



**EL DORADO**

THE FINE ART OF LIVING WELL

**2009**

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**City Commission Minutes**

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**January 14, 2009**

The El Dorado City Commission met in special session on January 14, 2009, 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 and Assistant Public Works Director Brad Meyer. Absent: Assistant City Engineer Scott Rickard and City Attorney James I. Murfin.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, Kansas
Will Johnson	205 W. Central	El Dorado, Kansas
Bruce Harris	4843 SW Country Ln	El Dorado, Kansas
Greg Joyce	1005 RimRock	El Dorado, Kansas
Kathie Monroe	503 S. Washington	El Dorado, Kansas
Vivian McGowin	1126 S. Summit	El Dorado, Kansas
Debi LaForge	439 Eunice	El Dorado, Kansas
Darryl Lutz	121 S. Gordy	El Dorado, Kansas
Jack Chappelle	Engineering Solutions & Design	

**CALL TO ORDER**

Mayor Tom McKibban called the January 14, 2009, Special City Commission Meeting to order.

**BUTLER COUNTY RECYCLING DISCUSSION**

Darryl Lutz, Butler County Public Works Director, and Jack Chappelle, Engineering Solutions & Design, Inc. Consultant, gave an overview and a presentation of the County’s recycling proposal.

Mayor Tom McKibban inquired if the County had estimated sufficient number of staff.

Darryl Lutz, Butler County Public Works Director, clarified that additional staff was proposed after the initial year.

Mayor McKibban inquired if the City would be responsible for the cost of collection.

Darryl Lutz, Butler County Public Works Director, indicated that each city would be responsible to continue the cost for collection and the County would maintain the administrative costs.

Mayor McKibban questioned if this program would be voluntary for each city.

Darryl Lutz, Butler County Public Works Director, stated that each city would need to participate in order for it to be a success.

Debi LaForge, 439 Eunice, inquired if the County was aware of Andover implementing a recycle program.

Darryl Lutz, Butler County Public Works Director, indicated that Andover is considering implementing a recycling program.

Will Johnson, Butler County Administrator, stated that Andover foresees working with Butler County and anticipates their recyclables staying in Butler county; however, they do have an open market that would need to be addressed.

City Manager Herb Llewellyn clarified that the City would continue to use the same requirements and processes; however, there would be no monthly fee on the utility bill. A charge would be assessed on the property taxes which would become a tax based fee versus a user fee.

Commissioner Steve Pershall stated his concerns of additional trash entering the landfill from other counties.

Will Johnson, Butler County Administrator, agreed that opening Butler county’s landfill to other counties could be a concern. However, the County must evaluate all opportunities to keep the facility operating efficiently.

City Manager Llewellyn inquired if the County was prepared for the possibility of a mill increase.

Will Johnson, Butler County Administrator, indicated that a mill levy increase would be something that the County Commission would need to consider.

Kathie Monroe, 503 South Washington, inquired if the proposed plan would be able to operate without the City of El Dorado.

Darryl Lutz, Butler County Public Works Director, indicated that an alternative option would need to be addressed if the City of El Dorado did not participate.

**ANNEXATION**

Vice-Mayor Steve Reynolds stated that on November 17, 2008 the City Commission passed a resolution to authorize the filing of a petition with the Butler County Commission to annex the property located at 3650 N Main. On December 2, 2008, Butler County authorized & approved the annexation. This motion finalizes the annexation request.

**ORDINANCE NO. G-1062**

Commissioner Linda Clark moved that Ordinance No. G-1062, an ordinance annexing land known as 3650 N Main to the City of El Dorado, Kansas, by K.S.A. 12-520, 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	Abstain
Position No. 1	Vice-Mayor Steve Reynolds	Yes

**EXECUTIVE SESSION**

City Manager Herb Llewellyn stated that there would not be a need for an executive session at this time.

**ADJOURNMENT**

Commissioner Steve Pershall motioned to adjourn at 4:50 pm.

Commissioner Linda Clark seconded the motion.

Motion Carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**January 20, 2009**

The El Dorado City Commission met in regular session on January 20, 2009 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 <sup>st</sup>	El Dorado, Kansas
Matt Rehder	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Scott Dunakey	2104 N. Wyacinth	Wichita, Kansas
Chaplain Mark Somerville	Hospice Care of KS	El Dorado, Kansas
Sue Austin	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Bill Young	1751 Lakeland	El Dorado, Kansas
Amber Reynolds	128 N. Emporia	El Dorado, Kansas
Jamie Downs	206 N. Griffith	El Dorado, Kansas
Amber & Derek Fortine	1623 Terrace Dr.	El Dorado, Kansas
James Cook	719 Fredrick Drive	El Dorado, Kansas
Victor Edwards	Johnson Controls	Wichita, Kansas
Kurt Bookout	220 E. 1 <sup>st</sup>	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the January 20, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Chaplain Mark Somerville, Hospice Care of Kansas, led the Pledge of Allegiance.

**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 15, 2008 City Commission minutes.
- b) Consider approval of the January 14, 2009 Special City Commission minutes.
- c) Consider approval of 2009 Cereal Malt Beverage license applications as listed:  
Saroya LLC, 2575 W. Central

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

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**COMPREHENSIVE PLAN UPDATE**

Scott Dunakey, a Professional Engineering Consultant planner, presented an update to the City Commission on the Comprehensive Plan that included a timeline and progress table.

Scott Dunakey reminded the Commission of the open house at the Civic Center on January 21, 2009 from 6 pm to 8 pm.

Discussion ensued amongst the Commission and Mr. Dunakey.

**JOHNSON CONTROLS ENERGY AUDIT CONTRACT**

City Manager Herb Llewellyn stated that twelve months ago, Johnson Controls began a review of the City's operations to identify energy savings and project development. That work is now complete and plans are submitted. Tonight, the City Commission is being asked to allow debt be issued to fund the project.

Commissioner Linda Clark stated her concerns of entering into an agreement with a struggling economy.

City Manager Llewellyn stated that if the City did not enter into this agreement, HVAC issues will still need to be addressed.

Commissioner Steve Pershall inquired on the timeframe to complete all the proposed projects.

City Manager Llewellyn stated that the projects should be completed in four months.

Victor Edwards, Johnson Controls representative, stated that energy savings dollars would be used to fund the project.

City Commissioner David Chapin stated his concerns of implementing all the proposed changes immediately. The City should work towards more efficiency gradually.

The consensus of the Commission was to direct the City Manager to research HVAC costs and report back to the Commission.

**FLINTHILLS SERVICES**

Assistant City Engineer Scott Rickard stated that Flinthills Services has requested water, sewer & paving to their property located in the Business Park.

City Clerk Kendra Porter reports 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 Nos. 325, 326 & 327.

**RESOLUTION NO. 2627**

Commissioner David Chapin moved that Resolution No. 2627, 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. 325).

Commissioner Steve Reynolds seconded the motion.

**EL DORADO CITY COMMISSION MEETING**

**January 20, 2009**

Motion carried 5-0.

**RESOLUTION NO. 2628**

Commissioner Linda Clark moved that Resolution No. 2628, 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 (Waterline Improvements/Project No. 326).

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

**RESOLUTION NO. 2629**

Commissioner Steve Reynolds moved that Resolution No. 2629, 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. 327).

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 1623 TERRACE. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 08-017-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Amber Fortine, is requesting a Special Use Permit to allow a Day Care Center at 1623 Terrace. The property is zoned R-1, Residential-Low Density District.

At the December 18, 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 7 to 0 with 1 abstention

**ORDINANCE NO. G-1063**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-017-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 1623 Terrace be accepted and that Ordinance No. G-1063, 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

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 128 N. EMPORIA. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 08-018-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Amber Reynolds, is requesting a Special Use Permit to allow a Day Care Center at 128 North Emporia. The property is zoned R-1, Residential-Low Density District.

At the December 18, 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 to 2.

**ORDINANCE NO. G-1064**

Commissioner Steve Pershall moved that the recommendation of the Planning Commission to approve Case No. 08-018-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 128 North Emporia be accepted and that Ordinance No. G-1064, 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

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 518 STATE. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 08-019-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Deborah Pierce, is requesting a Special Use Permit to allow a Day Care Center at 518 State. The property is zoned R-1, Residential-Low Density District.

At the December 18, 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 8 to 0.

**ORDINANCE NO. G-1065**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-019-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 518 State be accepted and that Ordinance No. G-1065, 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



**NEIGHBORHOOD REVITALIZATION PROGRAM**

City Manager Herb Llewellyn stated that at the December 1, 2008 City Commission meeting, the Commission approved the Neighborhood Revitalization Program (NRP) renewal with the suggested changes made by the NRP Committee. The Boards of USD #490, USD #375 and Butler Community College have approved this renewal with the City's changes.

The Butler County Commission did not sign the interlocal agreement. The County is requesting the full five percent administrative fee be given to the County, and to include a clause allowing a one-time exception (at the City's discretion) to forfeiting future rebates if the taxes or specials on the property are delinquent.

City Manager Llewellyn stated that the Neighborhood Revitalization Program is a City program. If the County accepts the administrative duties, the City will no longer have any ownership in the program.

Discussion ensued amongst the Commissioners.

Commissioner Steve Reynolds moved to approve the Neighborhood Revitalization Program with the suggested changes by Butler County and to send the amended interlocal agreements to the authorizing boards of Butler Community College, USD #490 and USD #375 for reconsideration.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**BOARD APPOINTMENTS**

Mayor Tom McKibban stated that the Recreation Advisory Committee has two positions with expiring terms. The current members are willing and eligible to serve another two-year term. There are also two new applicants for this committee.

Commissioner Steve Reynolds stated that he could attend the March Solid Waste Committee meeting and a new member would have to be appointed after the next election.

**RECREATION ADVISORY BOARD – No Term Limits (2-year term)**

Commissioner Steve Reynolds moved to appoint Loren Anthony, and Tom Storrer to the Recreation Advisory Board for a term set to expire January 15, 2011.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**SOLID WASTE COMMITTEE (Butler County) – No Term Limits (3-yr term)**

Commissioner Linda Clark moved to appoint Commissioner Steve Pershall to Term C of the Solid Waste Committee; a term set to expire April 20, 2009.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds complimented the Street Sweeper for cleaning the City streets of sand from treatment of recent snow storms.

Commissioner Steve Pershall inquired on locations to dispose of electronic devices.

Assistant Public Works Director Brad Meyer stated that currently the County Landfill is the only location to dispose of electronic devices. However, the City could research the options of collection sites.

Mayor Tom McKibban closed the Commissioners' comments.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn updated the Commission on the City's current special assessment process. Staff is considering spreading the principal and interest equally over the length of the term.

Assistant Public Works Director Brad Meyer clarified the proposed poly cart refuse program.

Assistant Public Works Director Meyer stated that no decisions have been made. With the proposed program, the City would continue to provide front-door service to handicap residents, and the City's objective is to save citizens money.

Commissioner David Chapin indicated that the program was discussed with the Youth Commissioners. The Youth Commissioners were concerned that carts would line the streets for several days after pick-up, and parked cars in the street would pose problems.

Assistant Public Works Director Meyer indicated that these concerns have been considered and the public would need to be educated.

Commissioner Steve Reynolds inquired on the sorting of recycling items.

Assistant Public Works Director Meyer stated the City does not anticipate any changes in the recycle program.

Public Utilities Director Kurt Bookout updated the Commission on the proposed change of eliminating the most expensive tier in the City's current water rate structure. This would reflect an approximate revenue reduction of \$70,000 per year; however, would bring the City closer to a flat rate structure.

City Manager Llewellyn updated the Commission on the Governor's proposed budget changes and how they would affect El Dorado.

**ADJOURNMENT**

Commissioner Steve Pershall moved to adjourn the meeting at 9:00 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**February 2, 2009**

The El Dorado City Commission met in regular session on February 2, 2009 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**

Brad Meyer	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Colin Rowell	301 N. Main	El Dorado, Kansas
Bill Young	1751 Lakeland	El Dorado, Kansas
Nick Badwey	423 S. Alleghany	El Dorado, Kansas
Rick Kennedy	1250 S. Topeka	El Dorado, Kansas
Shane Krause	830 W. 4 <sup>th</sup> Ave	El Dorado, Kansas
Bill O’Connell	337 N. Topeka St.	El Dorado, Kansas
Kim Bell	Gilmore & Bell	Wichita, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the February 2, 2009 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, First Presbyterian Church, led the Pledge of Allegiance.

**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) Approval of the January 20, 2009 City Commission minutes.
- b) Approval of Appropriation Ordinance No. 01-09 in the amount of \$1,354,249.18.
- c) Approval of Resolution No. 2630, 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.
- d) Approval of 2009 Cereal Malt Beverage license applications as listed:  
Belle Casa Italian Restaurant, 1111 E. Central

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

**BOARD APPOINTMENTS**

Mayor Tom McKibban stated that the City Commission appoints members to various advisory boards.

The Sales Tax Advisory Committee is appointed each year before March. The Mayor shall appoint two members, each Commissioner shall appoint one member, and the Planning Commission shall appoint one member.

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

Commissioner Linda Clark moved to appoint Larry Gaston and Jason Burke (Mayor McKibban), Tony Grunder (Commissioner Chapin), Ryan Murry (Commissioner Clark), Kent Williams (Commissioner Pershall), Ken Petz (Commissioner Reynolds), and Van Pooler (Planning Commission) to the Sales Tax Advisory Board for a one-year term set to expire March 1, 2010.

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 Youth Commission held a great discussion regarding refuse service at their last meeting.

Commissioner Steve Pershall recognized the passing of Helen Case and read one of her quotes.

Commissioner Steve Pershall updated the Commission on the Kansas shortfalls he learned of while attending City Hall Day.

Commissioner Steve Pershall updated the Commission on a recent energy conference he attended and recommended that the City continue to consider future energy conservation projects.

City Manager Herb Llewellyn reiterated that the City needs to look towards the future as efficiently as possible by investing in repairs.

Commissioner Clark stated that she has received several compliments on the North Main and West Central projects.

Commissioner Steve Reynolds also recognized Helen Case; and inquired on the dates for Spring Clean Up week.

Assistant Public Works Director Brad Meyer stated that Spring Clean Up week should begin the Monday after Easter.

Mayor Tom McKibban closed the Commissioners' comments.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn updated the Commission on improving Towanda Avenue.

