amanda Porter are requesting a Special Use Permit to allow a Day Care Center at 635 North Star. The Property is zoned R-1, Residential-Low Density District. At the July 24, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit for the establishment of the Day Care Center by a vote of 7 to 0 to 1.

Mayor Tom McKibban inquired if the applicants reside at the address of the day care center.

Assistant to the City Manager Matt Rehder stated that the applicants do reside at this address.

ORDINANCE NO. G-1036

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-006-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 635 North Star be accepted and that Ordinance No. G-1036, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2008, AND THE UNIFORM PUBLIC OFFENSE CODE, EDITION 2008

Mayor Tom McKibban stated that the 2008 Kansas legislative session provides for certain changes in the Standard Traffic Ordinance for Kansas Cities, and the Uniform Public Offense Code, both Edition 2008. This action incorporates certain legislative changes effective July 1, 2008. The City Commission approves these actions annually.

ORDINANCE NO G-1037 AND G-1038

Commissioner Linda Clark moved that Ordinance No. G-1037, an ordinance amending Section 10.04.010 of the El Dorado Municipal Code pertaining to traffic and referencing the “Standard Traffic Ordinance for Kansas Cities Edition 2008, and Ordinance No. G-1038, an ordinance amending Section 9.04.010 of the El Dorado Municipal Code pertaining to public offenses and referencing the “Uniform Public Offense Code” Edition 2008, be passed and approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Steve Reynolds thanked Andrew Piekalkiewicz for his tenure as City Attorney.

Commissioner Steve Reynolds stated that he has received concerns from citizens regarding the lack of progress on the Ninth Avenue Bridge.

Assistant City Engineer Scott Rickard stated that there has been some scheduling issues between the contractor and subcontractors. Assistant City Engineer Rickard stated that the contract indicates the contractors only have 60 days left to complete both projects. If the contractor should exceed the time limit the City can charge the contractor for liquidated damages.

Commissioner Linda Clark addressed her concerns regarding the political signs that are still in place.

Commissioner Steve Pershall thanked the citizens of El Dorado for approving the one percent sales tax, and reminded everyone to be careful driving since school is now back in session.

Commissioner David Chapin also thanked the citizens of El Dorado for approving the one percent sales tax, and congratulated the Youth Commission on their recent activities.

Discussion ensued amongst Commissioner David Chapin and Assistant Public Works Director Brad Meyer regarding placing warning signs to advise drivers of approaching school zones.

Commissioner David Chapin inquired on the status of the skate park.

Assistant Public Works Director Brad Meyer discussed the progress of the skate park, indicating that Staff will be constructing the ramps and jumps.

Commissioner Chapin requested a meeting with Parks and Recreation Director John Scanlon to discuss the cost of installing more water features in our parks.

Mayor Tom McKibban reminded everyone that the City is sending notices to residents to discourage citizens from putting grass clippings in the storm drains.

Discussion ensued amongst Assistant Public Works Director Brad Meyer and Assistant City Engineer Scott Rickard regarding the problems grass clipping cause in our storm drains.

Mayor Tom McKibban closed the Commissioners’ comments.

CITY MANAGER'S REPORT

Assistant to the City Manager Matt Rehder stated that the Neighborhood Revitalization Program will expire on December 31, 2008, and we have started the renewal process. Assistant to the City Manager Rehder stated that since the September 1, 2008, City Commission meeting is on Labor Day the meeting will automatically move to Tuesday, September 2, 2008.

Assistant City Engineer Scott Rickard stated that the protest time for Boyer Road has expired and no one picked up a petition.

Assistant to the City Manager Matt Rehder read a letter from the Broncos Baseball Association thanking the City for all their support.

Commissioner Steve Pershall inquired on when the college and school board meet again.

Julie Clements, El Dorado Times, stated that it is scheduled for Wednesday, August 27, 2008 at 5:00 p.m.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 7:28 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

September 2, 2008

The El Dorado City Commission met in regular session on September 2, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Clerk Kendra Porter, and City Attorney Jim Murfin.

VISITORS

Steve Fellers	2034 Chelsea Dr.	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas
Ray Connell	2520 N. Chase	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the September 2, 2008, City Commission meeting to order.

INVOCATION

City Manager Herb Llewellyn opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Steve Fellers, 2034 Chelsea Drive, led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With no one appearing, Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the August 18, 2008, City Commission minutes.
- b) Approval of Appropriation Ordinance No. 08-08 in the amount of \$1,058,744.14.
- c) Approval of the Engineer’s Second and Final Pay Estimate dated August 26, 2008, on Project No. 305, Residential Sidewalks to the Contractor, Barkley Construction, in the amount of \$8,695.70.
- d) Approval of the Engineer’s Second Pay Estimate dated August 26, 2008, on Project No. 308, Sanitary Sewer Prairie Land Estates 2nd Addition to the Contractor, Nowak Construction, in the amount of \$96,621.12.

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**LEAGUE OF KANSAS MUNICIPALITIES VOTING DELEGATE
REGISTRATION**

Mayor Tom McKibban stated that the annual business meeting of the League of Kansas Municipalities will be held in Wichita, Kansas, on October 11-14, 2008. The City is entitled to three voting delegates and three alternate delegates.

Commissioner David Chapin moved to appoint Commissioner Steve Reynolds, Commissioner Steve Pershall and City Manager Herb Llewellyn to be named voting delegates at the annual business meeting of the Kansas League of Municipalities and that David Chapin, Dee Anne Grunder and Kurt Bookout be named alternates.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds stated that he has received compliments regarding the Ninth Street bridge.

Commissioner Linda Clark stated that she has received mowing complaints regarding the grass around the railroads.

City Manager Herb Llewellyn stated that there was a misunderstanding regarding insurance liability with City Staff. This issue has been resolved and the properties will get mowed.

Commissioner Steve Pershall asked for clarification of the City's cost regarding the west Central Avenue project.

Assistant City Engineer Scott Rickard stated that KDOT through a KLINK grant is funding the bulk of the project. However, the City is obligated for the milling and overlay of Central Avenue, which will be funded through sales tax.

Commissioner Steve Pershall stated that he noticed Graham Park was busy over the weekend with children enjoying the spray park and questioned when the City pool and the spray park will be closing.

City Manager Herb Llewellyn stated that the City pool has already closed and would check on the status of the spray park.

Commissioner David Chapin inquired on the progress of his request for the cost of installing more water features in our parks.

City Manager Herb Llewellyn stated that Staff is currently gathering that information, and should be able to make a presentation to the City Commissioners in the near future.

Mayor Tom McKibban stated that the work on west Central Avenue is progressing and the contractors are working diligently.

Mayor Tom McKibban thanked City employees for their efforts with the construction of the skate park.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

1. City Manager Herb Llewellyn discussed the current AT & T franchise fee agreement. City Manager Llewellyn stated currently the city receives a 5% franchise fee; however, we do have the option to change to a flat fee of \$2.25 per line.

Discussion ensued amongst the City Commissioners and City Manager Herb Llewellyn regarding the AT & T franchise agreement.

Consensus of the City Commission was to stay with the 5% franchise fee.

2. City Manager Herb Llewellyn stated that due to the Centennial Celebration the County has asked that a portion of Central Avenue, in front of the Courthouse, be closed during the celebration.

Consensus of the City Commission was to allow Central Avenue to be closed.

3. City Manager stated that the City has been working with the State of Kansas on a Comprehensive Transportation Plan since the current plan is due to expire. Staff will be attending an informational meeting lead by the Kansas League of Municipalities.

Assistant City Engineer Scott Rickard stated that the date of the meeting has changed to September 30, 2008.

4. City Manager Herb Llewellyn stated that the City has some sales tax monies left over from the west Central Avenue project and would like to use some of the money to repair the railroad crossing at Fourth Avenue and Main Street and also repair the River Road intersection.

Consensus of the City Commission was to use the excess monies and proceed with the repairs.

5. City Manager Herb Llewellyn stated that an unknown person or persons in the southeast part of town shot some business and car windows with BB guns.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing legal issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:15 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

EL DORADO CITY COMMISSION MEETING

September 2, 2008

Mayor Tom McKibban reconvened the meeting at 8:15 p.m.

Commissioner Steve Reynolds moved to return to Executive Session until 8:45 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0. (Commissioner Steve Pershall remained in the conference room)

Mayor Tom McKibban reconvened the meeting at 8:45 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:45 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

September 15, 2008

The El Dorado City Commission met in regular session on September 15, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Clerk Kendra Porter, and City Attorney Jim Murfin.

VISITORS

James Cook	719 Fredrick Dr.	El Dorado, Kansas
Brad Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Jonathan Brickley	911 W. Third Ave.	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the September 15, 2008, City Commission meeting to order.

INVOCATION

Jonathan Brickley, 911 West Third, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Julie Clements, El Dorado Times, led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With no one appearing, Mayor Tom McKibban, closed the public comment session.

CONSENT AGENDA

- a) Approval of the September 2, 2008, City Commission minutes.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

SET THE PUBLIC HEARING FOR PROJECT NO. 296

Assistant City Engineer Scott Rickard stated that Project No. 296 is complete. The City Commission must set a hearing date to spread the costs to the properties involved.

Project No. 296 – Sanitary Sewer 803, 809, 811 South Star and 311 West Kansas

Preliminary Estimate	\$27,000.00
Final Cost	\$16,975.21
Improvement District Cost	\$16,975.21
City-at-Large Cost	\$ 0.00

PROJECT NO. 296

Commissioner Steve Pershall moved to set the public hearing for 7:00 p.m. on October 6, 2008, to be held for the purpose of considering the proposed assessments of the cost of Project No. 296, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

SET THE PUBLIC HEARING FOR PROJECT NO. 305

Assistant City Engineer Scott Rickard stated that Project No. 305 is complete. The City Commission must set a hearing date to spread the cost to the properties involved.

PROJECT NO. 305 – RESIDENTIAL SIDEWALKS

Preliminary Estimate	\$30,470.29
Final Cost	\$32,693.72
Improvement District Cost	\$24,625.60
City-at-Large Cost	\$ 8,068.12

Assistant City Engineer Scott Rickard stated that the final cost is over the estimated cost due to the additional requests made by residents.

PROJECT NO. 305

Commissioner Linda Clark moved to set the public hearing for 7:00 p.m. on October 6, 2008, to be held for the purpose of considering the proposed assessments of the cost of Project No. 305, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

SET THE PUBLIC HEARING FOR PROJECT NO. 308

Assistant City Engineer Scott Rickard stated that Project No. 308 is complete. The City Commission must set a hearing date to spread the cost to the properties involved.

PROJECT NO. 308 – SANITARY SEWER – PRAIRIE LAND ESTATES 2ND ADDITION

Preliminary Estimate	\$195,540.50
Final Cost	\$173,910.85
Improvement District Cost	\$173,910.85
City-at-Large Cost	\$ 0.00

PROJECT NO. 308

Commissioner Steve Reynolds moved to set the public hearing for 7:00 p.m. on October 6, 2008, to be held for the purpose of considering the proposed assessments of the cost of Project No. 308, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin addressed the traffic congestion on west Central Avenue and assured citizens that the City is working diligently to improve the conditions.