**EL DORADO CITY COMMISSION MEETING**

**February 2, 2009**

City Manager Llewellyn reminded the Commission that a portion of Towanda Avenue is in the County. The County has approved the agreement; however, the City is waiting on approval from the Township.

Assistant City Engineer Scott Rickard updated the Commission on the status of Boyer Road. The City is currently working with PEC and the other utility companies.

**EXECUTIVE SESSION**

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

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing the acquisition of real estate and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:00 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 8:00 pm.

Commissioner Steve Reynolds moved to return to Executive Session until 8:15 pm.

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 8:18 pm.

**ADJOURNMENT**

Commissioner Steve Reynolds moved to adjourn the meeting at 8:18 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**February 16, 2009**

The El Dorado City Commission met in regular session on February 16, 2009 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**

Brad Meyer	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Bill Young	1751 Lakeland	El Dorado, Kansas
Nick Badwey	423 S. Alleghany	El Dorado, Kansas
Shane Krause	830 W. 4 <sup>th</sup> Ave	El Dorado, Kansas
Larry & Nancy McEachern	1124 W. Towanda	El Dorado, Kansas
Larry Scott	225 N. Residence	El Dorado, Kansas
Mary Lou Taylor	2950 W. 4 <sup>th</sup>	El Dorado, Kansas
Roger Cutsinger	712 W. 14 <sup>th</sup>	El Dorado, Kansas
J.D. Reinhart	515 W. Morley Rd	El Dorado, Kansas
Phil Wickwire	341 Village Rd	El Dorado, Kansas
Tom & Kathy Clark	90 SW Morley Rd	El Dorado, Kansas
Suzanne Scribner	805 N. Gordy	El Dorado, Kansas
Kurt Bookout	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Matt Rehder	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Krystal Wallace	515 N. Washington	El Dorado, Kansas
Brent Jaynes	Leisure Real Estate	Overland Park, Kansas
Wade Wilkinson	1100 S. Denver	El Dorado, Kansas
Colin Rowell	301 N Main	El Dorado, Kansas
Rick Hagerman	Leisure Real Estate	Overland Park, Kansas
Jay & Ali Chaudury		Lenexa, Kansas
Earl Cartmell	608 N. Star St.	El Dorado, Kansas
Mike Fagg	1810 Terrace	El Dorado, Kansas
Sohan Saroya	2575 W. Central	El Dorado, Kansas
Kishor Patel	1901 W. Central	El Dorado, Kansas
Darla Carter	618 W. Kansas	El Dorado, Kansas
Joe Greene	1844 Ridge Rd	El Dorado, Kansas
Jack Dickson	323 N. Randall	Potwin, Kansas
Ervin Grant	525 Harvard	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Ramesh Shura	2515 W. Central	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the February 16, 2009, City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Larry Scott, El Dorado Elks Lodge #1407, led the Pledge of Allegiance.

**PUBLIC COMMENTS**

Mayor Tom McKibban opened the floor for public comments.

Ramesh Shura, 2515 West Central, inquired on the requirements for tax abatements.

City Manager Herb Llewellyn explained the different options to qualify for an abatement.

Earl Cartmell, 608 North Star, inquired as to why the City continues to require him to clean up his property.

City Manager Herb Llewellyn explained the nuisance requirements and the avenues the City can take if Mr. Cartmell does not cooperate.

Sohan Saroya, 2572 West Central, stated his concerns with his tax increases with his business at 2575 W. Central.

City Manager Llewellyn indicated that Mr. Saroya should bring in his County tax statement for his review.

Mayor Tom McKibban closed the public comment session.

**CONSENT AGENDA**

- a) Consider approval of the February 2, 2009, City Commission minutes.

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

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**888 ALCOHOL MONIES ALLOCATION**

City manager Herb Llewellyn stated that the City has received requests for the use of the alcohol tax monies for 2009. 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 and a history of the allocations and available monies were provided to the City Commission.

Commissioner Steve Pershall requested to abstain due to his business relationship with the El Dorado Elks Lodge.

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 and that funds be disbursed consistent with Kansas statutes:

<u>Requesting Organization</u>	<u>Allocation</u>
El Dorado Elks Lodge	\$ 3,000.00
Ministry To Survivors	\$ 1,500.00
SCARF	\$ 1,500.00
Family Life Center	\$ 8,000.00
BC Homeless Initiative dba City of Refuge	\$ 2,000.00
Youth Leadership Butler	\$ 300.00



Mothers Against Meth	\$ 2,000.00
Total	\$18,300.00

Commissioner David Chapin seconded the motion.

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

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 1223 W. 3<sup>RD</sup>. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 09-02-SUP)**

Assistant to the City Manager Matt Rehder stated that applicant, Kathy McClure, is requesting a Special Use Permit to allow a Day Care Center at 1223 West Third. The property is zoned R-1, Residential-Low Density District.

At the January 22, 2009 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 8 to 0.

**ORDINANCE NO. G-1066**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 09-002-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 1223 West Third be accepted and that Ordinance No. G-1066, 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

**PROJECT NO. 306 & 323 – CONCRETE LANDSCAPE WALL**

Assistant City Engineer Scott Rickard stated that the bids were received for the concrete landscape wall for the Oaks Addition and 1910 North Main and the low bid was above the Engineer’s Estimate. Staff feels that there is enough contingency built into the project to cover the amount of Hazen Construction Services bid.

Assistant City Engineer Scott Rickard spread the bids for the record.

Project No. 306 – Oaks Addition	
Engineer’s Estimate-	\$47,544.80
Hazen Construction-	\$35,182.00
Major, Inc-	\$47,696.00

Project No. 323 – 1910 N Main	
Engineer’s Estimate-	\$ 6,770.40
Hazen Construction-	\$ 7,312.80
Major, Inc-	\$ 8,008.00

Commissioner Steve Pershall moved that as Hazen Construction Services, Inc. has submitted the lowest and best bid for Project Nos. 306 and 323, the City Manager be directed to award the contracts to said contractor providing that the company furnish the proper bonds.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**WATER RATE STRUCTURE REDUCTION – ORDINANCE**

Public Utilities Director Kurt Bookout stated that the City of El Dorado water department is operating efficiently and revenues are sufficient to allow the City the opportunity to lower water bills. By removing the top tier of the inclining block rate structure, our in-city, small users will pay the same amount for water as large users. This change also works towards flattening the rate structure. This has been a recommendation of the Kansas Water Office for all cities to work towards.

On November 5, 2007 the City of El Dorado adopted the US Mayor’s Climate Protection Agreement, by Resolution No. 2586. Among the many important initiatives is the commitment to purchase only “Energy Star” appliances and to increase the efficiency in water and wastewater systems. Staff started examining programs to see what other cities were doing in complying with this program. In 2008, during the 2009 budget discussions, our staff visited with the City Commission about creating a rebate program for water efficient appliances.

The City of Hays has implemented a very successful and well received program that gives \$100 rebates to any residential customer purchasing an “Energy Star” labeled clothes washer with a maximum water factor of 7.0 or lower. We have a list of all washers that comply and have visited with local retail outlets that sell many of the models on the list.

**ORDINANCE NO. G-1067**

Commissioner Steve Reynolds moved that Ordinance No. G-1067, an ordinance partially amending Chapter 13.08, Title 13, of the El Dorado Municipal Code pertaining to Water Service Rates, 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

**REGIONAL ECONOMIC AREA PARTNERSHIP (REAP)**

City Manager Herb Llewellyn indicated that Monday, February 9, 2009 REAP met and endorsed opposing Proposition K. The information regarding the proposed legislation was provided, as well as a fiscal crisis summary by ICMA. The Commission may also want to encourage the State elected officials to support or reject this proposal.

City Manager Llewellyn provided a brief background behind Proposition K.

Commissioner Steve Pershall stated that he thought this issue was brought about due to the recent angered property owners with increased valuations.

Commissioner David Chapin indicated that he thought properties were actually decreasing in value.

**HOLIDAY INN EXPRESS**

City Manager Herb Llewellyn stated that the owners of El Dorado Holiday Inn Express desire to sell the business and accompanied property rights to another company.

The City has issued Industrial Revenue Bonds for the construction of the project. Those bonds are still outstanding. The Commission was asked to allow the new owners to have the bonded indebtedness to be assigned to them.

Mike Fagg, 1810 Terrace Drive, read page 8, section 23 of Resolution No. 1880 indicating that no tax abatement shall be transferred.

Mayor Tom McKibban stated that the Commission has been assured that the property would remain a Holiday Inn Express and has discussed this matter with bond counsel.

Commissioner David Chapin questioned Mr. Fagg's frustration when the end result would be the same whether the abatement is for the present or the new owners.

Mike Fagg, 1810 Terrace Drive, stated that the abatement should not be transferred to the new owner.

Ramesh Shura, 2515 West Central, stated that he understood the original tax abatement was issued because of local ownership.

City Manager Llewellyn indicated that Holiday Inn Express was needed to bring BG Products to El Dorado as well as hotel accommodations that were identified as a need in El Dorado. Therefore, a new construction abatement was issued.

Commissioner Steve Pershall inquired on the ability to transfer the abatement to the new owners.

City Manager Llewellyn stated that this question was previously posed to bond counsel and the sale would not take place if the abatement was not available.

City Attorney Jim Murfin indicated that he was confident in the City's bond counsel but did not have an opportunity to review the documents in length.

Commissioner Steve Reynolds inquired if it would hinder the sale if the Commission would table this item.

Brent Jaynes, Leisure Real Estate Advisor, indicated that there is a timeline and several other cities have allowed abatements to be transferred.

Commissioner Steve Pershall moved to table this item for two weeks.

Commissioner Steve Reynolds seconded the motion.

**ROLL CALL**

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

**RESOLUTION NO. 2631**

Commissioner Linda Clark moved that Resolution No. 2631, a Resolution of the Governing Body of the City of El Dorado, Kansas approving the change in membership of Central Kansas Properties, LLC, as tenant under a certain lease entered into by the City in connection with the issuance by the City of its Taxable Industrial Revenue Bonds, Series 2006 (Holiday Inn Express Project); and authorizing certain other actions in connection therewith, be approved.

Commissioner David Chapin seconded the motion.

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

**AND**

Commissioner Linda Clark moved that SUPPLEMENTAL BOND AGREEMENT NO. 1, in connection with the Holiday Inn Express project, be approved.

Commissioner David Chapin seconded the motion.

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

**SUNDAY LIQUOR SALES**

City Manager Herb Llewellyn stated that the Commission has been approached in the past by constituents in the community that would like to sell and purchase cereal malt beverages and alcoholic liquors on Sundays. The Commission has the statutory authority to approve this issue. If the Commission approves this change, voters still have the opportunity to petition the Commission to call for an election. Conversely, voters could also petition the Commission to hold an election to allow the extension of Sunday sales.

Commissioner Steve Reynolds inquired as to whom has received communication from the public regarding this issue.

City Manager Llewellyn indicated that it had been discussed last summer and wanted an opportunity for the Commission to address this issue prior to the upcoming election.

Commissioner Steve Pershall reminded the Commission that this item had been brought before the Commission in 2005 and was voted 5-0.

The consensus of the Commission was to take no action.

**NEIGHBORHOOD REVITALIZATION PROGRAM**

City Manager Herb Llewellyn stated that at the January 20, 2009 meeting, the City Commission voted to approve the County's requested changes to the Neighborhood Revitalization Program. The program details have been amended and this motion finalizes the renewal process.

**RESOLUTION NO. 2632**

Commissioner Steve Pershall moved that Resolution No. 2632, 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 David Chapin seconded the motion.

Motion carried 5-0.

**COMMISSION SALARY**

City Manager Herb Llewellyn stated that over the last two years, the Commission has from time to time discussed the appropriateness of current Commission compensation. The Commission has reviewed salaries paid to other local governments in and around El Dorado as well as across the State of Kansas.

Commissioner Steve Reynolds stated that he would be opposed to increasing the Commission's salary during this time of recession.

Mayor Tom McKibban indicated that serving on this board was his civic duty and Commissioner's can request for reimbursement of expenses but should not get an increase in salary.

The consensus of the Commission was to take no action.

**SMOKING IN PUBLIC PLACES**

Mayor Tom McKibban stated that the Commission has discussed whether to further restrict smoking in public places, and to include limiting an operator's ability to allow smoking. There are two options; to adopt an ordinance to further restrict smoking in public or place a question on the upcoming election ballot.

City Manager stated that the proposed question to be placed on the ballot is very basic not to confuse citizens and that further action would need to be taken by the Commissioners. The State of Kansas is also reviewing legislature to restrict smoking.

Commissioner David Chapin inquired on outdoor restrictions.

City Manager Llewellyn read section 8.20.040 of the proposed ordinance.

Commissioner Chapin indicated that he would prefer to wait to see how the State proceeds.

Commissioner Steve Reynolds indicated that it was presumptuous for the City to ban smoking and that it should be a business' preference.

Nick Badwey, 423 South Alleghany, inquired if the question would be non-binding.

Mayor McKibban indicated that the proposed question would be non-binding.

Commissioner Steve Pershall moved to have Staff submit a question to the voters of El Dorado asking them if the "City Commission of the City of El Dorado should further restrict public smoking."

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

**TELEVISIONING OF WORK SESSIONS**

Mayor Tom McKibban stated that the City Commission has discussed the appropriateness of televising all meetings. Two problems have been identified. Logistically, it is sometimes impossible to have staff available to televise. Television can also quell the free exchange of ideas.

Commissioner Steve Reynolds reminded the public that they are always invited to attend.

Commissioner Steve Pershall indicated his concerns of the public not being able to attend because of work restraints during the day, and the importance of citizens being informed.

Commissioner Linda Clark indicated that she was never in favor of televising Work Sessions originally.

Commissioner David Chapin indicated his concern of ideas discussed in Work Sessions can become construed as official action.

Bill Young, 1751 Lakeland, indicated his concerns of freely expressing ideas on television.

Nick Badwey, 423 South Alleghany, indicated that he was in favor of not televising.

City Manager Herb Llewellyn stated that in general, Work Sessions are for discussion items; however, occasionally last minute action items must be placed on the agenda.

Shane Krause, 830 West Fourth, indicated that he did not foresee a reason to continue televising.

Commissioner Steve Reynolds moved to discontinue broadcasting normal work session meetings.

Commissioner Linda Clark seconded the motion.

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

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Pershall inquired on the status of installing shelter way-find signs.

Assistant Public Works Director Brad Meyer indicated there was not funds budgeted for shelter way-find signs; however, he would research.

Commissioner David Chapin inquired on the status of the Wal-Mart stoplight. He has received numerous complaints of the light not working properly.

Assistant Public Works Director Brad Meyer stated that a new card is currently being installed to eliminate future problems.

**EL DORADO CITY COMMISSION MEETING**

**February 16, 2009**

Commissioner Chapin inquired about the meeting Assistant Public Works Director Meyer and the Youth Commission attended regarding refuse collection.

Assistant Public Works Director Meyer stated that the meeting was very successful and informative. In conclusion, all of the Youth Commission members were in favor of the proposed changes except one.

Mayor McKibban inquired on the potholes on West Towanda Avenue.

Assistant Public Works Director Meyer stated that the potholes would be filled.

Mayor Tom McKibban closed the Commissioners' comments.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn asked for the Commissions support for an upcoming circus coming to El Dorado for a Chamber of Commerce fundraiser.

Consensus of the Commission was to support the assistance from the City for the upcoming circus event.

City Manager Llewellyn briefed the Commission on the option of changing the City's revenue stream to a fee based system to reduce property taxes.

**EXECUTIVE SESSION**

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

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing the acquisition of real estate, non-elected personnel and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 10:45 pm.

Commissioner Steve Pershall seconded the motion

Motion carried 5-0.

**ADJOURNMENT**

Commissioner David Chapin moved to adjourn the meeting at 10:46 pm.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**February 25, 2009**

The El Dorado City Commission met in special session on February 25, 2009, at 3:30 pm at the El Dorado Civic Center with the following present: Mayor Tom McKibban, Commissioner Steve Pershall, Commissioner Steve Reynolds, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant to the City Manager Matt Rehder, and Administrative Intern Derrick Kuhl. Absent: Commissioner Linda Clark, City Clerk Kendra Porter, and Assistant City Engineer Scott Rickard.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, KS
Scott Dunakey	PEC	Wichita, KS
Rob Hartman	PEC	Wichita, KS
Tom Murry	ICI	El Dorado, KS
Vince Haines	PKHLS	El Dorado, KS
Dave Stewart	PKHLS	El Dorado, KS
Sue Givens	USD 490	El Dorado, KS
Dr. Jackie Vietti	BCCC	El Dorado, KS
Shane Krause	830 W. 4 <sup>th</sup> Ave	El Dorado, KS
Nick Badwey	423 S Alleghany	El Dorado, KS

**CALL TO ORDER**

Mayor Tom McKibban called the February 25, 2009, Special City Commission Meeting to order.

**COMPREHENSIVE PLAN**

Scott Dunakey of PEC introduced himself as well as Rob Hartman, PEC to those in attendance. A brief overview was given describing the purpose of a comprehensive plan and how information was collected. Mr. Dunakey explained the terms involved with a future land use map.

City Manager Herb Llewellyn clarified that Butler Community College is working on a comprehensive plan as well.

Commissioner Steve Pershall expressed some concern regarding the state of the abandon buildings on South Main Street in the downtown district. He added that this area is the least impressive area for visitors in the city. Discussion ensued.

Commissioner David Chapin joined the meeting at 3:50 pm. The meeting was convened at that time by Mayor Tom McKibban due to a quorum.

Scott Dunakey, PEC, agreed that a strong downtown is needed for cities looking to thrive.

City Manager Herb Llewellyn added that a current synopsis of the downtown would illustrate Industrial Zoning.

Scott Dunakey, PEC, spoke about the possibilities of a downtown overlay for zoning purposes. This would allow for additional review of any current or future businesses in the downtown district. Discussion ensued.

Commissioner David Chapin noted that the biggest problems facing downtown include parking, deliveries, and traffic. Additional incentives would be needed to attract new businesses.



Scott Dunakey, PEC, commented that more vibrant activities after 5 pm would help the downtown district thrive. Discussion ensued.

City Manager Herb Llewellyn remarked that the Comprehensive Plan is a good guide for any new businesses coming into town. Reviewing land usages for a district is a great exercise.

Scott Dunakey, PEC, explained that these maps are tools, not policies.

Commissioner Steve Reynolds asked about the gathering of data for the plan as well as the confidence of the planners that the input was sufficient.

Scott Dunakey, PEC, replied that the info was gathered via citizen surveys, steering committees, and individual input. Discussion followed regarding the status of the transportation systems within the city limits. Mr. Dunakey added that there are designated routes within the city labeled local, minor arterial and arterial streets.

Mayor Tom McKibban called the Special City Commission Meeting to recess.

Motion was carried 4-0.

#### **STADIUM COMMITTEE UPDATE**

Mayor Tom McKibban reconvened the Special City Commission Meeting at 5:04 pm.

Vince Haines, PKHLS, gave a brief overview of the recommendation of the Stadium Committee. Mr. Haines explained the need for Butler Community College, USD 490, and the City to have a modern athletic facility in El Dorado. This message was relayed via the informational packet the committee circulated. Discussion ensued.

Vince Haines, PKHLS, commented on the upgrade from a high school stadium to a college stadium. He mentioned the future upgrade possibilities of a skybox as well as expanded seating.

Tom Murry, ICI, examined the importance of building a stadium in the city. He touched on the positive impact of good brand recognition in the city. He added that it is critical for citizens to buy into this project beforehand.

Dr. Jackie Vietti, President of Butler Community College, mentioned that we need to stay the course and that the need will not disappear.

Sue Givens, Superintendent USD 490, commented that Tom did an excellent job of representing the community.

City Manager Herb Llewellyn added the sentiments of the previous speakers. He expressed that it is obvious how this outcome should be resolved.

Tom Murry, ICI, remarked that we need to keep the momentum going and that private funding will help speed the process. Mr. Murry recommended that another committee or authority be formed to spearhead the next part of the stadium project.

Discussion Ensued.

**ADJOURNMENT**

Commissioner Steve Pershall moved to adjourn at 5:58 pm.

Commissioner Steve Reynolds seconded the motion.

Motion Carried 4-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**March 2, 2009**

The El Dorado City Commission met in regular session on March 2, 2009 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**

Derrick Kuhl	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Brad Meyer	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Matt Rehder	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Kurt R. Helber Jr.	211 N. Gordy # 406	El Dorado, Kansas
Cyndi & Stephen Reid	220 N. Jones	El Dorado, Kansas
Stephanie Seaton	40 Huntington Road	Augusta, Kansas
Pat Stapleford	1110 School Apt W	Augusta, Kansas
Sayo Mc Kay	104 N. 3 <sup>rd</sup> Apt.B2	Towanda, Kansas
Theresa L. Earls	917 W. Carr	El Dorado, Kansas
James Cook	719 Fredrick Drive	El Dorado, Kansas
Carolyn Jones	1630 N. Main Apt D-3	El Dorado, Kansas
Jeremy Jorn	620 Osage St. Apt B-14	Augusta, Kansas
Alex Perrington	2320 Gentry Lane	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Steve Hysom	1740 W. Third Ave	El Dorado, Kansas
Jason Weir	Community Run Org.	El Dorado, Kansas
Nancee Torkelson	Census Office	Topeka, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the March 2, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Ms. Kari Lee’s Washington Third Grade students led the Pledge of Allegiance.

**PROCLAMATIONS**

Mayor Tom McKibban read the Severe Weather Proclamation to declare March 9, 2009 through March 13, 2009 as severe weather awareness week.

Mayor McKibban read the Multiple Sclerosis Awareness Proclamation to declare March 2, 2009 through March 8, 2009 as Multiple Sclerosis Awareness Week.

**PUBLIC COMMENTS**

Mayor Tom McKibban opened the floor for public comments.

Kurt Helber Jr., 211 North Gordy Apt. 406, requested that speed bumps or flashing caution signs be installed to slow traffic in front of the Heritage Apartments.

Theresa Earls and Jason Weir, Community Run Organization, requested the Commission consider Community Run Organization (CRO) application for 888 monies that was submitted after the deadline. Mr. Weir stated that the organization had requested

funding from the State of Kansas which would be the organizations primary means of funding.

Mayor Tom McKibban stated that the Commission will consider the request. However, suggested the organization request assistance from Butler County since the program is county wide.

Mayor Tom McKibban closed the public comment session.

**CONSENT AGENDA**

- a) Consider approval of the February 16, 2009, City Commission minutes.
- b) Consider approval of the February 25, 2009, Special City Commission minutes.
- c) Consider approval of Appropriation Ordinance No. 02-09 in the amount of \$1,019,514.14.
- d) Consider approval of 2009 Cereal Malt Beverage license applications as listed:  
Oklahoma Boy's BBQ, 626 North Main

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

**CENSUS 2010**

Nancee Torkelson, of the Topeka, Kansas, Census office discussed the 2010 Census. Ms. Torkelson stated that the Constitution requires an accurate count every ten years, and federal funding is awarded based on this data.

Ms. Torkelson also stated that the Census will need temporary employees to complete the Census.

Mayor Tom McKibban inquired about posting information on the temporary Census jobs on the City of El Dorado's website.

City Manger Herb Llewellyn stated that the Census positions could be placed on the City of El Dorado's website as well as on Channel 7.

**AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

Assistant City Engineer Scott Rickard stated that the Kansas Department of Transportation is soliciting requests for projects from cities and counties to use funds made available for road and bridge improvements through the American Recovery and Reinvestment Act of 2009, signed into law by President Obama.

Kansas will receive approximately \$348 million through American Recovery and Reinvestment Act of 2009, for road and bridge projects. Of that \$348 million, approximately \$70 million will be shared with our local partners, including \$38 million sub allocated by the legislation to the Kansas City and Wichita metropolitan areas. Projects developed by counties and cities outside the metropolitan areas will be eligible for the remaining \$32 million. These funds will be distributed to Kansas Department of

Transportation's six districts in proportion to the share of the Special City and County Highway fund dollars distributed to the local agencies in each district. Kansas Department of Transportation's District Engineer and Area Engineers will select projects from the applications within each district. South Central Kansas, District V approximate distribution is +/- \$8 million.

The criteria for a project to be eligible for American Recovery and Reinvestment Act of 2009 funding:

The funds are to be used for construction and construction engineering. Preliminary engineering, right of way acquisition, and utility relocations are also eligible for funding, but due to the time constraints on these funds, Kansas Department of Transportation sees these activities as problematic and would place some financial risk on the local agency. These costs will be considered if the agency is willing to accept those risks.

Projects will be evaluated on a variety of criteria, including the criteria to be eligible for the funding and the likelihood of the project development being completed in the required timeframes. In addition, the projects within a district will be prioritized based on the intent of the legislation (economic impact, job creation, etc.) and the impact to the system (safety, system preservation, regional impacts, etc.).

The request for funding must be submitted to Kansas Department of Transportation by Friday, March 13, 2009. We have included the paving of Sixth Avenue and Boyer Road & the geometric improvement of the intersection of Vine and Central as the projects for you to consider for this program.

Assistant City Engineer Scott Rickard stated that the project must be administered by the Kansas Department of Transportation which increases the cost to the City of El Dorado.

City Manager Herb Llewellyn stated that if the City of El Dorado received funding that was not budgeted; the Commission would need to allocate the cost between the City of El Dorado and the property owners.

Assistant City Engineer Rickard requested that if the City Commissioners concur, Staff would recommend submitting an 80/20 split to the Kansas Department of Transportation.

Commissioner Steve Pershall moved to authorize the Mayor to execute for and on behalf of the City of El Dorado, "Request for Construction Project Using Recovery Funds 2009" for the paving of Sixth Avenue and Boyer Road and the geometric improvement of the intersection of Vine and Central to be submitted to the Kansas Department of Transportation.

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 requested information concerning the potholes on Ninth Avenue between Gordy and Taylor Streets.

City Manager Herb Llewellyn stated that the City of El Dorado staff has included Ninth Avenue in the 2010 CIP.

**EL DORADO CITY COMMISSION MEETING**

**March 2, 2009**

City Manager Llewellyn also stated that the street could be petitioned out. In the meantime, the Commission should consider converting Ninth Avenue to gravel.

Commissioner Reynolds inquired on the length of time it would take to turn Ninth Avenue to gravel.

Assistant Public Works Director Brad Meyer stated that it would take one day to turn Ninth Avenue to gravel.

Commissioner Reynolds stated that he has received a large amount of negative feedback concerning not televising the Work Sessions. Commissioner Reynolds suggested that the issue be revisited.

Mayor McKibban stated that the information that he has received has been positive.

Commissioner Linda Clark stated that she has had one positive and one negative response.

Commissioner Steve Pershall stated the Work Sessions should be televised.

Commissioner David Chapin stated that he has received one negative response and the majority of people would prefer no action be taken during Work Sessions.

Commissioner Clark inquired on the status of the North Main bridge lights.

Assistant City Engineer Scott Rickard stated that Westar Energy needs to connect the power from the transformer.

Commissioner Clark inquired if there had been recent problems with late fees being erroneously assessed to water bills.

Finance Director Dee Anne Grunder stated that she was unaware of any issues concerning late fees; however, she would investigate the issue.

Commissioner Steve Pershall thanked Julie Clements of the El Dorado Times for the article she wrote concerning the televising of the Work Sessions.

Commissioner David Chapin inquired on an approximate completion date for the West Central and North Main projects.

Assistant City Engineer Rickard stated that the construction on the bike path under the North Main Street bridge started on March 2, 2009, and the final phase of construction for West Central will begin on March 16, 2009.

Mayor McKibban requested an explanation concerning the smoking ban not on the General Election ballot.

City Manager Llewellyn explained that only binding questions can be placed on the General Election ballot. City Manager Llewellyn also stated that advisory questions require a Special Election.

City Manager Llewellyn suggested the City Commission wait and see what smoking regulations the State might recommend.

Mayor McKibban stated that constituents have inquired why smoking in a business was left up to the proprietor; however, the sale of liquor on Sunday was not.

Commissioner Chapin stated the difference is one was allowed behavior of the customer and the other was motivated by profits.

Mayor McKibban stated that he would like the El Dorado Times to be more informative of the Butler County Commission and school board meetings since they are not televised.

Mayor Tom McKibban closed the Commissioners' comments.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn announced that the City of El Dorado had been awarded two grants for the rail spur in the Industrial Park. A design engineer has been hired for the project, and work should begin soon.