City Manager Herb Llewellyn stated that City Staff has changed the traffic light timing and have closed the turn lanes on the east and west side of Central Avenue at Village Road.

Commissioner Steve Pershall questioned the status on hiring a Code Enforcement Officer.

City Manager Herb Llewellyn stated that the Code Enforcement Officer position has been filled.

Commissioner Steve Pershall stated that along the west side of North Topeka the weeds need mowed.

City Manager Herb Llewellyn stated that the refinery is responsible for mowing the west side of North Topeka, and Staff will notify them regarding this issue.

Commissioner Linda Clark complimented City employees for their work during the flooding issues last Friday.

City Manager Herb Llewellyn reiterated the same to all employees.

Commissioner Steve Reynolds and Mayor Tom McKibban also complimented City employees on their efforts.

City Manager Herb Llewellyn stated the emergency gave the City the opportunity to utilize their recent NIMS training.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that he had no new updates at this time.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing legal issues.

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 7:40 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 7:40 p.m.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 7:40 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

October 6, 2008

The El Dorado City Commission met in regular session on October 6, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Clerk Kendra Porter, and City Attorney Jim Murfin.

VISITORS

Brad Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Teri Jimenez	622 Park Ave	El Dorado, Kansas
Elizabeth Houck	401 S. Alleghany	El Dorado, Kansas
Trent & Beth Gunter	1725 Candace Lane	El Dorado, Kansas
Margie Peffley	809 S. Star St.	El Dorado, Kansas
Mary Miller	819 S. Star St.	El Dorado, Kansas
Barbara Jean Feller	811 S. Star St.	El Dorado, Kansas
Tammy Jones	712 Park Ave	El Dorado, Kansas
Tina Martin	317 Hunton Rd	El Dorado, Kansas
Bob Hendricks	207 S. Topeka	El Dorado, Kansas
Stan Seymour	827 N. Washington	El Dorado, Kansas
Sherry & Bobby Hendricks	751 Audrey Dr.	El Dorado, Kansas
Alex Pennington	2320 Gentry Lane	El Dorado, Kansas
Lee Huff	1425 W. Olive	El Dorado, Kansas
Linda Swan	1403 Park Ave.	El Dorado, Kansas
Ali Olthoff	925 River Rd., Apt 505	El Dorado, Kansas
John & Sydney Scanlon	1331 Joyce	El Dorado, Kansas
Denise Carter	1856 Ridge Rd.	El Dorado, Kansas
Chelsie Meyer	2012 Chelsea Dr.	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the October 6, 2008, City Commission meeting to order.

INVOCATION

The Reverend Stan Seymour, First Christian Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Denise Carter’s Third grade students from Lincoln Elementary School led the Pledge of Allegiance.

PERSONAL APPEARANCE

Linda Swan, President of the El Dorado United Way, updated the Commission on this year’s United Way kick-off with a goal of \$275,000.

PROCLAMATIONS

Mayor Tom McKibban read a proclamation to proclaim October 10th through October 12th as Helping People with Intellectual Disabilities Days.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Elizabeth Houck, 401 South Alleghany, requested an explanation for the change in daycare requirements regarding off-street parking.

City Manager Herb Llewellyn stated that Staff is considering grandfathering some requirements but needs more time to research.

CONSENT AGENDA

- a. Approval of the September 15, 2008, City Commission minutes.
- b. Approval of the September 29, 2008, Special City Commission minutes.
- c. Approval of Appropriation Ordinance No. 9-08 in the amount of \$1,884,078.43.
- d. Approval of Resolution No.2612, a resolution to renew Butler County as a designated non-metropolitan region of the Kansas Enterprise Zone Act, to allow participation in economic development programs.
- e. Approval of the Engineer's First Pay Estimate dated September 25, 2008, on Project No. 307, Paving Prairie Land Estates 2nd Addition to the Contractor, Cornejo & Sons, in the amount of \$123,358.45.
- f. Approval of the Engineer's Third Pay Estimate dated September 25, 2008, on Project No. 308, Sanitary Sewer Prairie Land Estates 2nd Addition to the Contractor, Nowak Construction, in the amount of \$16,391.30.

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

APPLICATION TO REZONE PROPERTY FROM R-1 RESIDENTIAL LOW DENSITY DISTRICT TO R-3 MULTIPLE-FAMILY DWELLING DISTRICT, (CASE NO. 08-001-REZ)

Assistant to the City Manager Matt Rehder stated that applicant, Wade Wilkinson, is requesting property located on South Taylor Street be rezoned from R-1 Residential Low Density District to R-3 Multiple-Family Dwelling District.

At the September 4, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the rezoning application by a vote of 7 to 0.

ORDINANCE NO G-1039

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-001-REZ requesting a rezoning of certain property located on South Taylor Street, be accepted and that Ordinance No.G-1039, be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 712 W. PARK, ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT (CASE NO. 08-011-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant, Tammy Jones, is requesting a Special Use Permit to allow a Day Care Center at 712 W. Park. The property is zoned R-1, Residential-Low Density District.

At the September 4, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit for the establishment of the Day Care Center by a vote of 6 to 0.

ORDINANCE NO G-1040

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-011-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 712 W. Park be accepted and that Ordinance No. G-1040, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 1725 CANDACE LANE, ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT (CASE NO. 08-012-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant, Elisabeth Gunter, is requesting a Special Use Permit to allow a Day Care Center at 1725 Candace Lane. The property is zoned R-1, Residential-Low Density District.

At the September 4, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit for the establishment of the Day Care Center by a vote of 6 to 0.

ORDINANCE NO G-1041

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-012-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 1725 Candace Lane be accepted and that Ordinance No.G-1041, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

PUBLIC HEARING – PROJECT NO. 296 – SANITARY SEWERS

Assistant City Engineer Scott Rickard stated that Project No. 296 is complete. The City Commission established this date to spread the special assessments to the properties.

Project No. 296 – Sanitary Sewer 803, 809, 811 S Star & 311 W Kansas

Preliminary Estimate	\$27,000.00
Final Cost	\$16,975.21
Improvement District Cost	\$16,975.21
City at Large Cost	\$ 0.00

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing for comments.

With on one appearing, Mayor McKibban closed the public hearing.

ORDINANCE NO S-1297

Commissioner Steve Pershall moved that Ordinance No. S-1297, an ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of El Dorado, Kansas, as heretofore authorized by resolution 2591 of the City; and providing for the collection of such special assessments.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

PUBLIC HEARING – PROJECT NO. 305 – RESIDENTIAL SIDEWALKS

Assistant Engineer Scott Rickard stated that Project No. 305 is complete. The City Commission established this date to spread the special assessments to the properties.

Project No. 305 – Residential Sidewalks

Preliminary Estimate	\$30,470.29
Final Cost	\$32,693.72
Improvement District Cost	\$24,625.60
City at Large Cost	\$ 8,068.12

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing for comments.

With on one appearing, Mayor McKibban closed the public hearing.

ORDINANCE NO S-1298

Commissioner Linda Clark moved that Ordinance No. S-1298, an ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of El Dorado, Kansas, as heretofore authorized by resolution 2598 of the City; and providing for the collection of such special assessments.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

PUBLIC HEARING – PROJECT NO 308 – SANITARY SEWER – PRAIRIE LAND ESTATES 2ND ADDITION

Assistant Engineer Scott Rickard stated that Project No. 308 is complete. The City Commission established this date to spread the special assessments to the properties.

Project No. 308 – Sanitary Sewer-Prairie Land Estates 2nd Addition

Preliminary Estimate	\$195,540.50
Final Cost	\$173,910.85
Improvement District Cost	\$173,910.85
City at Large Cost	\$ 0.00

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing for comments.

With on one appearing, Mayor McKibban closed the public hearing.

ORDINANCE NO S-1299

Commissioner Steve Reynolds moved that Ordinance No. S-1299,

an ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of El Dorado, Kansas, as heretofore authorized by Resolution No. 2600 of the City; and providing for the collection of such special assessments.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

RECEIVE PETITION – PROJECT NO 306 – LANDSCAPE WALL – OAKS ADDITION

Assistant City Engineer Scott Rickard stated that the property owners in the Oaks Addition have requested a landscape wall to be located in the public utility easement. The City will not be responsible for construction of the wall but simply administering the project.

RECEIVING THE PETITION

City Clerk reports to the Commission that the petition for the construction projects, signed by the majority of the resident owners of record of property liable for assessment, is sufficient for Project No. 306.

RESOLUTION NO 2613

Commissioner Steve Pershall moved that Resolution No. 2613, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (The Oaks Addition area wall improvements/Project No. 306).

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

RECEIVE PETITION – PROJECT NO. 309 – WATER LINES – PRAIRIE LAND ESTATES 2ND ADDITION

Assistant City Engineer Scott Rickard stated that the developer of Prairie Land Estates Addition has requested water lines to be placed in the 2nd Addition. The City has received the petition.

RECEIVING THE PETITION

City Clerk reports to the Commission that the petition for the construction projects, signed by owners of 100% percent of the resident owners of record of property liable for assessment, is sufficient for Project No. 309.

RESOLUTION NO 2614

Commissioner Steve Reynolds moved that Resolution No. 2614, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (water improvements/Project No. 309).

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

FRANCHISE FEE AGREEMENTS – NAVIGATOR TELECOMMUNICATIONS LLC & DPI TELECONNECT, LLC

City Manager Herb Llewellyn stated that several telecommunication companies were discovered to be working in the city limits of El Dorado. A letter was sent to all known companies; two responded and requested a contract franchise ordinance with the City of El Dorado be approved and passed. However, City Manager Llewellyn asked the Commission for additional time to make revisions to the ordinances to mirror the same agreement as AT & T.

Commissioner Linda Clark moved to table this item until October 20, 2008.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds reminded the public of the minimum \$95 fee if the City must mow a property.

Commissioner Linda Clark thanked all the City employees that participated in the Fire Open House in observance of National Fire Prevention week.

Commissioner Steve Pershall stated his concern with the log jam at the east branch of the Walnut River.

City Manager Herb Llewellyn explained that the City is in the process of borrowing a track hoe to clear the log jam.

Commissioner Pershall complained of trucks driving through town off of the truck route.

EL DORADO CITY COMMISSION MEETING

October 6, 2008

City Manager Llewellyn stated that trucks driving off the truck route are a point of emphasis and the City is actively issuing tickets.

Commissioner David Chapin asked what citizens should do during the weekend if they need animal control assistance.

City Manager Llewellyn stated that depending on the emphasis of the problem, the Police Department should be able to assist.

Commissioner Chapin inquired about the size of the turn lanes on West Central.

Assistant City Engineer Scott Rickard assured the Commission that all the turn lanes were the same width.

Mayor Tom McKibban stated that he has received several complaints regarding skunks.

Assistant Public Works Director Brad Meyer stated that this is mating season. The City is in the process of trapping skunks at Dillon's. However, as long as citizens continue to feed the feral cats, this will continue to be a problem.

Mayor McKibban stated his concerns with 911 response time.

City Manger Llewellyn indicated that the City has developed a complaint form for Staff and citizens to complete. All complaints will be addressed with the County.