City Manager Llewellyn stated that a Work Session has been scheduled for Wednesday, March 11, 2009. Assistant Public Works Director Brad Meyer will inform the City Commissioners on current trash cart information.

City Manager Llewellyn responded to Mike Fagg's comments during the last Commission meeting concerning reading documents during televised meetings. City Manager Llewellyn stated that such documents are not read on televised sessions, and that the City has hired the one of the best bond counsels.

City Manager Llewellyn stated that the stadium committee's recommendation to fund the Stadium is by using Tax Increment Financing and Sales Tax.

City Manager Llewellyn requested the Commission to consider funding avenues for this project. The process to vote on sales tax is lengthy and bond counsel would need to be involved.

City Manager Llewellyn also requested the City Commission to consider the City's obligation for financing the stadium's parking lot.

Finance Director Dee Anne Grunder provided the City Commissioners the results of the 2008 Unaudited Financial Statements.

Commissioner Steve Pershall announced that the Rotary Club would be hosting a walk on the El Dorado bike path on April 25, 2009 to raise funds for the fight against polio.

Mayor Tom McKibban inquired on the ground breaking date for Barton Solvents.

City Manager Llewellyn speculated that the ground breaking would take place soon.

**EXECUTIVE SESSION**

Mayor Tom McKibban that this is for the purpose of discussing confidential data relating to financial affairs or trade secrets of second parties and non-elected personnel issues.

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing confidential data relating to financial affairs or trade secrets of second parties and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:45 pm.

Commissioner Steve Pershall seconded the motion.

**EL DORADO CITY COMMISSION MEETING**

**March 2, 2009**

Mayor Tom McKibban reconvened the meeting at 8:49 pm.

Commissioner Steve Pershall moved to extend the City Manager's contract to March 1, 2010, and to award a three percent merit increase.

Commissioner David Chapin seconded the motion

Motion carried 5-0

**ADJOURNMENT**

Commissioner Steve Pershall moved to adjourn the meeting at 8:50 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban



**EL DORADO SPECIAL CITY COMMISSION MEETING**

**March 11, 2009**

The El Dorado City Commission met in special session on March 11, 2009, at 3:30 pm. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Dee Anne Grunder, City Engineer Scott Rickard, Public Works Director Brad Meyer, Solid Waste Coordinator Sue Austin, and Administrative Intern Derrick Kuhl. Absent: City Commissioner Linda Clark, City Clerk Kendra Porter, and City Attorney Jim Murfin.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, Kansas
Jolene Erpelding	ICI	El Dorado, Kansas
Tom Murry	ICI	El Dorado, KS
Nick Badwey	423 S. Alleghany	El Dorado, KS
Lance Spence	CIG	Wichita, KS
Bill Young	1751 Lakeland	El Dorado, KS
Shane Kraus	830 W. 4 <sup>th</sup> Ave	El Dorado, KS

**CALL TO ORDER**

Mayor Tom McKibban called the March 11, 2009, Special City Commission Meeting to order.

**CITY INSURANCE BIDS**

City Manager Herb Llewellyn stated that requests for proposals for the City’s property/casualty insurance coverage (Workers Compensation, Property, General Liability, Business Auto, and other miscellaneous policies) were recently distributed. Three proposals from two brokers were received. Currently, the insurance coverage is with ICI – EMC at a cost of \$428,037.00.

Commissioner Pershall inquired on the cost differences between the bids.

Tom Murry, ICI, stated that the Worker’s Compensation Liability has shown improvements.

Commissioner Steve Pershall stated that he appreciated the fact that the low bid was \$76,000 less than the previous year’s policy.

Commissioner Steve Pershall moved to approve the ICI, OneBeacon bid of \$351,496.60 over a three year period to be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

City Manager Herb Llewellyn explained that this bid proposes a municipal trust for worker’s compensation.

Commissioner Steve Reynolds inquired if the City has ever participated in a trust.

City Manager Llewellyn replied that the City has not participated in a workers compensation trust.

Discussion ensued.

Commissioner David Chapin inquired on the basis of the City considering switching to a worker's compensation pool.

Tom Murry, ICI, explained that while the experience modification went up, the City received a much lower price without reducing any services. Mr. Murry attributed this to the employee safety programs that have been implemented in the past few years.

Discussion Ensued.

**RESOLUTION NO. 2633**

Commissioner David Chapin moved that Resolution No. 2633, a resolution to form and participate in a group-funded pool for workers compensation coverage, be accepted, and to authorize the Mayor to sign and execute the appropriate documents for the City of El Dorado, Kansas, to join the Kansas Municipal Insurance Trust.

Commissioner Steve Reynolds seconded the motion.

Motion carried 4-0.

**BIKE TRAIL STIMULUS PROJECT**

City Engineer Scott Rickard stated that the Kansas Department of Transportation is soliciting requests for projects from cities and counties to use funds made available for Transportation Enhancement (TE) projects through the American Recovery and Reinvestment Act of 2009 (ARRA).

Staff would like to submit a request for a 10' wide concrete pedestrian/bicycle path connecting to Phase II of the City's existing path from the Dog Park then north to East Park. The length of the trail is .75 miles. The request for funding must be submitted to KDOT by Wednesday, March 18, 2009.

Commissioner David Chapin inquired as to what budget year this would effect.

City Engineer Rickard explained that approximately July, 2010 would be when City funds would be needed for this project.

City Manager Herb Llewellyn remarked that the City would more than likely pay for this project with idle funds.

Discussion Ensued.

Commissioner Steve Pershall indicated his concerns regarding safety issues; more specifically regarding means of getting emergency vehicles to the path.

City Engineer Rickard explained that the City would use the same entrance as the compost site and that it should not be a problem.

**RESOLUTION NO. 2634**

Commissioner David Chapin moved that Resolution No. 2634, a resolution authorizing the City Manager of the City of El Dorado, Kansas, to submit an application for the Transportation Enhancement Project under the American Recovery and Reinvestment Act of 2009, and authorize the Mayor to sign the Resolution of Support, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

**BUILDER'S MEETING DISCUSSION**

Mayor Tom McKibban announced that there will be a meeting for local builders on March 23, 2009 at 7 pm at the Civic Center. There will be discussion regarding costs and infrastructure in certain areas within the city. City staff will be present to answer questions.

**AUTOMATED TRASH COLLECTION**

Assistant Public Works Director Brad Meyer explained that the City has done substantial research of cities throughout Kansas regarding automated trash collection. Mr. Meyer further explained that by accepting an automated program, the City would be able to stabilize its trash collection fees that have increased every year. This would allow the City to reduce staff and drastically reduce varmint and rodent problems within neighborhoods.

Commissioner Steve Reynolds asked how the City intended to reduce staff.

Assistant Public Works Director Meyer responded that the City would shift these employees to other open positions that are available. Mr. Meyer went on to explain that Sanitation Workers have the highest worker's compensation modification factor rating of 10.3; it is higher than Policemen or Firefighters.

Discussion Ensued.

Commissioner David Chapin inquired if different sizes of carts would be offered.

Assistant Public Works Director Meyer responded that there would be one size for residential and potentially a smaller size cart for elderly customers. There would still be special collections offered as well. Mr. Meyer explained that if accepted, the City would begin a pilot program in mid October.

Commissioner David Chapin stated his concerns of citizens leaving containers on the curb for several days.

Assistant Public Works Director Meyer stated that the City has an ordinance in place that addresses that concern.

Commissioner David Chapin inquired on how apartments would be handled.

Assistant Public Works Director Brad Meyer explained that anything larger than a duplex would be considered commercial and would have a dumpster. The City does not anticipate any changes with commercial collection.

Commissioner Steve Pershall commented that in these tough economic times governments need to be more efficient. Mr. Pershall encouraged the pilot program.

Mayor Tom McKibban inquired about the City offering Spring Clean-Up twice a year.

Assistant Public Works Director Meyer stated that the County provides reduced rates once a year. Therefore, a second collection would be an additional cost.

Commissioner David Chapin requested a cost analysis of current system versus the proposed system over a 10 year period.

**ADJOURNMENT**

Commissioner Steve Pershall motioned to adjourn at 4:55 pm.

Commissioner David Chapin seconded the motion.

Motion Carried 4-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**April 6, 2009**

The El Dorado City Commission met in regular session on April 6, 2009, 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**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Tom Boren	220 E. 1st	El Dorado, Kansas
Kyle Mc Laren	220 E. 1st	El Dorado, Kansas
Tammy Schaffer	220 E. 1st	El Dorado, Kansas
Ray & Carolyn Connell	2520 Chase	El Dorado, Kansas
Marlene Avery	219 Hillcrest	El Dorado, Kansas
Deborah Pierce	1220 N. Topeka	El Dorado, Kansas
Alex Buckley	1744 Candace Lane	El Dorado, Kansas
Morgan Worthington	835 Santa Fe Avenue	El Dorado, Kansas
Taylor Briscoe	1030 W. Third Avenue	El Dorado, Kansas
Arthur Vankleeck	648 Village Road	El Dorado, Kansas
Breonna Cooper	9428 NE Grant Road	Cassoday, Kansas
Shane Krause	830 W. Fourth Avenue	El Dorado, Kansas
John Grange	1115 Rim Rock Road	El Dorado, Kansas
Bill Young	1751 Lakeland	El Dorado, Kansas
Kendra Wilkinson	1016 S. Denver	El Dorado, Kansas
Kyle Koerner	1816 Hazlett	El Dorado, Kansas
John Templin	515 N. West	Leon, Kansas
Kevin Pickrell	704 Maplewood	El Dorado, Kansas
Angela Zepeda	1112 S. High	El Dorado, Kansas
Barbara Templin	515 N. West	Leon, Kansas
Mike Fagg	1810 Terrace Drive	El Dorado, Kansas
Jack Perry	512 Hunton Road	El Dorado, Kansas
Tammy Nichols	1425 W. Olive	El Dorado, Kansas
Dwight Marcum	1425 W. Olive	El Dorado, Kansas
Justin Nuefeld	817 N. Washington	El Dorado, Kansas
Lee Huff	1425 W. Olive	El Dorado, Kansas
Mark Roberts		Augusta, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Ricke Whiteside	220 E. 1st	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the April 6, 2009 City Commission meeting to order.

**INVOCATION**

El Dorado Police Chief Tom Boren opened the meeting with prayer.

**PLEDGE OF ALLEGIANCE**

Ms. Kathy Shum’s Grandview Third Grade students led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

City Manager Herb Llewellyn presented Finance Director Dee Anne Grunder with the Government Finance Officer’s Certificate of Achievement for Excellence in Financial Reporting for 2007. This is the thirty-first year the City has received this award.

**EL DORADO CITY COMMISSION MEETING**

**April 6, 2009**

Mayor Tom McKibban presented Representative John Grange a plaque in appreciation for his assistance to the City of El Dorado.

**PROCLAMATION**

Mayor McKibban read the Child Abuse Prevention Proclamation to declare April as Child Abuse Prevention Month.

**PUBLIC COMMENTS**

Mayor Tom McKibban opened the floor for public comments.

Dwight Marcum, 1425 West Olive, requested the City Commissioners support with the efforts of the area youth's to add safety measures to the drainage ditch in which Bayleigh Stovall had drowned.

Lee Huff, 1425 West Olive, spoke on behalf of Bayleigh's friends who want safeguards in place to prevent other citizens from being harmed.

Justin Nuefeld, 817 North Washington, stated his request for safety measures to the drainage ditch to prevent other citizens from suffering the loss of a loved one.

Tammy Nichols, 1425 West Olive, also stated that safety measures need to be added to the drainage ditch.

Taylor Briscoe, 1030 West Third Avenue, stated that safety measures need to be taken to reassure citizens.

John Grange, 1115 Rim Rock, stated that the State of Kansas will work with the City to determine a solution.

Mike Fagg, 1810 Terrace Drive, concurred with the area youth's concerns for the safety of the citizens of El Dorado.

Mike Fagg, 1810 Terrace Drive, commented on the El Dorado Times' article regarding the tax incentives for Economic Development. Mr. Fagg stated that the original purpose of the policy was to create new jobs and new construction; however, the current tax incentive only helps to sell property. Mr. Fagg stated that the City Commission should follow the original policy.

Assistant Public Works Director Brad Meyer provided information concerning the March 27, and March 28, 2009 storm event. Assistant Public Works Director Meyer stated that Staff has been working on the limb debris and reminded citizens not to dispose of trash at the compost site. Assistant Public Works Director Meyer also announced that the City-wide Spring Cleanup would begin the week of April 13, 2009.

Mayor Tom McKibban closed the public comment session.

**CONSENT AGENDA**

- a) Approval of the March 2, 2009, City Commission minutes.
- b) Approval of the March 11, 2009, Special City Commission minutes.
- c) Approval of Appropriation Ordinance No. 03-09 in the amount of \$1,703,851.86.

- d) Approval of the Engineer's Third & Final Pay Estimate dated March 26, 2009 on Project No. 243A, Sanitary Sewer 702,706,718,720 W 10th to the Contractor, Ewertz Excavation, in the amount of \$4,211.25.

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

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**MUNICIPAL BAND AGREEMENT**

City Manger Herb Llewellyn stated that the 2009 Budget includes an allocation of \$6,925 to the Municipal Band Association.

Angela Zepeda, 1112 South High, Municipal Band Association President, gave a brief overview of the Municipal Band Associations activities. Ms. Zepeda stated that the first Municipal Band concert is scheduled for June 4, 2009 and invited all citizens to attend.

Commissioner Steve Reynolds moved to approve the 2009 Municipal Band Agreement.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**POLICE POSITIONS**

Police Chief Tom Boren stated that with the newly funded COPS grant, the City may apply for 100% funding for police officers. These officers will be completely funded for three (3) years and there are no local matching funding requirements; however, the positions must be retained for at least one fiscal year after the expiration of the grant.

The El Dorado Police Department has identified the need for additional officers for adequately handling call volume, investigating crimes and initiating drug information, intelligence gathering and investigations. We have discussed hiring two additional patrol officers and one detective. The additions of these positions were to have been included in the next two years' fiscal budgets, but the opportunity of adding these within the next year with grant funding makes this economically sound for the City.

No positions will be filled unless the grant has been successfully awarded. Partial award may mean less than the three positions will be filled.

City Manager Herb Llewellyn stated that Staff's expectation is to retain the additional officers after the required period subject to funding being approved by the City Commission.

Commissioner David Chapin inquired if the grant would fund all costs associated with the new officers.

City Manager Llewellyn stated that the grant would not fund uniforms, fuel or training.

Commissioner Steve Pershall inquired if an officer hired under the grant provisions would terminate before the required time period, would a replacement officer qualify for the remaining period.

Police Chief Boren indicated that the COPS Grant would cover replacing officers.

Commissioner Steve Reynolds inquired of the notification process.

Police Chief Boren stated it would take two months.

Commissioner Steve Pershall moved to approve the filing of an application for additional police personnel through the COPS Office CHRP grant, and to authorize the City Manager to sign the application.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**OPEB**

Finance Director Dee Anne Grunder stated that during the July 16, 2008 Special City Commission meeting, Staff provided information regarding GASB Statement #45, a new accounting statement related to Other Post Employment Benefits (OPEB). Under this statement, the City of El Dorado was required to begin recording retiree healthcare benefits on an accrual basis, effective in 2008. An actuarial valuation is required every three years, and the City's first valuation was completed in 2008. The Commission authorized funding the Annual Required Contribution (ARC), as computed by the actuary, through contributions to an irrevocable trust. Funds in the trust may only be utilized for retiree healthcare benefits. The following motion provides authorization of the documents establishing the OPEB irrevocable trust with Benefit Trust Company.

Commissioner Linda Clark moved that the Agreement and Declaration of Trust and the Statement of Investment Policies and Objectives for the City of El Dorado, Kansas Retiree Health Care Benefit Plan Trust Fund, an irrevocable trust established for the purpose of paying retiree healthcare benefits, be approved, and to authorize the City Manager and Finance Director to sign all documents related to establishment of the trust.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 1220 N TOPEKA. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 09-003-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Deborah Pierce, is requesting a Special Use Permit to allow a Day Care Center at 1220 North Topeka. The property is zoned R-1, Residential-Low Density District.

At the February 26, 2009, 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 7 to 0.

**ORDINANCE NO. G-1068**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 09-003-SUP requesting a Special Use Permit to allow the



establishment of a Day Care Center on property located at 1220 North Topeka be accepted and that Ordinance No. G-1068, 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 TO ALLOW A RELIGIOUS ORGANIZATION ON PROPERTY LOCATED AT 525 OIL HILL ROAD. THE PROPERTY IS ZONED C-1 GENERAL BUSINESS DISTRICT. (CASE NO. 09-004-SUP)**

The applicant, Ryan Vandenberg, requested a Special Use Permit to allow a Religious Organization (church) at 525 Oil Hill Road. The property is zoned C-1, General Business District.

Assistant to the City Manager Matt Rehder stated that the applicant requested that this agenda item be postponed indefinitely.

**RECEIVE THE PETITION FOR PAVING HUNTON RD (THIRD AVENUE TO SIXTH AVENUE)**

Assistant City Engineer Scott Rickard requested that the petition be removed from the agenda since the petition is no longer complete.

**RECEIVE THE PETITION FOR SANITARY SEWER-602 SOUTH TOPEKA**

Assistant City Engineer Scott Rickard stated that the property owner of 602 South Topeka has requested connection to the City sanitary sewer.

Assistant City Engineer Rickard stated the need for a sanitary sewer tie-in due to property owner being on a community sewer line with four other property owners.

Commissioner Steve Reynolds inquired if the property owners would bear the cost of connecting to the City sanitary sewer.

Assistant City Engineer Rickard stated that the property owners would split the cost of connection.

**RESOLUTION NO. 2635**

Commissioner Linda Clark moved that Resolution No. 2635, 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. 335), be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

Commissioner Steve Pershall inquired if the City was aware of any other similar situations.

Assistant City Engineer Scott Rickard stated that the residents on Douglass Road between Finney and the Southwest Trafficway have a community sewer.

Assistant City Engineer Rickard and City Manager Herb Llewellyn stated that the Block Grant would include replacing the community sewer on Douglass Road.

**FLOOD PLAIN MAP**

Assistant City Engineer Scott Rickard stated the City of El Dorado has recently been involved with a restudy of the local flood plains. The revised Flood Insurance Study and Flood Insurance Rate Map must become effective on June 2, 2009 to bring the Municipal Code into full compliance with Federal Regulations K.A.R. 5-44-1 through 7.

This ordinance amends the current Municipal Code. The changes include revising the floodway map, designating the local administrator, and amending who is authorized to submit applications for changes. This action is required in order for the City to be in compliance with the federal insurance program. If this Commission adopts this resolution, the City will be able to receive aid in the event of a natural disaster including tornadoes, high winds and flooding. If the Commission desires not to be included in the flood insurance program, the City will not be able to receive federal aid for disasters.

**ORDINANCE NO. G-1069**

Commissioner Linda Clark moved that Ordinance No. G-1069, an ordinance amending El Dorado Municipal Code Section 15.48 relating to Flood Damage Protection, 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

**TRASH PROPOSAL**

Assistant Public Works Director Brad Meyer stated that Staff was directed to research and provide a proposal to switch to a fully automated form of trash collection in the city. During the March 11, 2009 Work Session, staff gave a presentation on a program that could be implemented for residents.

Assistant Public Works Director Meyer discussed the pilot program and the concerns expressed by citizens.

Assistant Public Works Director Meyer assured the Commissioners that special needs citizens would still receive assistance with trash removal.

Commissioner Steve Pershall inquired how residents would be selected to participate in the program.

Assistant Public Works Director Meyer stated that areas with unusual scenarios have been chosen to test the program.

Commissioner David Chapin inquired on the recycling process.

Assistant Public Works Director Meyer indicated that automating recycling would not provide the same type of savings as refuse.

Commissioner Steve Reynolds moved to authorize Staff to proceed with a pilot program for a fully-automated refuse collection system.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

**LIQUOR ORDINANCE**

City Attorney Jim Murfin stated that Staff proposes amendments to the Municipal Code as it pertains to the sale of alcoholic beverages. The change is proposed to resolve any potential ambiguity in those situations in which a church, school, or library seeks to establish itself within a 200 foot radius of a licensee’s established place of business.

Commissioner Steve Pershall inquired where the 200 foot radius would begin.

Assistant to the City Manager Matt Rehder stated that the 200 foot radius starts at the property line per statute.

Mayor Tom McKibban inquired if churches relocating next to a restaurant prevent the proprietor from obtaining a Cereal Malt Beverage License.

Assistant to the City Manager Rehder stated that the governing body could grant a waiver.

**ORDINANCE NO. G-1070**

Commissioner Steve Pershall moved that Ordinance No. G-1070, an ordinance amending Title 4, Chapter 4.08, Section 0.70, Subsection D of the El Dorado Municipal Code relating to the sale of alcoholic beverages 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

**BOARD APPOINTMENTS**

Mayor Tom McKibban requested this item be tabled until next Commission meeting when the new Commissioners would be onboard.

Commissioner David Chapin suggested changing the beginning board terms to May 1<sup>st</sup>.

City Manager Herb Llewellyn stated that he would review policy and report back to the City Commissioners.

**NEW BUSINESS – DISCUSSION ITEMS**

The Mayor opened the floor for Commissioners' comments.

Commissioner Steve Reynolds stated his concerns regarding the expected low turnout for the upcoming election and encouraged everyone to vote.

Commissioner Reynolds also commended the Public Works department for their dedication during the late March storm event.

Commissioner Linda Clark also encouraged citizens to vote and stated that her constituents were also pleased with the storm clean up.

Commissioner Steve Pershall stated that the City had two excellent candidates and thanked them for running for office. Commissioner Pershall complemented City employees for their work performance.

Commissioner David Chapin stated that the City has hard working employees.

Commissioner Chapin also stated his appreciation of the ice and slush removal from the City streets.

Mayor Tom McKibban inquired on the City's concrete price with the local vendor compared to Wichita vendors.

Assistant City Engineer Scott Rickard stated that the City is currently paying a higher price; however, negotiations are in place to receive a reduced price.

Assistant Public Works Director Brad Meyer stated that the Public Works department no longer orders short loads which will help reduce the cost.

City Manager Herb Llewellyn stated that Staff would do their best to keep the price of cement as low as possible.

Tom McKibban closed the Commissioners' comments.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn announced that the City of El Dorado had to exercise the City's right to clean up a property.

City Manager Llewellyn stated that the current staff is the best that he has worked with in his career.

Mayor Tom McKibban stated that Barton Solvents plan to break ground this year.

**EXECUTIVE SESSION**

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to 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 financial affairs or trade secrets of second parties, and to reconvene the regularly scheduled meeting in the City Commission room at 9:10 pm.

Commissioner Steve Reynolds seconded the motion.

**EL DORADO CITY COMMISSION MEETING**

**April 6, 2009**

Mayor Tom McKibban reconvened the meeting at 9:14 pm.

City Manager Herb Llewellyn stated that the City has purchased AED's for City facilities.

Fire Captain Ricke Whiteside stated that the 16 units would be stored in locked cases with an alarm.

Commissioner Steve Pershall asked what qualifications were needed to use the AED's.

Fire Captain Whiteside stated that anyone could use the AED'S and that there will be a training session.

City Manager Llewellyn stated that employees will be trained on the use of the AED's.

**ADJOURNMENT**

Commissioner Steve Pershall moved to adjourn the meeting at 9:21 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**April 20, 2009**

The El Dorado City Commission met in regular session on April 6, 2009, 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 Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Tom Boren	220 E. 1st	El Dorado, Kansas
John Scanlon	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
Kurt Spivey	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Andrea Coleman	Main Street	El Dorado, Kansas
Larry Scott	225 N. Residence	El Dorado, Kansas
Roger Cutsinger	712 W. 14 <sup>th</sup>	El Dorado, Kansas
Betty Kirkpatrick		El Dorado, Kansas
Mike McGuire	First United Methodist	El Dorado, Kansas
Steve Fellers		El Dorado, Kansas
Trevor Brockway		El Dorado, Kansas
Sherry & Calvin Maybry		El Dorado, Kansas
Julia & Dan Brockway		El Dorado, Kansas
Kayci & Cindy Herrman		El Dorado, Kansas
George Myer		El Dorado, Kansas
Jessica Morrell		El Dorado, Kansas
Bruce Harris		El Dorado, Kansas
Nick Badwey		El Dorado, Kansas
Gay Kimble		El Dorado, Kansas
Lynne & Randy Wells		El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the April 20, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Ms. Kathy Shum’s Grandview Third Grade students led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Police Chief Tom Boren recognized Officer Kurt Spivey’s dedication in promoting seatbelt safety and receiving state recognition for the seat belt program through the Butler County High Schools. Officer Spivey’s efforts have increased seatbelt usage among high school students.

Officer Spivey explained the seatbelt program and thanked Parks Motors, Fenton Ford and Ford of Augusta for donating cars to the program.

Steve Fellers and Betty Kirkpatrick presented awards to the Arbor Day Poster Contest winners. Anne Tipton was the runner up and Trevor Brockway won both the local and regional divisions. This is the City of El Dorado’s Sixteenth year as Tree City USA.

**PROCLAMATION**

Larry Scott of the Eldorado Elks announced that the Safe Nite Out would be on May 08, 2009 and thanked the City of El Dorado for its support.

Mayor McKibban read a Proclamation to declare May 03, 2009 through May 9, 2009 as El Dorado Elks Lodge National Youth Week

Mayor McKibban read a Proclamation to declare that the month of April as Fair Housing Month

**PUBLIC COMMENTS**

Mayor Tom McKibban opened the floor for public comments.

Dwight Marcum, 1425 West Olive, requested the City Commissioners support with the efforts of the area youth's to add safety measures to the drainage ditch in which Bayleigh Stovall had drowned.

Lee Huff, 1425 West Olive, spoke on behalf of Bayleigh's friends who want safeguards in place to prevent other citizens from being harmed.

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Mayor Tom McKibban closed the public comment session.

**CONSENT AGENDA**

- a) Approval of the March 2, 2009, City Commission minutes.
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Commissioner Linda Clark moved that the Consent Agenda, as presented, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

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**EL DORADO CITY COMMISSION MEETING**

**April 20, 2009**

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Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 1220 N TOPEKA. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 09-003-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Deborah Pierce, is requesting a Special Use Permit to allow a Day Care Center at 1220 North Topeka. The property is zoned R-1, Residential-Low Density District.

At the February 26, 2009, 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 7 to 0.

**ORDINANCE NO. G-1068**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 09-003-SUP requesting a Special Use Permit to allow the

establishment of a Day Care Center on property located at 1220 North Topeka be accepted and that Ordinance No. G-1068, 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 TO ALLOW A RELIGIOUS ORGANIZATION ON PROPERTY LOCATED AT 525 OIL HILL ROAD. THE PROPERTY IS ZONED C-1 GENERAL BUSINESS DISTRICT. (CASE NO. 09-004-SUP)**

The applicant, Ryan Vandenberg, requested a Special Use Permit to allow a Religious Organization (church) at 525 Oil Hill Road. The property is zoned C-1, General Business District.

Assistant to the City Manager Matt Rehder stated that the applicant requested that this agenda item be postponed indefinitely.

**RECEIVE THE PETITION FOR PAVING HUNTON RD (THIRD AVENUE TO SIXTH AVENUE)**

Assistant City Engineer Scott Rickard requested that the petition be removed from the agenda since the petition is no longer complete.

**RECEIVE THE PETITION FOR SANITARY SEWER-602 SOUTH TOPEKA**

Assistant City Engineer Scott Rickard stated that the property owner of 602 South Topeka has requested connection to the City sanitary sewer.

Assistant City Engineer Rickard stated the need for a sanitary sewer tie-in due to property owner being on a community sewer line with four other property owners.

Commissioner Steve Reynolds inquired if the property owners would bear the cost of connecting to the City sanitary sewer.

Assistant City Engineer Rickard stated that the property owners would split the cost of connection.

**RESOLUTION NO. 2635**

Commissioner Linda Clark moved that Resolution No. 2635, 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. 335), be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

Commissioner Steve Pershall inquired if the City was aware of any other similar situations.

Assistant City Engineer Scott Rickard stated that the residents on Douglass Road between Finney and the Southwest Trafficway have a community sewer.

Assistant City Engineer Rickard and City Manager Herb Llewellyn stated that the Block Grant would include replacing the community sewer on Douglass Road.

**FLOOD PLAIN MAP**

Assistant City Engineer Scott Rickard stated the City of El Dorado has recently been involved with a restudy of the local flood plains. The revised Flood Insurance Study and Flood Insurance Rate Map must become effective on June 2, 2009 to bring the Municipal Code into full compliance with Federal Regulations K.A.R. 5-44-1 through 7.