Mayor McKibban stated that he has received a complaint of the ADA accessibility at the Post Office.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that he received a thank you letter from Main Street for waiving the Civic Center fee for a recent fundraiser.

City Manager Llewellyn inquired if the Commission would be interested in placing a question on an election ballot regarding the Commissioners' salary.

Commissioner Steve Reynolds proposed getting a consensus from the League of Kansas Municipalities meeting this weekend and he would update the rest of the Commissioners and Staff.

City Manager Llewellyn stated that the International Code Council made a recent change to require sprinkler systems in new single family dwellings.

City Manager Llewellyn stated that there will be a Work Session on October 15, 2008 at 3:30 pm.

City Manager Llewellyn reported some of the County's reverse 911 difficulties the City experienced during the recent flooding.

City Manager Llewellyn stated that the Rotary club will be doing cleanup on the bike path on Saturday starting at 8 am.

Mayor Tom McKibban read a thank you letter from Ms. Neilson.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing non-elected personnel and legal issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing non-elected personnel and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:35 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 8:35 pm.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:35 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

October 15, 2008

The El Dorado City Commission met in special session on October 15, 2008, at 3:30 p.m. in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herb Llewellyn, Finance Director Dee Anne Grunder, Assistant Public Works Director Brad Meyer, Assistant to the City Manager Matt Rehder. Absent: Commissioner David Chapin, City Clerk Kendra Porter, City Attorney James I. Murfin, and Assistant Engineer Scott Rickard.

VISITORS

Julie Clements	El Dorado Times	El Dorado, Kansas
Bruce Harris	4843 SW Country Ln.	El Dorado, Kansas
Richard Plachte		Warrensburg, Missouri
Kyle McLaren		El Dorado, Kansas
Derrick Kuhl	13530 W. 116 th Terr.	Olathe, Kansas
Phil Bos	Aerospace Business & Safety Management, LLC	

CALL TO ORDER

Mayor Tom McKibban called the October 15, 2008, Special City Commission Meeting to order.

AIRPORT MASTER PLAN

Phil Bos, Aerospace Business and Safety Management, LLC, presented the recommendations for the Captain Jack Thomas Memorial Airport. Mr. Bos stated that first and foremost there should be a position in place for a full-time airport manager. Mr. Bos suggested the City implement a flight training program through Butler Community College. Discussion Ensued.

City Manager Herb Llewellyn stated that he would like to see self-service pumps put into action at the airport.

City Manager Llewellyn suggested changing the name of the airport to make it easier for people to recognize its location via the internet.

City Manager Llewellyn suggested the search for a new fixed based operator due to the resignation of David Wiebe. Discussion Ensued.

Mr. Bos added that in order for the Airport Master Plan to be successful, the City needs to have a smooth, well maintained operation. Mr. Bos offered his assistance in the hiring process of a new manager and fixed based operator.

Mayor Tom McKibban inquired on combining both positions.

City Manager Llewellyn stated his desire to keep the positions separate.

Mr. Bos stated that having those positions separate is extremely important. Mr. Bos explained that it would be a little more costly, but in the long run, it would make the process much easier.

City Manager Llewellyn stated that the City needs to focus on constructing more multi-engined t-hangers. Discussion Ensued.

EL DORADO SPECIAL CITY COMMISSION MEETING

October 15, 2008

City Manager Llewellyn inquired about an emergency plan as well as a dedicated website and brochure to the airport.

Commissioner Linda Clark inquired if Commissioner David Chapin was comfortable with the Airport Master Plan.

City Manager Llewellyn stated that he had spoken with Commissioner Chapin and that he was fine with it.

Commissioner Steve Pershall requested a financial outline by Monday and suggestions of other revenue sources besides the City.

City Manager Llewellyn stated that the Federal Aviation Administration will pay ninety-five percent. City Manager Llewellyn added that storm water issues need to be addressed that will be funded by the City.

Commissioner Steve Pershall inquired on what impact the Federal bail-out issue would have on funding this project.

Mr. Bos suggested that the Commissioners review the NPIS website to see what the Federal Aviation Administration has done in the past.

Finance Director Dee Anne Grunder stated that the plan is just a concept; each project would have to come before the Commission. Discussion Ensued.

JOHNSON CONTROLS DISCUSSION

City Manager Herb Llewellyn stated the improvements Staff is considering as a result of the Johnson Controls' energy audit. Discussion Ensued.

Commissioner Steve Reynolds inquired on the status of hiring a new electrician.

City Manager Llewellyn stated that Brad and Marlin are sharing the duties and the hiring process has begun.

Commissioner Steve Reynolds stated the importance of having a full time position.

City Manager Llewellyn mentioned that a local electrician has expressed interest. Discussion Ensued.

ADJOURNMENT

Commissioner Linda Clark motioned to adjourn at 4:47 p.m.

Commissioner Steve Pershall seconded the motion.

Motion Carried 4-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

October 20, 2008

The El Dorado City Commission met in regular session on October 20, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Clerk Kendra Porter, and City Attorney Jim Murfin.

VISITORS

Brad Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Cheryl Philippi	Professional Engineering Consultants	
Norm Wilks	USD 490	El Dorado, Kansas
Jennifer & Jacob Meyer	2012 Chelsea Dr.	El Dorado, Kansas
Mike McGuire	502 S. Denver	El Dorado, Kansas
Ann Meyer	520 S. Denver	El Dorado, Kansas
Linda Baines	253 Post Rd.	El Dorado, Kansas
Debby & Jimmy Hatfield	3205 W. Towanda	El Dorado, Kansas
Pat Thompson	3615 W. Towanda	El Dorado, Kansas
Bob & Evelyn Saferite	3215 W Towanda	El Dorado, Kansas
Breanna Wicker	2433 W. Central, Suite D	El Dorado, Kansas
Gary Boardman	3355 W. Towanda	El Dorado, Kansas
Sue Erikson	3435 W. Towanda	El Dorado, Kansas
Connie & Cliff Rogers	3425 W. Towanda	El Dorado, Kansas
Michele Tucker	3345 W. Towanda	El Dorado, Kansas
Elizabeth Ankrom	501 S. Summit	El Dorado, Kansas
Alex Pennington	2320 Gentry	El Dorado, Kansas
Kenneth Blake	3525 W. Towanda	El Dorado, Kansas
Kimberly Blake	3625 W. Towanda	El Dorado, Kansas
Dana McCoy	2180 SW 60 th St.	El Dorado, Kansas
Don Engels	7109 SW 30 th St.	El Dorado, Kansas
Derrick Kuhl	13530 W. 116 th Terr.	Olathe, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Sheila & Darrel Shipman	3235 W. Towanda	El Dorado, Kansas
Bruce Harris	4843 SW Country Lane	El Dorado, Kansas
Karis & Darren Schwindt	3515 W. Towanda	El Dorado, Kansas
Jean Plummer	323 ½ N. Main	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the October 20, 2008, City Commission meeting to order.

INVOCATION

The Reverend Mike McGuire, First United Methodist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Denise Carter’s Third grade students from Lincoln Elementary School led the Pledge of Allegiance.

PERSONAL APPEARANCE

Linda Baines, 253 Post Road, updated the Commission on Holiday Visions, and welcomed everyone to attend the parade and lighting ceremony on December 5, 2008. She also mentioned that El Dorado Main Street is hosting the Kansas Main Street conference this week.

PROCLAMATIONS

Mayor Tom McKibban read a proclamation to proclaim the month of November as National Hospice Month.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Jean Plummer, 323 ½ North Main, thanked the City for their efforts in the Walnut River Festival as well as Brad Meyer and his family.

CONSENT AGENDA

- a. Approval of the October 6, 2008, City Commission minutes.
- b. Approval of the October 15, 2008, Special City Commission minutes.
- c. Authorizing the City Manager to resolve Neighborhood Revitalization Program disputes.
- d. Appointing Steve Fellers to the Tree Board.

Commissioner Steve Pershall moved that the Consent Agenda, as presented, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT TO ALLOW AN EDUCATIONAL SERVICE ON PROPERTY LOCATED AT 125 AND 127 E. 6TH STREET. THE PROPERTY IS ZONED C-1 GENERAL BUSINESS DISTRICT. (CASE NO. 08-012-SUP)

Matt Rehder stated that the applicant, USD 490, is requesting a Special Use Permit to allow a charter school at 125 and 127 E. 6th Street. The property is zoned C-1 General Business District.

At the September 25, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit for the establishment of an educational service by a vote of 6 to 1 with 1 abstention.

Staff did request, which the Planning Commission approved, three conditions of approval. First, the school district must meet the parking regulations as they are written while not interfering with the available parking of the neighboring suites. Second, parking regulations, as they are written, must be adhered to if the school increases the number of classrooms or staff. Third, the school district must not oppose the petition of any restaurant within a two-hundred foot radius of the site that wishes to sell or dispense at retail any cereal malt beverage. The school district did not oppose any of the conditions.

ORDINANCE NO. G-1042

Commissioner Steve Pershall moved that the recommendation of the Planning Commission to approve Case No. 08-012-SUP requesting a Special Use Permit to allow the establishment of an Educational Service on property located at 125 and 127 E. 6th Street be accepted with conditions and that Ordinance No. G-1042, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

COLLEGE ACRES ANNEXATION

Mayor Tom McKibban stated that on Augusta 11, 2008, the Butler County Commission passed a resolution requesting the City of El Dorado to annex and connect the City’s sewer system to the College Acres area. At several previous City Commission meetings, annexation was considered and it has been determined necessary for this area to be connected to the City’s sewer system. The City of El Dorado established tonight’s public hearing to further the process of annexation per K.S.A. 12-520(a)(1)-(6).

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing for comments.

Pat Thompson, 3615 West Towanda, requested a summary of the annexation history.

City Manager Herb Llewellyn gave a brief overview of the State mandates and annexation process.

Pat Thompson, 3615 West Towanda, inquired if the property owners would be responsible for the cost of installing the sewer lines.

City Manager Llewellyn explained that the cost would be borne on the property owner. Discussion ensued.

Kimberly Blake, 3625 West Towanda, stated her concerns regarding the proposed annexation. Ms. Blake does not feel that all of the College Acres options were offered. She also had concerns with the agreement the residents have with the rural water district.

Kenneth Blake, 3525 West Towanda, stated his concerns regarding a letter he received indicating that the residents were responsible for resolving the issues with the rural water district contract. Mr. Blake requested that the Commission consider the Planning Commission’s recommendation.

Darrin Schwindt, 3515 West Towanda, proposed the City consider offering sanitary sewer without annexation. Mr. Schwindt stated that he did not agree with the need to annex if additional expenses would be placed upon city residents.

Sue Erikson, 3435 West Towanda, stated that she would consider paying a higher rate for sewer service as long as the City did not annex College Acres.

EL DORADO CITY COMMISSION MEETING

October 20, 2008

Jim Hatfield, 3205 West Towanda, inquired on how annexation would affect his property taxes.

City Manager Llewellyn stated that the County regulates property taxes, not the City.

Cliff Rogers, 3425 West Towanda, stated that he did not understand the need for annexation until future development.

Discussion ensued amongst the Commissioners and each agreed that there is no fair and amicable way around this situation. The Commissioners respect the feelings of the College Acres residents but also need to follow the City policies that are in place.

ORDINANCE NO. G-1043

Commissioner Linda Clark moved that Ordinance No. G-1043, an ordinance annexing land known as the College Acres addition to the City of El Dorado, Kansas, by K.S.A. 12-520, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

PROJECT NO. 316-SANITARY SEWER-COLLEGE ACRES ADDITION

Assistant City Engineer Scott Rickard stated that the residents of the College Acres addition are required by KDHE to tie into the City of El Dorado sanitary sewer system. By adopting this resolution it will set a public hearing for the Commission to consider initiating a sewer project.

RESOLUTION NO. 2615

Commissioner Steve Pershall moved that Resolution No. 2615, a resolution calling and providing for the giving of notice of a public hearing on November 3rd, 2008, for the advisability of the making of a certain internal improvement in the City of El Dorado, Kansas, under the provisions of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; and providing for the giving of notice of said hearing (sanitary sewer improvements/College Acres Addition project no. 316).

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 819 N. ATCHISON. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 08-009-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant, Christa Brazill, is requesting a Special Use Permit to allow a Day Care Center at 819 N Atchison. The property is zoned R-1, Residential-Low Density District.

At the September 25, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit for the establishment of the Day Care Center by a vote of 8 to 0.

ORDINANCE NO. G-1044

Commissioner Steve Reynolds moved that the recommendation of the Planning Commission to approve Case No. 08-009-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 819 N Atchison be accepted and that Ordinance No. G-1044, be approved.

Commissioner Linda Clark seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

COMPREHENSIVE PLAN UPDATE

Assistant to the City Manager Matt Rehder stated that two years ago, the City Commission authorized and funded updating the City’s Comprehensive Plan. Late last year, Staff requested proposals from planners to assist Staff on this project; PEC was selected. Representatives from across the community have begun meeting.

Assistant to the City Manager Rehder gave an overview of the Comprehensive Plan and announced that the next meeting is on November 7, 2008, at 2:00 p.m. at City Hall. Assistant to the City Manager Rehder also encouraged everyone to take the survey that is on the City’s website.

KANSAS PUBLIC WATER SUPPLY LOAN FUND

Cheryl Philippi, PEC representative, stated that the City has made a preliminary application to KDHE for a loan, the proceeds of which will be used by the City to finance certain modifications and improvements, including a booster pump station and a 12-inch pipeline serving areas in the northwest portion of the community, to the City’s water supply and distribution system.

City Manager Herb Llewellyn explained that this is part of the process to increase water pressure on the west side of town. The construction is proposed to begin next spring.

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing for the required fifteen minutes for comments.

With on one appearing, Mayor McKibban closed the public hearing.

RESOLUTION NO. 2616

Commissioner Steve Pershall moved that Resolution No. 2616, a resolution authorizing the completion of an application to the Kansas Department of Health and Environment regarding a loan from the Kansas Public Water Supply Loan Fund, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

AIRPORT BUSINESS PLAN

Mayor Tom McKibban stated that the City Commission discussed this item at the October 15, 2008, Special City Commission meeting, and requested this item be continued at this meeting.

City Manager Herb Llewellyn clarified the recent newspaper article regarding David Wiebe. He reiterated that David Wiebe did a wonderful job at the airport and recently accepted a great job opportunity.

Commissioner David Chapin stated his appreciation of Mr. Wiebe's tenure at the airport.

AIRPORT BUSINESS PLAN

Commissioner David Chapin moved to adopt the Airport Business Plan for the City of El Dorado and to execute the plan.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

IDENTITY THEFT PREVENTION PROGRAM

City Clerk Kendra Porter stated that a recent amendment to the Fair and Accurate Credit Transactions Act of 2003 requires cities that provide utilities to adopt a policy by November 1, 2008, that actively looks for evidence of identity theft in the opening and maintenance of utility accounts.

Commissioner Linda Clark moved to adopt the City of El Dorado Identity Theft Prevention Program which is designed to detect, prevent, and mitigate identity theft in the opening and maintenance of utility accounts.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

WATER RATE AMENDMENT DISCUSSION

City Manager Herb Llewellyn stated that the water rate structure currently has three tiers of water rates. Staff would like to discuss amending the structure. Staff would like the City Commission to consider reducing the number of tiers to two.

City Manager Llewellyn proposed to work towards a fat rate structure. The first step would be to eliminate the most expensive tier on our current rate structure. This would create approximately \$67,000 decrease in revenue to the City.

The Commission requested that City Manager Llewellyn gather additional information regarding changing the rate structure.

PROJECT 243A-SANITARY SEWER EXTENTION 10TH AVE

Assistant City Engineer Scott Rickard stated that the bids were received for the sewer project and the bid was below the Engineer’s Estimate. This project is the first of the CDBG Citywide sewer improvements.

Assistant City Engineer Scott Rickard spread the bids for the record.

Engineer’s Estimate-	\$ 41,988.50
Ewertz Excavation-	\$ 31,330.50
Nowak Construction-	\$ 71,783.95
Alan’s Excavating-	\$ 87,217.50
Mies Construction-	\$138,080.00

Commissioner Linda Clark inquired on the wide spread of the bids.

Assistant City Engineer Rickard stated that this was not an attractive project; therefore, the contractors bid accordingly. Ewartz Construction has completed several local projects.

AWARDING THE CONTRACT

Commissioner Steve Pershall moved that as Ewartz Construction has submitted the lowest and best bid for project #243A, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

FRANCHISE FEE AGREEMENTS-NAVIGATOR TELECOMMUNICATIONS LLC & DPI TELECONNECT, LLC

City Manager Herb Llewellyn stated that this item was discussed at the October 6, 2008, City Commission meeting. The Commission requested this item be amended from a per line charge to a percentage.

ORDINANCE NO. G-1045

Commissioner David Chapin moved that Ordinance No.G-1045, a contract franchise ordinance granted to dPi Teleconnect, LLC, a telecommunications local exchange service provider providing local exchange service within the City of El Dorado, Kansas, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

ORDINANCE NO. G-1046

Commissioner Steve Reynolds moved that Ordinance No, G-1046, a contract franchise ordinance granted to Navigator Telecommunications, LLC, a telecommunications local exchange service provider providing local exchange service within the City of El Dorado, Kansas, be approved.

Commissioner Linda Clark seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Steve Reynolds stated that he continues to work on the Commission salary survey and will report on it soon.

Commissioner Reynolds also complimented Brad Meyer on his roundtable discussion at the League of Kansas Municipalities workshop.

Commissioner Linda Clark inquired on hiring an employee to attend the compost site.

Assistant Public Works Director Brad Meyer stated that staff continually monitors the site; however, illegal dumping is still a problem.

City Manager Herb Llewellyn stated that Staff is considering locking the gate at dark.

Commissioner Steve Pershall inquired on the road markings on north Haverhill.

EL DORADO CITY COMMISSION MEETING

October 20, 2008

Assistant Public Works Director Meyer stated that his department would look into improving the markings.

Assistant City Engineer Scott Rickard stated that the City would contact Westar regarding installing a street light at the bend in the road on north Haverhill.

Mayor Tom McKibban thanked Brad Meyer for the work at the skate park.

Mayor McKibban also stated his concerns regarding underage drinking.

City Manager Llewellyn will direct Staff to address this concern.

Mayor McKibban clarified his anticipated move to his property north of El Dorado.

Commissioner Steve Reynolds asked on the status of the Ninth Street bridge.

Assistant City Engineer Rickard stated that he anticipated it would be open tomorrow afternoon.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

Assistant City Engineer Scott Rickard updated the Commission on various projects.

Assistant Public Works Director Brad Meyer updated the Commission on his insight from his League of Kansas Municipalities roundtable discussions.

Assistant Public Works Director Meyer stated that the Code Enforcement Officer is enforcing political sign regulations.

City Manager Herb Llewellyn encouraged the Commissioners to attend REAP meetings.

City Manager Llewellyn informed the Commission of the regional suppers on November 5, 2008.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing non-elected personnel and legal issues.

Commissioner David Chapin moved to recess into an Executive Session for the purpose of discussing non-elected personnel and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 10:40 pm.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 10:50 pm.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 10:51 pm.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

November 3, 2008

The El Dorado City Commission met in regular session on November 3, 2008, at 7:00 pm. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, Finance Director Dee Anne Grunder and City Attorney Jim Murfin. Absent: City Clerk Kendra Porter (after service awards).

VISITORS

Brad Meyer	220 E. First	El Dorado, Kansas
Tom Boren	220 E. First	El Dorado, Kansas
Kurt Bookout	220 E. First	El Dorado, Kansas
Matt Rehder	220 E. First	El Dorado, Kansas
Tom Kaleko	9229 Ward Pkwy	Kansas City, MO
Gary & Robin Taylor	720 Oak	El Dorado, Kansas
Gary Boardman	3355 W. Towanda Ave.	El Dorado, Kansas
Kyle McLaren	3096 NE Parrallel	El Dorado, Kansas
Jason Hughey	511 Hunton Rd.	El Dorado, Kansas
Robert Simmons	518 Houser Dr.	El Dorado, Kansas
Randy & Judy Mc Intosh	1227 Towanda	El Dorado, Kansas
Jamie Downs	206 N. Griffith	El Dorado, Kansas
Teri Jimenez	622 Park	El Dorado, Kansas
David & Charlotte Sammons	504 N. Star	El Dorado, Kansas
Ralph & Susan Ballinger	115 N. Alleghany	El Dorado, Kansas
Sherry Scheuber	415 Oil Hill Rd.	El Dorado, Kansas
Brady & Krista Gragg		Wichita, Kansas
Rachael & Calvin Gragg		Wichita, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
Ryan & Kerri Smith	1203 W. Olive	El Dorado, Kansas
Colton & Bailey Smith	1203 W. Olive	El Dorado, Kansas
Johnie & Donna Gragg	640 N. High	El Dorado, Kansas
Betty Sullivan	935 S. Summit	El Dorado, Kansas
Charles & Cathy Stevens	803 Charron Dr.	El Dorado, Kansas
Tim Baker	1404 W. Carr	El Dorado, Kansas
Taylor Briscoe	1030 W. 3 rd St.	El Dorado, Kansas
Kylan Riddle	363 SW Midian Rd.	El Dorado, Kansas
Garrett Brewster	363 SW Midian Rd.	El Dorado, Kansas
Ralph & Tracy Ehrlich	363 SW Midian Rd.	El Dorado, Kansas
Tammy Brown	1120 W. 5 th St.	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the November 3, 2008, City Commission meeting to order.

INVOCATION

Police Chief Tom Boren opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Connie Worley’s Third grade students from Lincoln Elementary School led the Pledge of Allegiance.

EMPLOYEE SERVICE AWARDS

City Manager Herb Llewellyn stated that the City recognizes quality City employees deserving recognition for their years of service.