This ordinance amends the current Municipal Code. The changes include revising the floodway map, designating the local administrator, and amending who is authorized to submit applications for changes. This action is required in order for the City to be in compliance with the federal insurance program. If this Commission adopts this resolution, the City will be able to receive aid in the event of a natural disaster including tornadoes, high winds and flooding. If the Commission desires not to be included in the flood insurance program, the City will not be able to receive federal aid for disasters.

**ORDINANCE NO. G-1069**

Commissioner Linda Clark moved that Ordinance No. G-1069, an ordinance amending El Dorado Municipal Code Section 15.48 relating to Flood Damage Protection, 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

**TRASH PROPOSAL**

Assistant Public Works Director Brad Meyer stated that Staff was directed to research and provide a proposal to switch to a fully automated form of trash collection in the city. During the March 11, 2009 Work Session, staff gave a presentation on a program that could be implemented for residents.

Assistant Public Works Director Meyer discussed the pilot program and the concerns expressed by citizens.

Assistant Public Works Director Meyer assured the Commissioners that special needs citizens would still receive assistance with trash removal.

Commissioner Steve Pershall inquired how residents would be selected to participate in the program.

Assistant Public Works Director Meyer stated that areas with unusual scenarios have been chosen to test the program.

Commissioner David Chapin inquired on the recycling process.

Assistant Public Works Director Meyer indicated that automating recycling would not provide the same type of savings as refuse.

Commissioner Steve Reynolds moved to authorize Staff to proceed with a pilot program for a fully-automated refuse collection system.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

**LIQUOR ORDINANCE**

City Attorney Jim Murfin stated that Staff proposes amendments to the Municipal Code as it pertains to the sale of alcoholic beverages. The change is proposed to resolve any potential ambiguity in those situations in which a church, school, or library seeks to establish itself within a 200 foot radius of a licensee’s established place of business.

Commissioner Steve Pershall inquired where the 200 foot radius would begin.

Assistant to the City Manager Matt Rehder stated that the 200 foot radius starts at the property line per statute.

Mayor Tom McKibban inquired if churches relocating next to a restaurant prevent the proprietor from obtaining a Cereal Malt Beverage License.

Assistant to the City Manager Rehder stated that the governing body could grant a waiver.

**ORDINANCE NO. G-1070**

Commissioner Steve Pershall moved that Ordinance No. G-1070, an ordinance amending Title 4, Chapter 4.08, Section 0.70, Subsection D of the El Dorado Municipal Code relating to the sale of alcoholic beverages 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

**BOARD APPOINTMENTS**

Mayor Tom McKibban requested this item be tabled until next Commission meeting when the new Commissioners would be onboard.

**EL DORADO CITY COMMISSION MEETING**

**April 20, 2009**

Commissioner David Chapin suggested changing the beginning board terms to May 1<sup>st</sup>.

City Manager Herb Llewellyn stated that he would review policy and report back to the City Commissioners.

**NEW BUSINESS – DISCUSSION ITEMS**

The Mayor opened the floor for Commissioners’ comments.

Commissioner Steve Reynolds stated his concerns regarding the expected low turnout for the upcoming election and encouraged everyone to vote.

Commissioner Reynolds also commended the Public Works department for their dedication during the late March storm event.

Commissioner Linda Clark also encouraged citizens to vote and stated that her constituents were also pleased with the storm clean up.

Commissioner Steve Pershall stated that the City had two excellent candidates and thanked them for running for office. Commissioner Pershall complemented City employees for their work performance.

Commissioner David Chapin stated that the City has hard working employees.

Commissioner Chapin also stated his appreciation of the ice and slush removal from the City streets.

Mayor Tom McKibban inquired on the City’s concrete price with the local vendor compared to Wichita vendors.

Assistant City Engineer Scott Rickard stated that the City is currently paying a higher price; however, negotiations are in place to receive a reduced price.

Assistant Public Works Director Brad Meyer stated that the Public Works department no longer orders short loads which will help reduce the cost.

City Manager Herb Llewellyn stated that Staff would do their best to keep the price of cement as low as possible.

Tom McKibban closed the Commissioners’ comments.

**CITY MANAGER’S REPORT**

City Manager Herb Llewellyn announced that the City of El Dorado had to exercise the City’s right to clean up a property.

City Manager Llewellyn stated that the current staff is the best that he has worked with in his career.

Mayor Tom McKibban stated that Barton Solvents plan to break ground this year.

**EXECUTIVE SESSION**

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

**EL DORADO CITY COMMISSION MEETING**

**April 20, 2009**

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing confidential data relating to financial affairs or trade secrets of second parties, and to reconvene the regularly scheduled meeting in the City Commission room at 9:10 pm.

Commissioner Steve Reynolds seconded the motion.

Mayor Tom McKibban reconvened the meeting at 9:14 pm.

City Manager Herb Llewellyn stated that the City has purchased AED's for City facilities.

Fire Captain Ricke Whiteside stated that the 16 units would be stored in locked cases with an alarm.

Commissioner Steve Pershall asked what qualifications were needed to use the AED's.

Fire Captain Whiteside stated that anyone could use the AED'S and that there will be a training session.

City Manager Llewellyn stated that employees will be trained on the use of the AED's.

**ADJOURNMENT**

Commissioner Steve Pershall moved to adjourn the meeting at 9:21 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**April 20, 2009**

The El Dorado City Commission met in regular session on April 20, 2009, 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 Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Tom Boren	220 E. 1st	El Dorado, Kansas
John Scanlon	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
Kurt Spivey	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Andrea Coleman	Main Street	El Dorado, Kansas
Larry Scott	225 N. Residence	El Dorado, Kansas
Roger Cutsinger	712 W. 14 <sup>th</sup>	El Dorado, Kansas
Betty Kirkpatrick	718 W. 2nd	El Dorado, Kansas
Mike McGuire	First United Methodist	El Dorado, Kansas
Steve Fellers	2034 Chelsea	El Dorado, Kansas
Trevor Brockway	2015 Dragonfly	El Dorado, Kansas
Sherry & Calvin Maybry	809 Oak	El Dorado, Kansas
Julia & Dan Brockway	2015 Dragonfly	El Dorado, Kansas
Kayci Herman	816 W. Ash	El Dorado, Kansas
Cindy Herrman	601 S. Emporia	El Dorado, Kansas
George Myer	1535 Country Club	El Dorado, Kansas
Jessica Morrell	1914 Lakeland	El Dorado, Kansas
Bruce Harris	4843 SW Country Ln.	El Dorado, Kansas
Nick Badwey	423 S. Alleghany	El Dorado, Kansas
Gay Kimble	1860 Kendrick	El Dorado, Kansas
Lynne & Randy Wells	507 Post	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Shane Krause	830 W. 4 <sup>th</sup>	El Dorado, Kansas
Anna Tipton	119 S. Topeka	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the April 20, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Ms. Kathy Shum’s Grandview Third Grade students led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Police Chief Tom Boren recognized Officer Kurt Spivey’s dedication in promoting Buckle Up Butler seatbelt program. Officer Spivey’s efforts have increased seatbelt usage among high school students.

Officer Spivey explained the seatbelt program and thanked Parks Motors, Fenton Ford and Ford of Augusta for donating cars to the program.

**EL DORADO CITY COMMISSION MEETING**

**April 20, 2009**

Steve Fellers, 2034 Chelsea, presented awards to the Arbor Day Poster Contest winners', Anna Tipton as the runner up and Trevor Brockway as the local and regional winner. This is the City of El Dorado's sixteenth year as Tree City USA.

**PROCLAMATION**

Larry Scott, El Dorado Elks, announced that the Safe Night Out event would be on May 08, 2009, and thanked the City of El Dorado for their support.

Mayor Tom McKibban read a Proclamation to declare May 3, 2009 through May 9, 2009 as El Dorado Elks Lodge National Youth Week.

Mayor McKibban read a Proclamation to declare April as Fair Housing Month.

**PUBLIC COMMENTS**

Mayor Tom McKibban opened the floor for public comments.

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

**CONTINGENCY OFFER ON 955 N HAVERHILL RD**

City Attorney Jim Murfin stated that for the last several years the City has understood BG Inc's interest in acquiring 955 North Haverhill Road should it become available. The current lease with Valmont Industries expires this summer. Last fall, the City and BG discussed entering into a contract with BG to sell them the building in the eventuality that Valmont does not exercise their purchase option. The City and BG have now completed a contract that is agreeable to both parties.

Commissioner Linda Clark moved to approve the City Manager the authority to sign and enter into an agreement to accept an offer to purchase 955 North Haverhill Road.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

**CONSENT AGENDA**

- a) Approval of the April 6, 2009, City Commission minutes.

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

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**APPRECIATION OF SERVICE – OUT-GOING COMMISSION**

City Manger Herb Llewellyn gave a short presentation and presented plaques to Commissioner Reynolds and Commissioner Pershall.



**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds read his closing remarks as City Commissioner.

Commissioner Linda Clark stated her appreciation for both of the outgoing City Commissioners.

Commissioner Steve Pershall made his closing remarks and welcomed the new Commissioners.

Commissioner David Chapin congratulated each Commissioner for their service.

Mayor Tom McKibban agreed with Commissioner Chapin's comments.

Mayor McKibban closed the Commissioners' comments.

**ADJOURNMENT**

Commissioner Steve Pershall moved that the 2007 – 2009 Commission of the City of El Dorado adjourn sine die.

Commissioner Steve Reynolds seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**April 20, 2009**

The El Dorado City Commission met in regular session on April 20, 2009, at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Tom Boren	220 E. 1st	El Dorado, Kansas
John Scanlon	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
Kurt Spivey	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Andrea Coleman	Main Street	El Dorado, Kansas
Larry Scott	225 N. Residence	El Dorado, Kansas
Roger Cutsinger	712 W. 14 <sup>th</sup>	El Dorado, Kansas
Betty Kirkpatrick	718 W. 2nd	El Dorado, Kansas
Mike McGuire	First United Methodist	El Dorado, Kansas
Steve Fellers	2034 Chelsea	El Dorado, Kansas
Trevor Brockway	2015 Dragonfly	El Dorado, Kansas
Sherry & Calvin Maybry	809 Oak	El Dorado, Kansas
Julia & Dan Brockway	2015 Dragonfly	El Dorado, Kansas
Kayci Herman	816 W. Ash	El Dorado, Kansas
Cindy Herrman	601 S. Emporia	El Dorado, Kansas
George Myer	1535 Country Club	El Dorado, Kansas
Jessica Morrell	1914 Lakeland	El Dorado, Kansas
Bruce Harris	4843 SW Country Ln.	El Dorado, Kansas
Gay Kimble	1860 Kendrick	El Dorado, Kansas
Lynne & Randy Wells	507 Post	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Anna Tipton	119 S. Topeka	El Dorado, Kansas

**CALL TO ORDER**

Vice-Mayor Linda Clark called the April 20, 2009 City Commission meeting to order.

**ADMINISTRATION OF OATH TO NEWLY ELECTED OFFICIALS**

City Clerk Kendra Porter administered the Oath of Office to the newly elected Commissioner Shane Krause and Commissioner Nick Badwey.

City Clerk Kendra Porter administered the Oath of Office to the re-elected Mayor Tom McKibban.

**EL DORADO MAIN STREET UPDATE**

El Dorado Main Street Director Andrea Coleman presented a quarterly report update to the City Commission.

Ms. Coleman also thanked the City Commissioners for their support.

Commissioner Linda Clark thanked Ms. Coleman for her dedication and wished her luck in her future endeavors.

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 816 WEST ASH. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 09-005-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Kayci Herrman, is requesting a Special Use Permit to allow a Day Care Center at 816 West Ash. The property is zoned R-1, Residential-Low Density District.

At the March 26, 2009, 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 7 to 0.

**ORDINANCE NO. G-1071**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 09-005-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 816 West Ash be accepted and that Ordinance No. G-1071, be approved.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes

**RECEIVE THE PETITION-PROJECT 334 RESIDENTIAL SIDEWALKS**

Assistant City Engineer Scott Rickard stated that the City has received a petition to improve residential sidewalks under the current sidewalk policy. The proposed bid date is May 13<sup>th</sup>, and this Commission will consider the bids at the May 18<sup>th</sup> meeting.

**Project No. 334 - 2009 Residential Sidewalks**

470 Eunice, 1711 West Third, 1423 Edgemoor, 1510 Edgemoor, 806 Maplewood, 1140 West Third, 115 North Summit, 337 North Topeka, 530 North Atchison, 404 West Third, 520 West Third, 202 North Taylor, 500 West Central, 200 South Washington, 424 South Star, 703 South Star.

City Manager Herb Llewellyn explained the sidewalk policy.

Assistant City Engineer Scott Rickard stated that three of the residents were also taking advantage of tree removal process offered by the City.

Mayor Tom McKibban inquired if local vendors were part of the bidding process.

Assistant City Engineer Rickard stated that most of the local vendors did not meet insurance requirements.

City Manager Llewellyn stated that Staff would research to consider other options.

City Clerk reports to the Commission that the petition for the construction projects, signed by owners of 100% percent of the total number of lots in the improvement district, is sufficient for Project No. 334.

**RESOLUTION NO. 2636**

Commissioner Linda Clark moved that Resolution No. 2636, 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 (Sidewalk Improvements/Project No. 334), be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**APPOINTMENT OF VICE-MAYOR**

Our City Commission form of government calls for the Commission to appoint a Vice-Mayor to serve for the Mayor in his/her absence. This position is a one-year term. Traditionally, the Commission appoints the most senior commissioner. Following that tradition, this year it would be Commissioner Chapin.

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

Commissioner Shane Krause 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 would like to see more local vendors receiving City bids.

Commissioner Chapin also welcomed the new Commissioners.

Commissioner Nick Badwey stated that he was looking forward to serving his term as Commissioner.

Commissioner Shane Krause thanked his supporters and the previous Commissioners.

Mayor Tom McKibban inquired on the progress of the West Central construction.

Assistant City Engineer Scott Rickard stated the project was supposed to be completed in ten days; however, the contractor was requesting an additional twelve days due to weather.

Assistant City Engineer Rickard also stated that the contractor would be doing milling and overlay this week.

Mayor McKibban stated that he had spoken with the State regarding the contractor blocking lanes when no work was being done. The State indicated they had no control over the contractor.

City Manager Herb Llewellyn stated that he would like to see the project for the Sixth Avenue and Main Street intersection project postponed to allow businesses to have some normalcy.

**EL DORADO CITY COMMISSION MEETING**

**April 20, 2009**

Assistant City Engineer Rickard updated the Commissioners on the Boyer Road project.

City Manager Llewellyn anticipates meeting with Representative John Grange to discuss issues regarding the North Main Bridge project.

Mayor Tom McKibban closed the Commissioners' comments.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn informed the Commissioners that a petition to allow Sunday sale of alcohol has been received with five hundred signatures; three hundred were local residents.

City Attorney Jim Murfin stated that County Clerk Ron Roberts is reviewing the petition to determine if the petition meets the criteria.

City Manager Llewellyn stated that a petition was received to pave Hunton Road. The petition had sufficient signatures; however, several citizens rescinded their vote making the petition incomplete.

City Manager Llewellyn requested that a Work Session be scheduled for May 13, 2009, to update Commissioners on the builders meeting and discuss board appointments.

City Manager Llewellyn updated the Commissioners on the status of the old Kansas Gas Service building.

Assistant City Engineer Scott Rickard stated that the City met with the El Dorado Township regarding paving Towanda Avenue. Due to frustrations with the cemetery lawsuit and a large property assessment for a Towanda Avenue resident, they are not interested in paving Towanda Avenue.

**EXECUTIVE SESSION**

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to financial affairs or trade secrets of second parties and legal issues.

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing confidential data relating to financial affairs or trade secrets of second parties and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:45 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 8:50 pm.

**ADJOURNMENT**

Commissioner Nick Badwey moved to adjourn the meeting at 8:50 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**May 4, 2009**

The El Dorado City Commission met in regular session on May 4, 2009, at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Ken Petz	416 Hillside	El Dorado, Kansas
Spencer Stewart	New Life Equipping Ministry	El Dorado, Kansas
Derrick Kuhl	220 E. 1st	El Dorado, Kansas
Teri & Charles Jimenez	1019 S. Denver	El Dorado, Kansas
Mike Lemke	1720 Rado Ave.	El Dorado, Kansas
Steve Fellers	2034 Chelsea	El Dorado, Kansas
Sara Erwin	1151 Henry	Augusta, Kansas
Bill Howard		Augusta, Kansas
Rod Luehrs	1735 Candace Lane	El Dorado, Kansas
Jim Shum	815 Rim Rock	El Dorado, Kansas
Nancy Clites	500 Village Road	El Dorado, Kansas
Jane Thurmon	671 NW 90 <sup>th</sup> St.	El Dorado, Kansas
James Cook	719 Fredrick Drive	El Dorado, Kansas
Mary Cramer	717 S. Alleghany	El Dorado, Kansas
Ashley Badwey		El Dorado, Kansas
Kathy Lill	1411 Edgemoor Drive	El Dorado, Kansas
Robin Nikkel	111 S. Denver	El Dorado, Kansas
Vicky L. Bartel	2414 SW 70 <sup>th</sup> St.	El Dorado, Kansas
Brad & Cathy Young	114 SE Hwy 400	Leon, Kansas
Debbie Ruib		Leon, Kansas
Kristy Motter	1554 Norwood	El Dorado, Kansas
Tom Murry	1650 Jason Drive	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the May 4, 2009 City Commission meeting to order.

**INVOCATION**

The Reverend Spencer Stewart, New Life Equipping Ministry, opened the meeting with prayer.

**PLEDGE OF ALLEGIANCE**

Ms. Debbie Smith’s Grandview Third Grade students led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Mike Lemke, Mission El Dorado, gave an overview of the organization. Mr. Lemke stated that Mission El Dorado has been assisting citizens for three years and asked for City support.

Mayor Tom McKibban announced that May 11, 2009 through May 15, 2009 is National Bike to Work Week.

Tom Murry, Insurance Center Inc., gave an overview of the KMU program and presented a dividend check in the amount of \$44,701.78 to the City of El Dorado.

**PROCLAMATIONS**

Mayor Tom McKibban read a proclamation to declare May as Motorcycle Awareness month and presented Charles Jimenez a signed copy.

Mayor Tom McKibban read a Proclamation to declare the Week of May 6, 2009, through May 12, 2009, as National Nurses Week and gave a signed copy to Vicky Bartel.

**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 April 20, 2009, City Commission minutes (first meeting).
- b) Approval of the April 20, 2009, City Commission minutes (second meeting).
- c) Approval of Appropriation Ordinance No. 04-09 in the amount of \$1,466,301.57.
- d) Approve the Engineer's First Pay Estimate dated April 27, 2009 on Project No. 306, Landscape Wall-Oaks Addition to the Contractor, Hazen Construction, in the amount of \$32,359.64.
- e) Approve the Engineer's First Pay Estimate dated April 27, 2009 on Project No. 323, Landscape Wall-1910 N Main to the Contractor, Hazen Construction, in the amount of \$6,532.06.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**SALES TAX ADVISORY COMMITTEE RECOMMENDATION**

Ken Petz, Chairperson of the Sales Tax Advisory Committee, read a prepared statement and gave the following recommendations for the 2010 City of El Dorado annual budget:

- 1) Spray Park at North Main Park - \$165,000
- 2) Main Street Sidewalks (Twelfth Avenue to Post Road) -\$100,000
- 3) MacDonald Stadium Press Box - \$45,000
- 4) Property tax reduction – approximately \$300,000

The Sales Tax Advisory Committee gave the following recommendations for the 2009 City of El Dorado annual Budget:

- 1) East Park Ball Field Lighting - \$200,000
- 2) Storage Cabinets for the Senior Center - \$5,000

Discussion ensued amongst Ken Petz and the Commissioners regarding the Sales Tax Advisory Committee's recommendations.



Commissioner Shane Krause moved to accept for consideration the Sales Tax Advisory Committee’s recommendations on the use of uncommitted sales tax for 2009.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**PROJECT NOS. 329 & 330 – 2009 SALES TAX**

Assistant City Engineer Scott Rickard stated that bids were received on the following projects and the low bid was below the Engineer’s Estimate.  
Project No. 329 – 2009 Sales Tax - Resurfacing Meadow Rd. (Country Club to Ridge), Circle, Chelsea, Ridge (Post to Meadow)

Project No. 330 – 2009 Sales Tax – Resurfacing Towanda Ave. (Edgemoor to Douglas)

Assistant City Engineer Scott Rickard spread the bids for the record.

Engineer’s Estimate-	\$390,744.38
APAC Kansas-	\$360,149.85
Cornejo & Sons-	\$337,887.64
La Farge-	\$397,542.61

Discussion ensued amongst the Commissioners and Assistant City Engineer Rickard regarding Cornejo’s ability to complete the work in a timely manner.

Assistant City Engineer Rickard stated that Cornejo wants a good working relationship with the City, and that the City has control over the contracted time specifications.

Assistant City Engineer Rickard informed the Commissioners on how streets are prioritized to have repairs done.

Commissioner David Chapin moved that as Cornejo & Sons has submitted the lowest and best bid for project nos. 329 & 330, and since their combined bid of \$337,887.64 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 4-1. (Commissioner Shane Krause opposed)

**PROJECT NO. 292 – RESURFACING MAIN (POST TO MCCOLLUM)**

Assistant City Engineer Scott Rickard stated that bids were received and the low bid was below the Engineer’s Estimate.

Assistant City Engineer Rickard stated that the project is partially funded by KLINK.

Assistant City Engineer Scott Rickard spread the bids for the record.

Engineer’s Estimate-	\$185,462.69
APAC Kansas-	\$194,677.46
Cornejo & Sons-	\$181,981.52
La Farge-	\$212,147.20

Commissioner David Chapin inquired as to where the excess sales tax funds would be used.

Assistant City Engineer Rickard stated that the excess funds would be used on future projects.

Commissioner Linda Clark moved that as Cornejo & Sons has submitted the lowest and best bid for project no. 292, and since their bid of \$181,981.52 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 Nick Badwey seconded the motion.

Motion carried 4-1. (Commissioner Shane Krause opposed)

**PROJECT NO. 327 – STREET EXTENSION LOT 3, BLOCK 3 EL DORADO BUSINESS PARK**

Assistant City Engineer Scott Rickard stated that bids were received and the low bid was below the Engineer’s Estimate.

Assistant City Engineer Scott Rickard spread the bids for the record.

Engineer’s Estimate-	\$41,121.00
APAC Kansas-	\$35,091.00
Cornejo & Sons-	\$46,040.00
La Farge-	\$39,344.00

Commissioner Nick Badwey moved that as APAC Kansas has submitted the lowest and best bid for project no. 327, and since their bid of \$35,091.00 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 David Chapin seconded the motion.

Motion carried 5-0.

**VACATION OF RIGHT-OF-WAY-TAYLOR STREET**

Assistant City Engineer Scott Rickard stated that the City of El Dorado has been requested to vacate the existing street right of way by the adjacent property owners on South Taylor Street. The City has no foreseeable use for the right of way and it will be converted to a permanent utility easement.

Commissioner Shane Krause inquired if the easement would be useful for an entrance to the South West Trafficway.

Assistant City Engineer Rickard stated that it would not be a good entrance to the South West Trafficway.

**ORDINANCE NO. S- 1302**

Commissioner Linda Clark moved that Ordinance No. S- 1302, an ordinance that provides for the vacation of right of way of Taylor Street from Adams Avenue to the southeast corner of Lot 8 Adams South Annex Addition and reserving a permanent utility & drainage easement, be approved.

Commissioner Shane Krause seconded the motion.

**EL DORADO CITY COMMISSION MEETING**

**May 4, 2009**

**ROLL CALL**

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes

**VACATION OF RIGHT-OF-WAY-LOCUST (RACE TO ARTHUR)**

Assistant City Engineer Scott Rickard stated that the existing right of way of Locust Avenue between Race and Arthur needs to be vacated and retained as a permanent easement. When Graham addition was platted, the south half of the right of way was abandoned. Therefore, to restore the property lines in the area, we need to permanently vacate the remaining right of way and retain a permanent utility easement.

Commissioner Shane Krause inquired about the property line restoration.

City Manager Herb Llewellyn stated that it was the property owner’s responsibility to make sure their legal description included the easement property.

**ORDINANCE NO. S- 1303**

Commissioner David Chapin moved that Ordinance No. S- 1303, an ordinance that provides for the vacation of right of way of Locust Avenue from Race Street to Arthur Street and reserving a permanent utility easement, be approved.

Commissioner Linda Clark seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Shane Krause requested the fireworks regulations be addressed.

City Manager Herb Llewellyn stated that he would research the issue and report his findings to each Commissioner.

Commissioner Linda Clark inquired on the status of the skateboard park.

Assistant Public Works Director Brad Meyer informed the Commissioners that the skateboard park was in phase three of development which included design and construction of quarter pipe and ramps.

Mayor Tom McKibban inquired of the installation of a restroom at Forrest Park.

City Manager Herb Llewellyn stated he would inquire about the progress.

Assistant Public Works Director Brad Meyer informed the Commissioners on the progress of the dog park.

Commissioner Linda Clark inquired if the light outage at the intersection of Sixth Avenue and Main Street has been reported to Westar.

**EL DORADO CITY COMMISSION MEETING**

**May 4, 2009**

City Manager Herb Llewellyn stated that he had contacted Westar twice about the light outage.

Commissioner Linda Clark announced that the Mayor's Prayer Breakfast would be held at the Civic Center on May 7, 2009, at 7 a.m. Commissioner Clark invited all citizens to attend.

Commissioner Nick Badwey stated that he would like to see the flood related street closings posted on channel 7.

Assistant Public Works Director Brad Meyer stated that they could be posted on channel 7 as well as the Public Works Twitter page.

Commissioner David Chapin informed the Commissioners that the Rotary Club had cleaned the bike path.

Commissioner Chapin inquired about the possibility of using community service to help keep the city clean.

City Manager Herb Llewellyn stated that the City currently uses community service when possible.

Commissioner Chapin inquired about timing of the traffic lights at the intersection of Sixth Avenue and Main Street.

Assistant Public Works Director Meyer stated the traffic light timing at the intersection at Sixth Avenue and Main Street had been returned to the same timing as before the construction on the North Main Bridge.

Commissioner Chapin also asked for information on the incident involving the runway lights at the City airport.

Assistant Public Works Director Brad Meyer stated that there was not a problem with the runway lights; however, the pilot did not follow proper procedure to activate them.

Commissioner Chapin stated his concern with the concrete work in the 600 block of North Main Street causing standing water which could lead to ice on the street in the winter.

Commissioner Chapin suggested using Constant Creek as a dumping location for excess dirt from future building projects.

City Manager Herb Llewellyn stated that the City has been given a grant which would allow the City to create wetlands at this location.

Commissioner Chapin inquired if any other residents had requested sidewalks.

Assistant City Engineer Scott Rickard stated that one additional property owner has requested to utilize the sidewalk policy.

Mayor Tom McKibban inquired about repairs to Ninth Avenue by the City pool.

City Manager Herb Llewellyn stated that repairs for Ninth Avenue and Griffith Street has been addressed during budget preparations.

Mayor Tom McKibban asked if leash signs could be placed on the bike path.

Assistant Public Works Director Brad Meyer stated that signs would be made and placed on the bike path.

Mayor McKibban stated concern for the citizens with disabilities being able to use wheelchairs to cross railroad tracks and at crosswalks safely. Mayor McKibban stated that the committee for people with disabilities would like to remind citizens that they are available for various employment needs. Mayor McKibban also stated that the Committee expressed a need for safer access to parking , and automatic door openers for downtown businesses.

Commissioner David Chapin expressed his concern for citizens operating motorized wheel chairs in the street and would like to see more sidewalks to provide additional access.

### **CITY MANAGER'S REPORT**

City Manager Herb Llewellyn informed the Commissioners that the petition to allow Sunday sale of alcohol had been reviewed. Of the 268 signatures on the petition, only 134 were valid. Therefore, the petition did not meet the requirements needed to be considered.

Commissioner Shane Krause inquired on the opposition to Sunday sale of alcohol.

City Manager Llewellyn stated most opposition came from churches.

City Manager Llewellyn also stated that an ordinance would need to be drafted if the Commissioners decided to enact Sunday sale of alcohol. If approved, the public could petition the ordinance out.