The following were recognized and presented with service awards:

Ten-Year Service Awards

Donna Gragg, Administration
Jason Hughey, Public Works
Sonya Nixon, Police
Eddie Terrones, Public Works
Anthony Yaghjian, Fire

Fifteen -Year Service Awards

Timothy Baker, Police
Ralph Ehrlich, Public Works
Ron McClure, Public Utilities

Twenty-Year Service Award

Judy McIntosh, Public Utilities
David Sammons, Public Works
Gary Taylor, Public Utilities

Thirty-Year Service Award

Charles Stevens, Public Utilities

Thirty-Five-Year Service Award

Robert Simmons, Public Utilities

Forty-Year Service Award

Ralph Ballinger, Public Utilities

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With no one appearing, Mayor McKibban, closed the public comment session.

CONSENT AGENDA

- a. Approval of the October 20, 2008, City Commission minutes.
- b. Approval of Appropriation Ordinance No. 11-08 in the amount of \$1,099,028.26.
- c. Approval of the Engineer's Second Pay Estimate dated October 28, 2008 on Project No. 307, Paving Prairie Land Estates 2nd Addition to the Contractor, Cornejo & Sons, in the amount of \$82,600.22.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

DEBT MANAGEMENT POLICY

City Manager Herb Llewellyn stated that Staff is submitting a debt management policy for the Commission's approval to address the City's debt procedures. This will set the practices in writing, and will increase the possibility of receiving a better bond rating on general obligation bonds when they are sold.

Commissioner Steve Pershall moved to approve the Debt Management Policy.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

GENERAL OBLIGATION BONDS-SETTING THE SALE DATE

Finance Director Dee Anne Grunder stated that Staff is prepared for the sale of General Obligation Bonds in the amount not to exceed \$3,310,000. This provides long-term funding for ten capital improvement projects in the City. The following resolution sets the sale date as Monday, November 17, 2008.

Tom Kaleco, Springsted Client Representative, gave a brief overview of selling and purchasing General Obligation Bonds.

Commissioner Steve Pershall inquired if the recent changes in the market will affect the sale.

Tom Kaleco, Springsted Client Representative, stated that the changes have made an effect on the sale, but the City will have an opportunity to refinance in eight to nine years.

Commissioner Steve Reynolds inquired on the City's current bond rating.

Tom Kaleco, Springsted Client Representative, explained that the City is currently not rated; however, the City no longer has the option to purchase bond insurance and must get rated.

RESOLUTION NO. 2617

Commissioner Linda Clark moved to approve Resolution No. 2617, a resolution of the City of El Dorado, Kansas, authorizing and providing for the public sale of the City's General Obligation Bonds, Series 2008, in an amount not to exceed \$3,310,000; setting forth the details of said public sale; and proving for the giving of notice thereof.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

RESIDENTIAL STRUCTURES USED EXCLUSIVELY AS CHILD CARE CENTERS

Assistant to the City Manager Matt Rehder provided an overview of the current zoning regulations for daycares as well as a timeline regarding the child care center at 311 S. Orchard. On September 25, 2008, the Planning Commission, by a vote of 8 to 0, submitted that no amendments to the regulations be made. The consensus of the Planning Commission was for the City Commission to discuss the twenty-five percent floor area requirement. On November 18, 2008, the 120-day application will be deemed denied.

EL DORADO CITY COMMISSION MEETING

November 3, 2008

Commissioner Linda Clark clarified her understanding regarding daycare provider Tammy Brown and feels that the City should continue to allow her to operate.

Commissioner Steve Reynolds stated that his granddaughter is currently in a day care center, but that does not reflect his comments.

Commissioner Steve Reynolds stated his concerns and asked to discuss further at a Work Session.

Commissioner Linda Clark inquired about the 120-day window.

Assistant to the City Manager Matt Rehder stated a Work Session would have to be held prior to the expiration of 120 days or request would be deemed denied.

Commissioner David Chapin requested clarification regarding the twenty-five percent regulation.

Assistant to the City Manager Matt Rehder stated that only twenty-five percent of the home should be designated for daycare use.

Mayor Tom McKibban stated that the daycare center at 311 S. Orchard should be allowed.

Tammy Brown, 311 S. Orchard, explained that she applied for the special use permit; however, the City did not advise her that should not operate. Ms. Brown stated that she was aware of four other non-resident daycare centers operating.

ORDINANCE NO.G-1047

Commissioner Linda Clark moved to approve Ordinance No. G-1047, a special use permit to allow a day care center at 311 S. Orchard as a non-conforming use.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
	Mayor Tom McKibban	Yes
Position No. 3	Commissioner Steve Pershall	No
Position No. 4	Commissioner David Chapin	Yes

City Manager Herb Llewellyn clarified that Ms. Brown can use the property as a day care center as long as she does not discontinue caring for children for a year.

PUBLIC HEARING FOR PROJECT NO. 316 (COLLEGE ACRES SEWER)

Assistant City Engineer Scott Rickard stated that the purpose of this agenda item is to hold a public hearing, and then consider authorizing the improvements. Property owners were notified by mail of this meeting.

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing for comments.

With on one appearing, Mayor McKibban closed the public hearing.

RESOLUTION NO. 2618

Commissioner Steve Reynolds moved that Resolution No. 2618, a resolution determining the advisability of the making of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; authorizing and providing for the making of the improvements in accordance with such findings, be adopted.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds noted the recent improvements to the bike path and asked on the status of removing the log jam.

City Manager Herb Llewellyn stated the City is still waiting for a response from the County on borrowing their track hoe.

Commissioner Linda Clark thanked all the employees receiving service awards for their dedication.

Commissioner Linda Clark inquired if the City was going to install a no left turn sign on Main Street onto Ninth Street.

Assistant Engineer Scott Rickard stated that the City is monitoring and has not observed any problems.

Commissioner Steve Pershall encouraged citizens to vote in the upcoming election.

Commissioner Steve Pershall also reminded citizens that City Hall will be closed November 11, 2008 in observance of Veteran's Day.

Commissioner David Chapin thanked employees receiving service awards, and introduced Youth Commissioner Taylor Briscoe.

Mayor Tom McKibban thanked all the employees involved with recycling the books at the library.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that there will be a Work Session on November 12, 2008 at 3:30 pm.

City Manager Llewellyn asked the Commission to consider closing on December 26, 2008.

City Manager Llewellyn stated that KDOT has requested that we submit any future projects that should be included in their five-year plan.

Assistant City Engineer Scott Rickard explained that the request needs to be submitted by mid December and might include such projects as extending McCollum.

City Manager Llewellyn suggested projects related to the railroad underpasses.

City Manager Llewellyn clarified that police, fire, and refuse departments will continue to operate on Veteran's Day.

City Manager Llewellyn stated that the City received a letter from the Department of Commerce stating that we can apply for a grant for BG Products' infrastructure.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to the financial affairs or trade secrets of second parties and legal issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing confidential data relating to the financial affairs or trade secrets of second parties and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 9:00 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 9:02 pm.

Commissioner Linda Clark moved to return to Executive Session until 9:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0. (Commissioner Steve Pershall remained in the conference room)

Mayor Tom McKibban reconvened the meeting at 9:34 pm.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 9:34 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

November 12, 2008

The El Dorado City Commission met in special session on November 12, 2008, at 3:30 pm. in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herb Llewellyn, City Clerk Kendra Porter, Assistant Public Works Director Brad Meyer, Assistant to the City Manager Matt Rehder, and Assistant City Engineer Scott Rickard. Absent: City Attorney James I. Murfin.

VISITORS

Julie Clements	El Dorado Times	El Dorado, Kansas
Kyle McLaren	220 E. 1st	El Dorado, Kansas
Teri Jimenez	622 Park	El Dorado, Kansas
David Stewart	101 S. Star	El Dorado, Kansas
Sue Austin	220 E. 1 st	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the November 12, 2008, Special City Commission Meeting to order.

DAYCARES IN RESIDENTIAL AREAS DISCUSSION

Assistant to the City Manager Matt Rehder provided an overview of the current regulations.

Commissioner Steve Pershall inquired on the legality of a tenant applying for a permit versus the homeowner.

City Manager Herb Llewellyn stated that currently the homeowner must apply for a permit unless the tenant resides at the home.

Mayor Tom McKibban commented on possibly changing the regulations to consider the number of children in the daycare versus the area of floor space.

Commissioner Steve Reynolds inquired if the twenty-five percent regulation was subject to all special use permits or only daycares.

Assistant to the City Manager Rehder stated that the regulations depend on the occupation; some are prohibited. Discussion ensued.

Commissioner David Chapin stated that Staff needs to enforce approving the special use permit prior to allowing the daycare center to begin operation.

Assistant to the City Manager Rehder stated that the packet daycare providers receive explains that a special use permit must be approved prior to opening a daycare.

Planning Commissioner David Stewart discussed the consensus of the Planning Commission regarding this issue. The Planning Commission also wants to participate in the updating of the Comprehensive Plan.

Planning Commissioner Stewart agrees that the twenty-five percent rule would be difficult to monitor and an adjustment might be considered for daycares.

Commissioner Chapin suggested separating daycares from other home occupations. Discussion ensued.

Commissioner Reynolds inquired as to how the twenty-five percent regulation was included in the 1993 zoning regulations.

Assistant to the City Manager Rehder stated that he assumed that it was either previously already included or boiler plate regulations that were inserted.

The consensus of the Commission was for Staff to research other city’s regulations and report on their practices versus their regulations.

Commissioner Pershall inquired on the current practice of the other non-resident daycares that have not been issued a special use permit.

City Manager Llewellyn stated that it would be inappropriate to make them close until the Commission decides how to move forward.

STREET AND SIDEWALK REGULATIONS AMENDMENT

City Manager Herb Llewellyn stated that this ordinance would allow the City to regulate street and sidewalk construction.

Assistant Engineer Scott Rickard stated that the City would require a permit for situations that would normally not be covered under a typical permit.

Commissioner Linda Clark moved that Ordinance No. G-1048, an ordinance amending Title 12, Chapter 12.08 of the El Dorado Municipal Code relating to Street and Sidewalk Use Regulations, be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

NUISANCE ORDINANCE AMENDMENT

City Manager Herb Llewellyn stated that the changes proposed would allow the Municipal Judge to adjudicate versus the City Manager.

City Manager Llewellyn stated that City Attorney Jim Murfin is still in the process of revising the ordinance and suggested that this item be addressed when changes are complete.

SANITATION ORDINANCE AMENDMENT

Assistant Public Works Director Brad Meyer stated that the proposed ordinance allows the City to enforce scavenging and includes a fine.

Commissioner Linda Clark inquired on how the City planned on enforcing scavenging.

Assistant Public Works Director Meyer stated that citizens can call 911 or contact the Public Works department if they see someone rummaging through dumpsters or bags placed on the curb.

Assistant Public Works Director Meyer explained how citizens rummaging through recyclables reduce the City's recycling revenue.

Commissioner Steve Reynolds moved that Ordinance No. G-1049, an ordinance amending Title 8, Chapter 4 of the El Dorado Municipal Code relating to refuse collection and disposal, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

ADJOURNMENT

Commissioner Steve Reynolds motioned to adjourn at 4:20 pm.

Commissioner Steve Pershall seconded the motion.

Motion Carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

November 17, 2008

The El Dorado City Commission met in regular session on November 17, 2008, at 7:00 pm. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, Finance Director Dee Anne Grunder and City Attorney Jim Murfin. Absent: City Clerk Kendra Porter.

VISITORS

Julie Clements	El Dorado Times	El Dorado, Kansas
Tom Kaleko	9229 Ward Pkwy	Kansas City, Missouri
Katie Kjelland	117 N. Summit	El Dorado, Kansas
Kristen Silbaugh	615 N. Star	El Dorado, Kansas
Connie Worley	Lincoln Elementary	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Molly & Sonja Milbourn	121 N. Emporia	El Dorado, Kansas
Scott Ennis	1230 Glenview	El Dorado, Kansas
Staci Rausch	553 S.E. Poor Farm	El Dorado, Kansas
Hannah Hulse	241 Warren Road	El Dorado, Kansas
Tammy Jones	712 Park Ave.	El Dorado, Kansas
Christina Martin	317 Hunton Rd.	El Dorado, Kansas
Jamie Downs	206 N. Griffith	El Dorado, Kansas
David Greene	250 N.E. 30 th	El Dorado, Kansas
Ray Connell	2520 Chase	El Dorado, Kansas
Tom Murry	1650 Jason Dr.	El Dorado, Kansas
Steve Funk	1810 Lawndale	El Dorado, Kansas
Greg Joyce	1005 Rim Rock	El Dorado, Kansas
Jim Phillips	216 W. Central	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the November 17, 2008, City Commission meeting to order.

INVOCATION

Reverend Brian Johnson, Hope Covenant Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Connie Worley’s Third grade students from Lincoln Elementary School led the Pledge of Allegiance.

PROCLAMATION

Mayor Tom McKibban read a proclamation to proclaim Molly Milbourn as a distinguished citizen and presented a signed copy.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With no one appearing, Mayor McKibban, closed the public comment session.

CONSENT AGENDA

- a. Consider approval of the November 3, 2008, City Commission minutes.
- b. Consider approval of the November 12, 2008, Special City Commission minutes.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

GENERAL OBLIGATION BOND SALE

At the November 3, 2008, City Commission meeting, the City Commission approved setting this date as the sale date of General Obligation bonds for the long-term funding of 10 capital improvement projects in the City. The following motions award the bid and provide for the long-term funding of these projects.

Tom Kaleco, representative from Springsted, gave a brief overview of the bond sale as well as the bond rating the City of El Dorado received.

Finance Director Dee Anne Grunder spread the bids for the record.

AWARDING THE BID

Commissioner Steve Pershall moved to award the firm of Commerce Bank the sale of the General Obligation Bond Issue-Series 2008 with a true interest rate of 3.952074% with a net interest of \$1,127,828.54 and to authorize the Mayor and City Clerk to execute the bid form.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

ORDINANCE NO. S-1300

Commissioner Steve Reynolds moved that Ordinance No. S-1300, an ordinance authorizing and providing for the issuance of \$3,310,000 principal amount of General Obligation Bonds, Series 2008, of the City of El Dorado, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto, be approved.

Commissioner Linda Clark seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

RESOLUTION NO. 2619

Commissioner Linda Clark moved that Resolution No. 2619, a resolution prescribing the form and details of and authorizing and directing the sale and delivery of \$3,310,000 principal amount of General Obligation Bonds, Series 2008, of the City of El Dorado, Kansas; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 317 HUNTON. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT (CASE NO. 08-013-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant, Christina Martin, is requesting a Special Use Permit to allow a Day Care Center at 317 Hunton. The property is zoned R-1, Residential-Low Density District.

Assistant to the City Manager Rehder stated that at the October 23, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval for the Special Use Permit for the establishment of the Day Care Center by a vote of 5 to 0.

ORDINANCE NO. G-1050

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-013-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 317 Hunton be accepted and that Ordinance No. G-1050, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

APPLICATION TO REZONE PROPERTY FROM R-1 RESIDENTIAL LOW DENSITY DISTRICT TO R-3 MULTIPLE-FAMILY DWELLING DISTRICT (CASE NO. 08-002-REZ)

Assistant to the City Manager Matt Rehder stated that the City of El Dorado is requesting property located on South Taylor Street be rezoned from R-1 Residential Low Density District to R-3 Multiple-Family Dwelling District.

Assistant to the City Manager Rehder stated that at the October 23, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval of the rezoning application by a vote of 5 to 0.

ORDINANCE NO.G-1051

Commissioner Steve Pershall moved that the recommendation of the Planning Commission to approve Case No. 08-002-REZ requesting a rezoning of certain property located on South Taylor Street, be accepted and that Ordinance No. G-1051, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

KDOT FIVE-YEAR PLAN

Assistant City Engineer Scott Rickard provided a brief overview of the proposed projects that the City of El Dorado is submitting for the KDOT Five-Year Plan. The following projects are being considered:

- Twelfth Avenue Overpasses
- Central Avenue (Topeka to Denver)
- Northwest Trafficway
- South Main Overpass
- Vine Street & Central Avenue

Commissioner Steve Pershall inquired on a timeline of possible completion dates.

Assistant City Engineer Rickard stated that these proposed projects would be submitted for the five year plan for 2009-2013. However, could be prioritized for a later date.

Commissioner Pershall inquired where the funding would generate from.

Assistant City Engineer Rickard stated that it would be federally funded.

Commissioner David Chapin inquired on the ranking of the projects.

Assistant City Engineer Rickard stated that Vine Street and Central Avenue congestion problem and continuing the turn lane on Central Avenue are hazards that need attention.

City Manager Herb Llewellyn stated that the City needs to consider widening the railroad overpasses due to the restriction of the flow of traffic.

Assistant City Engineer Rickard stated that the overpasses could be considered in conjunction with future railroad improvements.

Mayor Tom McKibban questioned if the City is committed to the projects once we submit.

Assistant City Engineer Rickard stated that the City would still have an opportunity to make changes.

NUISANCE ORDINANCE

Commissioner Linda Clark moved to table the amendments to the nuisance portion of the Municipal Code.

Commissioner Steve Reynolds seconded the motion

Motion carried 5-0.

PETITION TO ANNEX

Mayor Tom McKibban turned the meeting over to Vice-Mayor Steve Reynolds and requested to address this item at the podium.

Vice-Mayor Steve Reynolds stated that a local property owner has petitioned the City of El Dorado to annex a parcel of their land into the City of El Dorado city limits. This property is on north Main Street and west of the El Dorado Lake. Since the property owner has requested annexation, the City may pass a resolution to begin the annexation proceedings.

City Manager Herb Llewellyn stated that the Planning Commission and City Commission have taken action to support this annexation. City Manager Llewellyn also presented the history of how the City has prepared for this annexation by extending streets to the north for possible future housing development.

Discussion ensued amongst Commissioners and City Manager Llewellyn.

Vice-Mayor Reynolds inquired if the stormwater system is extended to the property.

City Engineer Scott Rickard stated that there are inlets that drain to the ditch with ability to construct a stormwater system.

Commissioner Steve Pershall stated that growth is very important to El Dorado but has concerns with the surrounding property and feels it may be a little premature to annex at this time.

Commissioner Linda Clark stated that she was in favor since the property owner is requesting and it will generate more property taxes.

Commissioner David Chapin stated that he was in favor to start the process of extending our borders north especially if the property owner is willing.

Tom McKibban, 1819 Terrace Drive, stated that the City needs growth to aid in aging infrastructure.

RESOLUTION NO. 2620

Commissioner Linda Clark moved that Resolution No. 2620, a resolution authorizing the filing of a petition with the Butler County Commission to annex certain territory per K.S.A. 12-520c, be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	No
Position No. 4	Commissioner David Chapin	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
	Mayor Tom McKibban	abstained

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Steve Reynolds provided suggested closings for Christmas, Thanksgiving, and New Year’s holidays.

City Manager Herb Llewellyn explained the current policy for the holiday closings.

Commissioner Linda Clark stated that a citizen contacted her concerning Graham Park drainage ditch.

Commissioner Steve Pershall requested that the City make sure that streetlights are working properly for citizens’ safety.

City Manager Llewellyn explained that citizens can report outages to the City and we will contact Westar.

Commissioner Steve Pershall updated the Commissioners on the League of Kansas Municipalities Legislative Brief that Herb and he attended. The League of Kansas Municipalities is urging the State to start a transportation plan.

Commissioner Pershall also mentioned the League of Kansas Municipalities discussions regarding reinstating government transfers; however, they are not necessarily funded.

Commissioner Pershall reminded the Commission that January 28, 2009, is City Hall Day at the State Capital.

Commissioner David Chapin noted two youth Commissioners that were in attendance, and thanked City employees for their hard work.

Mayor Tom McKibban thanked the Commission for voting on the annexation of his property.

Mayor McKibban stated that he has received complaints regarding older children doing inappropriate activities at Summit Park.

City Manager Llewellyn stated that the City is aware of the problem and have considered placing an officer at the park.

Mayor Tom McKibban closed the Commissioners’ comments.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that the 2009 election dates are available.

City Manager Llewellyn briefed the Commission on a recent request for an injection well north of El Dorado.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 8:24 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

December 1, 2008

The El Dorado City Commission met in regular session on December 1, 2008 at 7:00 pm. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Clerk Kendra Porter and City Attorney Jim Murfin.

VISITORS

Julie Clements	El Dorado Times	El Dorado, Kansas
Reverend Meredyth Bellows	Susan B. Allen Memorial	El Dorado, Kansas
Brad Meyer	220 E. 1 st	El Dorado, Kansas
Judy Slayton	806 Skyview	El Dorado, Kansas
Darla & McKenna Stewart	431 N. Summit	El Dorado, Kansas
Hayden Pierce	1240 S. Topeka	El Dorado, Kansas
Mason Paye'	2032 Chelsea	El Dorado, Kansas
Christian Mc Coy	520 W. 4 th	El Dorado, Kansas
Breanna Simmons	1708 W. 5 th	El Dorado, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Rex McKinney	2244 SW 70 th	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the December 1, 2008 City Commission meeting to order.

INVOCATION

Reverend Meredyth Bellows, Susan B. Allen Memorial Hospital, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Judy Slayton's Third grade students from Lincoln Elementary School led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Rex McKinney, 2244 SW 70th, read a prepared statement regarding Tom McKibban's recent annexation. Mr. McKinney asked that the Mayor withdrawal the request or that the County deny because it sets a bad precedent.

Mayor McKibban explained that he annexed other property north of town without any complaints. Mayor McKibban also stated that he believes annexation promotes growth.

Discussion ensued between Rex McKinney, Mayor McKibban, and City Manager Herb Llewellyn.

CONSENT AGENDA

- a. Consider approval of the November 17, 2008 City Commission minutes.
- b. Consider approval of Appropriation Ordinance No. 11-08 in the amount of \$1,268,188.49.