Mayor Tom McKibban requested the public to contact the Commission regarding their opinions on Sunday sale of alcohol.

### **EXECUTIVE SESSION**

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

Commissioner Linda Clark 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 p.m.

Commissioner Shane Krause seconded the motion.

Mayor Tom McKibban reconvened the meeting at 9:50 p.m.

Commissioner Nick Badwey moved to extend the Executive Session until 10:10 p.m.

Commissioner Linda Clark seconded the motion.

Mayor Tom McKibban reconvened the meeting at 10:14 p.m.

**ADJOURNMENT**

Commissioner David Chapin moved to adjourn the meeting at 10:14 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**May 13, 2009**

The El Dorado City Commission met in special session on May 13, 2009, at 3:35 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and City Finance Director Dee Anne Grunder. Absent: City Attorney Jim Murfin, and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Ken Nakaten	220 E. 1st	El Dorado, Kansas
John Scanlon	220 E. 1st	El Dorado, Kansas
Brad Meyer	220 E. 1st	El Dorado, Kansas
Scott Porter	220 E. 1st	El Dorado, Kansas
Tammy Schaffer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Kyle McLaren	220 E. 1st	El Dorado, Kansas
Lois Cool	1100 Rim Rock	El Dorado, Kansas
Cindy Van Pay	225 N. Arthur	El Dorado, Kansas
Rachel Dill	1630 N. Main	El Dorado, Kansas
Barbara Trent		El Dorado, Kansas
Reagan Gomez		El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the May 13, 2009 Special City Commission meeting to order.

**BOARD APPOINTMENTS**

The City Commissioners discussed the following board appointment recommendations:

Regional Economic Area Partnership (REAP) – Commissioner David Chapin and City Manager Herb Llewellyn to serve as his backup.

Regional Economic Area Partnership Water Resources Committee – Mayor Tom McKibban and Public Utilities Director Kurt Bookout to serve as his backup.

Butler County Solid Waste Committee – Commissioner Shane Krause.

Board of Appeals/Code Review – Red Acklin, Roger Cutsinger and John Grange.

El Dorado Inc. – Commissioners Shane Krause and Nick Badwey are considering their appointments.

Airport Advisory Board – Vicky Hunt and Pat Doane.

Board of Zoning Appeals – Dennis Cooke.

Planning Commission – Greg Lewis, Bill Young and Red Acklin.

Tree Board – Kim Matthews and Doug Casto.

Convention and Tourism Committee – Connie Walton and Steve Reynolds.

Joint Corrections Advisory Board – Miles Erpelding.

Library Board – Connie Philips and Helen Joyce.

Recycling and Solid Waste Advisory Committee will be discussed further at the May 18, 2009 City Commission Meeting.

**PROCLAMATION**

Mayor Tom McKibban read a proclamation to declare May Poppy Month and presented a signed copy to Lois Cool.

**BUDGET/CIP DISCUSSION WITH DEPARTMENT HEADS**

Information Technology Manager Scott Porter, Fire Chief Ken Nakaten and Parks and Recreation Director John Scanlon presented their 2010 Budgets and 2010 through 2015 Capital Improvement Plans to the Commissioners. Further CIP discussion will extend to the next Work Session meeting on May 20, 2009 at 3:35.

**BUILDER'S MEETING DISCUSSION**

City Manager Herb Llewellyn, City Inspector Kyle McLaren, Assistant to the City Manager Matt Rehder and Assistant City Engineer Scott Rickard presented the Commissioners with their findings from the recent Builder's Meeting.

City Manager Herb Llewellyn informed the Commission of the City of Andover and City of Rose Hill's current process of assessing specials; 20 year repayment with even principal and interest payments. The City of El Dorado's process is currently fifteen year repayment with reducing interest payments. Discussion ensued.

Assistant City Engineer Rickard explained the recent changes regarding installation of water lines. The builders are now responsible for the installation of water lines in new sub-divisions.

Discussion ensued between City Manager Llewellyn and Commissioners regarding costs associated with constructing housing developments in oil well fields.

Finance Director Dee Anne Grunder informed the Commissioners that extending the number of years to twenty years could cause an approximate 26% increase to the property owners. Funding for fifteen year City bonds would need to be addressed if property owners' specials are extended for twenty years.

The consensus of the Commission was to proceed with all future specials assessed with even principal and interest payments.

Discussion ensued concerning the cost of building permits, park fees, and code adoption.

City Inspector Kyle McLaren informed the Commissioners on the current cost of building permits and park fees.

The Commissioners stated that the building permit fees and park fees were reasonable and no changes needed.

City Manager Llewellyn informed the Commissioners that El Dorado Inc. will present recommendations to the City Commission.



**ADJOURNMENT**

Commissioner Linda Clark moved the meeting adjourned at 6:26 p.m.

Commissioner Nick Badwey seconded the motion.

Motion Carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**May 18, 2009**

The El Dorado City Commission met in regular session on May 18, 2009, at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Ed Gard	601 NW 30 <sup>th</sup>	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas
Bill Mason	1661 Arizona	El Dorado, Kansas
Tom Boren	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Jim Gardner	930 Fairway Ct.	El Dorado, Kansas
Daniel Bowens	1137 SE Bluestem Rd.	El Dorado, Kansas
Alex Pennington	2320 Gentry Lane	El Dorado, Kansas
Lee Huff	1425 W. Olive	El Dorado, Kansas
Ty Butler	1313 Finney Ave.	El Dorado, Kansas
Taylor Briscoe	1030 W. 3 <sup>rd</sup>	El Dorado, Kansas
John Jones	827 N. Gordy	El Dorado, Kansas
Laura Haines	300 N. Star	El Dorado, Kansas
Chyla Pugh	331 N. Ohio	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the May 18, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Ms. Debbie Smith’s Grandview Third Grade students led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Ed Gard and Linda Jolly gave an update of recent accomplishments for El Dorado Inc. and Convention and Visitors Bureau.

**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 May 4, 2009 City Commission minutes.
- b) Approval of the May 13, 2009 Special City Commission minutes.
- c) Approval of a temporary Cereal Malt Beverage license for the Main Street Organization for Frontier Western Celebration to be held June 12-14, 2009.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**YOUTH COMMISSION ANNUAL REPORT**

Lee Huff, 1425 West Olive, updated the Commission on the Youth Commission’s activities of the past year.

**POLICE DEPARTMENT GRANT REQUEST**

Police Chief Tom Boren stated that the El Dorado Police Department seeks to apply for federal funds to equip a police department call center for local 911 calls.

The funds will be made available through the U.S. Department of Justice Recovery Act. This Justice Assistance Grant (JAG) Program is made available to qualifying agencies in accordance with the American Recovery and Reinvestment Act of 2009. There is no local match to the funds and the department has been pre-approved for \$26,790.00.

Police Chief Tom Boren indicated that these funds would allow the City to purchase E-911 equipment and would research into funding sources for staffing expenses.

Commissioner Nick Badwey moved to authorize the City Manager to execute for and on behalf of the City of El Dorado Police Department, the application for the Justice Assistance Grant (JAG) Program.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**PROJECT NO. 334 – RESIDENTIAL SIDEWALKS**

Assistant City Engineer Scott Rickard stated that bids were received and the low bid was below the Engineer’s Estimate.

Assistant City Engineer Scott Rickard spread the bids for the record.

**Bids for Project No. 334**

Engineer’s Estimate-	\$28,809.10
APAC Kansas-	\$28,729.86
Barkley-	\$29,199.99

Commissioner Linda Clark moved that as APAC Kansas has submitted the lowest and best bid for project No. 334 and since their bid of \$28,729.86 was under the Engineer’s Estimate, the City Manager be directed to award the contract to said contractor.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**BG PRODUCTS - ASSESSMENTS**

Linda Jolly, El Dorado Inc., stated that 1.75 million in grants & loans has been accessed for the improvements to be made in the Industrial Park for BG Products & Barton Solvents. As part of the CDBG grant agreement and the agreement with BG Products, the City is required to assess \$375,000.00 to BG Products and its real estate and tangible personal property over a 10-year period.

**RESOLUTION NO. 2637**

Commissioner Shane Krause moved that Resolution No. 2637, a resolution complying with the terms and conditions of CDBG Grant No. 08-IN-R05 and agreeing to assess the sum of \$375,000 against BG Products, Inc. and its real estate and tangible personal property until fully paid, be approved

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**SUNDAY LIQUOR SALES - DISCUSSION**

City Manager Herb Llewellyn stated that at the May 4<sup>th</sup> City Commission meeting, the Commission requested the public to contact them regarding Sunday liquor sales. Also at that meeting, City Manager Llewellyn informed the Commissioners that the petition to allow Sunday sale of alcohol had been reviewed. Of the 268 signatures on the petition, only 134 were valid. Therefore, the petition did not meet the requirements needed to be considered.

Mayor Tom McKibban discussed his over-whelming responses he received against Sunday sales. Mayor McKibban's recommendation was to wait until the City receives a valid petition to proceed.

Commissioner Linda Clark stated that she was opposed to Sunday sales.

Commissioner Shane Krause discussed the potential sales tax increase Sunday sales could generate. However, the majority of citizens that contacted him were against Sunday sales; therefore, he did not see a need to proceed unless by a possible special ballot.

Commissioner Nick Badwey stated that the citizens he spoke with were against Sunday sales; however, he would consider placing on the next regular ballot.

Commissioner David Chapin stated that he was opposed to placing this issue on a special election ballot.

**FIREWORKS DISCUSSION**

Each Commissioner was provided with a copy of the current fireworks ordinance as well as the 2007 fireworks poll results.

Commissioner David Chapin inquired on the time frame when firework vendors typically purchase their permits.

City Clerk Kendra Porter stated that the City currently has two vendors that have already purchased permits for 2009.

Lee Huff, Youth Commission, stated that the Youth Commission would be willing to readdress this issue and report back to the City Commission on their position with fireworks.

Commissioner Nick Badwey stated that since permits have already been purchased for this year, he would prefer to readdress this issue after the 4<sup>th</sup> of July.

Commissioner Linda Clark suggested that the City Commission readdress this issue in September.

Commissioner Shane Krause stated his concerns with the current time frame and suggested that the current noise ordinance be considered.

Commissioner Shane Krause moved to table this item until the September City Commission meeting.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**ORDINANCE RELATING TO THE MEMBERSHIP OF THE EL DORADO PLANNING COMMISSION**

City Manager Herb Llewellyn stated that the purpose of this ordinance is to eliminate term limits and change the term ending from April to May.

**ORDINANCE NO. G-1072**

Commissioner Linda Clark moved that Ordinance No. G-1072, an ordinance amending El Dorado municipal code section 2.28.030 relating to the membership of the El Dorado Planning commission, be approved.

Commissioner David Chapin seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
	Mayor Tom McKibban	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

**BOARD APPOINTMENTS**

City Manager Herb Llewellyn stated that the City Commission appoints members to various advisory boards. The current boards listed below need members.

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

Commissioner Linda Clark moved to appoint Pat Doane to the Airport Advisory Board for a term ending April 1, 2011 and Vicky Hunt to the Airport Advisory Board for a term ending April 1, 2012.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**BOARD OF APPEALS/CODE REVIEW – 2 Consecutive Terms (Commission Term)**

Commissioner Shane Krause moved to appoint John Grange (McKibban) to the Board of Appeals/Code Review for a term ending May 1, 2011 and Roger Cutsinger (Badwey) & Red Acklin (Krause) to the Board of Appeals/Code Review for a term ending May 1, 2013.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**EL DORADO CITY COMMISSION MEETING**

**May 18, 2009**

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

Commissioner Nick Badwey moved to appoint Dennis Cooke to the Board of Zoning Appeals for a term ending April 1, 2012.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

CONVENTION & TOURISM COMMITTEE – No Term Limit (2-year term)

Commissioner David Chapin moved to appoint Jim Gardner, Gerald Haines, Kim Smith, Connie Walton and Steve Reynolds to the Convention & Tourism Committee for a term ending May 1, 2011.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

EL DORADO INC – No Term Limit (4-year term)

Commissioner Nick Badwey moved to appoint Brian Clites (Badwey) and Kendra Wilkinson (Krause) to the El Dorado Inc for a term ending May 1, 2013.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

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

Commissioner Shane Krause moved to appoint Miles Erpelding to the Joint Corrections Advisory Board for a term ending May 1, 2012.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

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

Commissioner Linda Clark moved to appoint Connie Phillips and Helen Joyce to the Library Board for a term ending May 1, 2013.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

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

Commissioner Nick Badwey moved to appoint Greg Lewis, Bill Young and Red Acklin (outside City limits representative) to the Planning Commission for a term ending May 1, 2012.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**(1 application received)**

**RECYCLING & SOLID WASTE ADVISORY COMMITTEE – No Term Limit (3-year term)**

Commissioner Linda Clark moved to appoint Connie Triana to the Recycling & Solid Waste Advisory Committee for a term ending May 1, 2012.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

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

Commissioner Shane Krause moved to appoint Doug Casto to the Tree Board for a term ending April 1, 2011 and Kim Matthews to the Tree Board for a term ending April 1, 2012.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**REAP COMMITTEE – No Term Limit (1-yr term)**

Commissioner Nick Badwey moved to appoint Commissioner Chapin to the REAP committee for a term ending December 31, 2009.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**REAP WATER RESOURCES COMMITTEE – No Term Limits (1-yr term)**

Commissioner David Chapin moved to appoint Mayor McKibban to the REAP Water Resources Committee for a term ending December 31, 2009.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**BUTLER COUNTY SOLID WASTE COMMITTEE – No Term Limits (3-yr term)**

Commissioner Linda Clark moved to appoint Commissioner Krause to the Butler County Solid Waste Committee for a term ending December 31, 2011.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin complimented City Staff for all their clean-up efforts from the recent wind storm.

**EL DORADO CITY COMMISSION MEETING**

**May 18, 2009**

City Manager Herb Llewellyn extended appreciation to the local communities and organizations for their assistance with the storm clean-up.

Commissioner Chapin suggested offering a barbeque to City Staff and organizations that assisted with the storm clean-up.

Commissioner Linda Clark offered that the Commissioners organize the event that will be held on June 1, 2009 starting at 11:30.

Commissioner Chapin stated that he has received complaints regarding the noise level from the ice-cream truck.

Commissioner Shane Krause stated that according to the City noise ordinance, the ice-cream truck should not be heard within