EL DORADO CITY COMMISSION MEETING

December 1, 2008

- c. Consider the Engineer's Third Pay Estimate dated November 24, 2008 on Project No. 307, Paving Prairie Land Estates 2nd Addition to the Contractor, Cornejo & Sons, in the amount of \$88,241.41.
- d. Consider the Engineer's Fourth & Final Pay Estimate dated November 24, 2008 on Project No. 308, Sanitary Sewer Prairie Land Estates 2nd Addition to the Contractor, Nowak Construction, in the amount of \$8,927.76.
- e. Consider the Engineer's First Pay Estimate dated November 24, 2008 on Project No. 243A, Sanitary Sewer 702,706,718,720 W. Tenth to the Contractor, Ewertz Excavation, in the amount of \$23,085.00.
- f. Consider the Engineer's First & Final Pay Estimate dated November 24, 2008 on Project No. 297, Resurfacing McCollum (Country Club to Potter Ct), Adams, Murray, Weber to the Contractor, APAC Kansas, in the amount of \$90,491.14.
- g. Consider the Engineer's First & Final Pay Estimate dated November 24, 2008 on Project No. 298, Curb & Gutter Rehab McCollum (Country Club Road to Potter Ct) Adams, Murray, Weber to the Contractor, APAC Kansas, in the amount of \$3,270.80.
- h. Consider the Engineer's First & Final Pay Estimate dated November 24, 2008 on Project No. 299, Resurfacing 3rd (Main Street to Washington) to the Contractor, APAC Kansas, in the amount of \$98,336.99.

Commissioner Linda Clark moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

KDOT 5-YEAR PLAN

Assistant City Engineer Scott Rickard stated as previously discussed, the City is asking for your consideration to request the following projects to be submitted to KDOT in conjunction with their five-year plan; the Northwest Trafficway, US-54 (Central Avenue) & Vine Street and K-254 (Central Avenue) High Street to Griffith Street.

Commissioner Steve Pershall requested clarification regarding the Northwest Trafficway.

Assistant City Engineer Rickard stated that the Northwest Trafficway is intended to intersect at Haverhill Road/OilHill Road and extend to McCollum Road/Main Street.

Commissioner David Chapin questioned why the City would leave two blocks without turn lanes on the West Central project.

Commissioner Linda Clark stated that the turn lanes on West Central were previously voted down by previous Commission due to public input.

Commissioner Linda Clark moved to allow the City Commission to request the Northwest Trafficway project be submitted to the State of Kansas for the five-year plan and to commit to the State that the City will have sufficient funds available for the completion of this project deemed last priority.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

Commissioner Steve Pershall moved to allow the City Commission to request the US-54 (Central Avenue) and Vine Street project be submitted to the State of Kansas for the five-year plan and to commit to the State that the City will have sufficient funds available for the completion of this project deemed top priority.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

Commissioner David Chapin moved to allow the City Commission to request the K-254 (Central Avenue) High Street to Griffith Street project be submitted to the State of Kansas for the five-year plan and to commit to the State that the City will have sufficient funds available for the completion of this project deemed second priority.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

ZONING REGULATIONS TEXT AMENDMENT – SPECIAL USE PERMIT FEES

Assistant to the City Manager Matt Rehder stated that beginning January 2008, City Staff changed the fee for a Special Use Permit application from \$50 to \$100. It was Staff’s interpretation this could be done administratively. It was brought to Staff’s attention an ordinance must be passed to amend the zoning regulations.

The publication costs increased to the point that the previous fee did not cover the publication expense. In addition, changing the fee makes the regulations uniform in application fees. Applications for the Board of Zoning Appeals and rezoning cases are \$100.

ORDINANCE NO. G-1052

Commissioner Linda Clark moved that Ordinance No. G-1052, an ordinance to amend Article 10 of the City of El Dorado Zoning Regulations to state a Special Use Permit application requires a \$100 fee, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

PASSENGER RAIL SERVICE – NORTHERN FLYER ALLIANCE

City Manager Herb Llewellyn stated that the Northern Flyer Alliance is an organization that is seeking support from municipalities for a passenger rail expansion through Kansas and Oklahoma, and for this expansion to be included in KDOT’s ten-year state-wide Comprehensive Transportation program. The proposed section would connect

rail service from Kansas City to Fort Worth to already established lines. There is no monetary commitment from the City.

RESOLUTION NO. 2621

Commissioner Linda Clark moved that Resolution No. 2621, a resolution endorsing passenger rail service in the ten-year state-wide comprehensive transportation program, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

ISSUE TEMPORARY NOTE – PROJECT NO. 255, 285, AND 307

City Clerk Kendra Porter stated that the City needs funding for Project No 255 (Ninth Avenue Bridge Replacement), 285 (Widening of Intersection at Sixth Avenue & Main Street), and 307 (Paving Prairie Land Estates 2nd Addition). Staff requests issuing temporary notes in the amount of \$655,000 to finance the projects with an excellent interest rate of .91%.

RESOLUTION NO. 2622

Commissioner Steve Reynolds moved that Resolution No. 2622, a resolution providing for the issuance of Temporary Note No. 1880 for Project No. 255 (Ninth Avenue Bridge Replacement), 285 (Widening of Intersection at Sixth Avenue & Main Street), and 307 (Paving Prairie Land Estates 2nd Addition) in the total principal amount of \$655,000, be adopted.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

NUISANCE ORDINANCE

City Attorney Jim Murfin stated that Staff has proposed amendments to the abatement of nuisances portion of the Municipal Code at the November 12, 2008 City Commission meeting. Several changes were proposed to the ordinance and the item was tabled until this meeting. This ordinance should help streamline processes and hearings will be conducted by the City Manager.

ORDINANCE NO. G-1053

Commissioner David Chapin moved that Ordinance No. G-1053, an ordinance amending Title 8, Chapter 13 of the El Dorado Municipal Code relating to the abatement of nuisances, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

NEIGHBORHOOD REVITALIZATION PROGRAM

City Manager Herb Llewellyn stated that in 1997, the City of El Dorado adopted a tax rebate program for certain areas of the city that needed rehabilitation. The current program must be renewed prior to December 31, 2008. The proposed program is for a three-year term expiring December 31, 2011.

Staff has prepared a map for the Commission's consideration of areas to include in the program. The Committee recommended not including the remainder of the Adlesperger-Smith Addition that has not been developed, nor submitted NRP applications. Also, Staff is recommending the City receive the 5% Administrative fee.

Discussion ensued amongst the Commissioners and consensus was for Adlesperger-Smith Addition to remain in the program.

Commissioner Linda Clark moved that Resolution No. 2623, a resolution providing for the authorization for the City of El Dorado to enter into an interlocal agreement with Butler Community College, Butler County, USD #490 and USD #375, for the purpose of implementing the Neighborhood Revitalization Program, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin requested an overview of the West Central paving project.

Assistant City Engineer Scott Rickard stated that the contractor is finishing the work on the medians and will open it up to traffic once the stormsewer is complete. Additional work will need to be completed next spring.

Commissioner Chapin inquired on the status of North Main bridge.

Assistant City Engineer Scott Rickard stated that the contractor anticipates to open all four lanes of traffic the second week of December; however, the City is skeptical. Bike path, sidewalks and mill and overlay will have to be finished in the spring.

Commissioner Steve Pershall has received a complaint regarding the walk signal light at Summit Street and Central Avenue does not allow enough time.

Assistant Public Works Director Brad Meyer explained that the signal works off the camera and all the walk timers have the same amount of time to cross the street.

City Manager Herb Llewellyn stated that the City has considered replacing the systems with a count-down system that might eliminate the concern; however, they are rather expensive.

Commissioner Linda Clark inquired if telephone books could be recycled at our Recycle Center.

Assistant Public Works Director Brad Meyer indicated that telephone books could be brought to the Recycle Center for recycling.

Commissioner Steve Reynolds inquired on the status of the lights on the Ninth Avenue bridge.

Assistant City Engineer Scott Rickard stated that the City is rebuilding the controller.

Commissioner Steve Reynolds reminded citizens that their sewer rate in December, January and February determine their summer sewer average.

Mayor McKibban reminded citizens to be aware of fire hazards; as well as the Christmas parade this Friday.

Commissioner Clark reminded citizens of the KZSN toy run this Wednesday.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that a Work Session to discuss recycling with the County is scheduled for December 10, 2008 at 3:30 pm.

City Manager Llewellyn stated that Staff does not foresee the need to have a year-end meeting on December 31, 2008; therefore, the last meeting of the year will be December 15, 2008.

City Manager Llewellyn indicated that Staff would like to proceed with Commissioner Reynolds previously suggested holiday closing schedule.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to the financial affairs or trade secrets of second parties.

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing confidential data relating to the financial affairs or trade secrets of second parties, and to reconvene the regularly scheduled meeting in the City Commission room at 9:05 pm.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

ADJOURNMENT

Commissioner Linda Clark moved to adjourn the meeting at 9:14 pm.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

EL DORADO CITY COMMISSION MEETING

December 15, 2008

The El Dorado City Commission met in regular session on December 15, 2008 at 7:00 pm. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Clerk Kendra Porter and City Attorney Jim Murfin.

VISITORS

Julie Clements	El Dorado Times	El Dorado, Kansas
Brad Meyer	220 E. 1 st	El Dorado, Kansas
Linda Jolly	2100 Pico Ct	El Dorado, Kansas
Steve Funk	1810 Lawndale	El Dorado, Kansas
Bruce Harris	4843 SW Country Ln	El Dorado, Kansas
Richard Edds	1815 Quai Run	El Dorado, Kansas
Matt Rehder	220 E. 1 st	El Dorado, Kansas
Kyle McLaren	220 E. 1 st	El Dorado, Kansas
Tom Murry	1650 Jason Dr	El Dorado, Kansas
Diane Solorio	248 Warren Rd	El Dorado, Kansas
Kristy Poe	313 N. Emporia	El Dorado, Kansas
Cameron Perry	1509 SW Highway 77	El Dorado, Kansas
Daniel McCoy	520 W. 4 th Ave	El Dorado, Kansas
Julian Requena	814 Railroad	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the December 15, 2008 City Commission meeting to order.

INVOCATION

Reverend Richard Edds, First Southern Baptist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Judy Slayton’s Third grade students from Lincoln Elementary School led the Pledge of Allegiance.

PERSONAL APPEARANCE

Linda Jolly and Steve Funk gave an update of the 2008 accomplishments for El Dorado Inc. and Convention and Visitors Bureau.

Diane Solorio, Senior Center Director, gave an update on the recent changes at the Senior Center and invited everyone to their Open House on December 19th from 4:00 pm to 6:00 pm.

Tom Murry, Stadium Committee representative, gave an overview of the future stadium site. The committee is anticipating a possible recommendation in thirty days.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With on one appearing, Mayor McKibban closed the public comment session.

CONSENT AGENDA

- a. Consider approval of the December 1, 2008, City Commission minutes.
- c. Consider approval of 2009 Cereal Malt Beverage license applications as listed:
 - Jax's Place, 124 West Locust
 - Dillon's, 700 North Main
 - 24K, dba Jumpstart, 1631 West Central
 - American Legion Golf Course, 1801 North Central
 - Blue Goose Tavern, 120 East 4th
 - Casey's, 420 West 6th
 - Casey's, 1310 North Main
 - Pizza Hut, 729 North Main
 - Pizza Hut, 2423 West Central
 - Prairie Bowl, Inc, 307 West Haverhill
 - Iron Horse Concert Hall, 315 South Main
 - Wal-Mart Super Center #186, 301 Village Rd.
 - QuikTrip #310, 1320 West Central

Consensus of the Commissioners was to remove items b, d and e.

Commissioner Steve Reynolds moved that the Consent Agenda, as amended, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

RECEIVE THE PETITION FOR PROJECT NO. 323 - LANDSCAPE WALL AT 1910 N. MAIN

Assistant City Engineer Scott Rickard stated that the property owner at 1910 North Main has requested a landscape wall to be located in the public utility easement.

City Clerk Kendra Porter reported that the petition for the construction projects, signed by the resident owner of record of property liable for assessment, is sufficient for Project No. 323.

RESOLUTION NO. 2624

Commissioner Steve Reynolds moved that Resolution No. 2624, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (1910 North Main wall improvements/Project No. 323), be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT TO ALLOW A GROUND SIGN ON PROPERTY LOCATED AT 101 S. STAR. THE PROPERTY IS ZONED O-I BUSINESS-OFFICE-INSTITUTIONAL DISTRICT. (CASE NO. 08-016-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant, TriMark Signworks, Wichita, is requesting a Special Use Permit to allow a ground sign at 101 South Star. The Special Use Permit is required because the sign is proposed to be located four

feet from the north property line. The regulations require a ten-foot setback from all property lines in areas zoned O-I. A Special Use Permit is required for decreased setbacks.

At the November 20, 2008 Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval of the Special Use Permit by a vote of 6-0 with one abstention.

ORDINANCE NO. G-1054

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-016-SUP requesting a Special Use Permit to allow a ground sign on property located at 101 South Star be accepted and that Ordinance No. G-1054, be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 521 N. STAR. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 08-014-SUP)

Assistant to the City Manager Matt Rehder stated the applicant, DeAnna Bromlow, is requesting a Special Use Permit to allow a Day Care Center at 521 North Star. The property is zoned R-1, Residential-Low Density District. If additional employees are employed, additional parking will be required.

At the November 20, 2008 Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval of the Special Use Permit for the establishment of the Day Care Center by a vote of 7 to 0.

ORDINANCE NO. G-1055

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-014-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 521 North Star be accepted and that Ordinance No. G-1055, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 2833 W. 4TH. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 08-015-SUP)

Assistant to the City Manager Matt Rehder stated the applicant, Marie Jones, is requesting a Special Use Permit to allow a Day Care Center at 2833 West 4th. The property is zoned R-1, Residential-Low Density District.

At the November 20, 2008 Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval of the Special Use Permit for the establishment of the Day Care Center by a vote of 7 to 0.

ORDINANCE NO. G-1056

Commissioner Steve Pershall moved that the recommendation of the Planning Commission to approve Case No. 08-015-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 2833 West 4th be accepted and that Ordinance No. G-1056, be approved.

Commissioner Linda Clark seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

BOUNDARY RESOLUTION

Assistant City Engineer Scott Rickard stated that in any year the City annexes land, the Commission must pass an ordinance redefining the City Boundary. The following resolution incorporates the changes that resulted from the annexation.

RESOLUTION NO. 2625

Commissioner David Chapin moved that Resolution No. 2625, a resolution redefining the boundary limits of the city of El Dorado, Kansas, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

AMENDING AUTHORIZING ORDINANCE PROJECT NO. 254-N. MAIN BRIDGE

Assistant City Engineer Scott Rickard stated that there will be additional costs for Project No. 254 (North Main Bridge). The previous authorizing ordinance, Ordinance No S-1285, needs to be amended to reflect the additional costs. The amount requested for City-at-Large costs is \$2,250,000 (\$153,000 Sales Tax / \$2,097,000 General Obligation).

Commissioner David Chapin inquired on the additional expenses.

Assistant City Engineer Rickard stated that the additional expenses were due to financing costs.

City Manager Herb Llewellyn stated that the additional financing costs are partially due to KDOT’s requirements to pay a portion in advance.

Mayor Tom McKibban inquired if the contractor is still in the penalty phase.

Assistant City Engineer Rickard stated the contractor is still in the penalty phase until both southbound lanes are open. Once they start working in the spring, the penalty will begin again.

Commissioner Chapin stated his concerns with the length of time both major construction projects took to complete.

City Manager Llewellyn stated that the City would consider managing projects and offering a bonus if they complete early. However, these were KDOT projects and do not allow much flexibility.

ORDINANCE NO. S-1301

Commissioner Linda Clark moved that Ordinance No. S-1301, an ordinance to amend Ordinance No. S-1285, authorizing the issuance of bonds in the amount not to exceed \$2,097,000 in payment of the cost of said Project No. 254 – North Main Bridge Rehabilitation, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

CITY COMMISSION MEETING DATE CHANGE

Mayor Tom McKibban stated that the first meeting in January 2009 is scheduled for January 5, 2009. Historically, this meeting has been canceled.

City Manager Herb Llewellyn requested authorization to issue checks in January. Consensus of the Commission was to authorize the release of January checks and staff would email the appropriation ordinance for their review.

Commissioner Linda Clark moved to cancel the City Commission meeting on Monday, January 5, 2009.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

2007 AND 2008 MISCELLANEOUS BILLING WRITE-OFFS

City Manager Herb Llewellyn stated that delinquent accounts owed to the City of El Dorado need to be considered to be deemed uncollectible and removed from the accounts receivable records of the City, and a list delineating each amount should be attached to the minutes of this meeting. The total miscellaneous billing amount to be removed is \$9,980.35.

Commissioner Steve Pershall moved to deem uncollectible the miscellaneous billing accounts in the amount of \$9,980.35 owed to the City of El Dorado, to remove same from the accounts receivable records of the City, and that a list delineating each account be attached to the minutes of this meeting.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

2009 PROPOSED SALARY SCHEDULE

City Manager Herb Llewellyn stated that each year at this time, there is a resolution to establish the compensation and designation of various positions within the City of El Dorado. This year's schedule provides for an adjustment to the salary schedule/range as the Commission approved a three percent (3%) COLA during the 2009 budget process. The results of the salary survey have also been incorporated.

RESOLUTION NO. 2626

Commissioner Linda Clark moved that Resolution No. 2626, a resolution establishing 2009 salaries and wages paid to various employees of the City of El Dorado, and to allocate the various funds of said City, charges and debits for the payment of compensation of wages of all City officials and employees, be adopted.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

2008 BUDGET AMENDMENTS – INDUSTRIAL MILL LEVY FUND

City Manager Herb Llewellyn stated that the purchase and subsequent sale of land for an economic development purpose has caused expenditures to exceed the amount initially budgeted in the Industrial Mill Levy fund. A budget amendment is therefore necessary to increase the authorized expenditures.

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing.

With on one appearing, Mayor Tom McKibban closed the public hearing.

Commissioner David Chapin moved to approve the amendment to the 2008 Operating Budget in the Industrial Mill Levy fund as published and presented.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

FRANCHISE FEE AGREEMENT – AT&T

City Manager Herb Llewellyn stated that Southwestern Bell (d/b/a AT&T) is a telecommunications local exchange service provider that is providing local exchange service within the City of El Dorado. The most recent franchise agreement with Southwestern Bell Telephone, L.P., took effect on January 1, 2004 and the terms of that contract require a new contract be signed. Southwestern Bell would like to have the new contract effective for an initial two-year period with automatic one-year renewal periods.

**EL DORADO CITY COMMISSION MEETING
ORDINANCE NO. G-1057**

December 15, 2008

Commissioner Linda Clark moved that Ordinance No. G-1057, a contract franchise ordinance granted to Southwestern Bell, L.P., a telecommunications local exchange service provider providing local exchange service within the City of El Dorado, Kansas, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

TITLE 15 AMENDING ORDINANCES

Building Inspector Kyle McLaren stated that the following ordinances are to amend various sections of Title 15 - Buildings and Construction of the City of El Dorado Municipal Code. Chapter 15.03 was amended to place all regulations dealing with license requirements into one chapter of our Municipal Code. Chapters 15.28 and 15.32 were amended for clarification and to streamline our Municipal Code; placing these chapters into the same format as 15.20 Electrical. Chapter 15.28 also puts into law the effective date of January 1, 2010, for mechanical regulations. Chapter 15.20 was amended to adopt the 2008 National Electrical Code with a few local amendments.

ORDINANCE NO. G-1058

Commissioner Linda Clark moved that Ordinance No. G-1058, an ordinance of the City of El Dorado adopting various amendments to Chapter 15.03 Contractors' Licenses of the City of El Dorado Municipal Code, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

ORDINANCE NO. G.-1059

Commissioner Steve Pershall moved that Ordinance No. G-1059, an ordinance of the City of El Dorado adopting various amendments to Chapter 15.28 Mechanical Code of the City Of El Dorado Municipal Code, be approved.

Commissioner Linda Clark seconded the motion.

ROLL CALL

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes

ORDINANCE NO. G-1060

Commissioner David Chapin moved that Ordinance No. G-1060, an ordinance of the City of El Dorado adopting the 2008 Edition of the National Electrical Code and other amendments to Chapter 15.20 Electrical Code of the City of El Dorado Municipal Code, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Steve Pershall	Yes

ORDINANCE NO. G-1061

Commissioner Steve Pershall moved that Ordinance No. G-1061, an ordinance of the City of El Dorado adopting various amendments to Chapter 15.32 Plumbing and Gas Fitting Code of the City of El Dorado Municipal Code, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Steve Reynolds	Yes
Position No. 2	Commissioner Linda Clark	Yes

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner David Chapin thanked the City employees for a wonderful Christmas party and wished everyone a Merry Christmas.

Commissioner Steve Pershall commended Troy Morrell for the Grizzlies victory and what a great representation the Grizzlies are for our community.

Commissioner Linda Clark inquired on the City’s sanding procedure during the last snow storm.

Assistant Public Works Director Brad Meyer stated that the streets were not pretreated prior to the storm because the forecast indicated rain and the City does not plow until we have received 2 inches of snow.

Commissioner Steve Reynolds inquired on the provisions for citizens without heat during this time of the year.

City Manager Herb Llewellyn indicated that the State has regulations that Kansas Gas Service must follow.

Mayor Tom McKibban thanked employees for a great year.

Mayor McKibban complimented the Grizzly players as well as Crystal Blue on becoming All-American volleyball player. He also complimented Ethan Hill's heroic act in a recent fire.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that the next City Commission meeting will be on January 20th since City Hall is closed to observe Martin Luther King Day.

City Manager Llewellyn stated that there will be a Work Session on January 14, 2009 with the County to discuss recycling efforts.

Assistant to the City Manager Matt Rehder gave an update on the Comprehensive Plan changes. The steering committee will meet on January 9, 2009 and further updates should be presented to the City Commission in January.

Assistant to the City Manager Rehder stated that there will be an open house on January 21, 2009, 6:00 pm to 9:00 pm at the Civic Center and encouraged the public to attend.

Assistant Public Works Director Brad Meyer updated the Commission regarding a pilot plan using poly carts versus bags to dispose of refuse.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to the financial affairs or trade secrets of second parties and legal issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing confidential data relating to the financial affairs or trade secrets of second parties and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 10:00 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 10:00 pm.

Commissioner Steve Reynolds moved to return to Executive Session until 10:30 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0. (Commissioner Steve Pershall remained in the conference room)

Mayor Tom McKibban reconvened the meeting at 10:34 pm.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 10:34 pm.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban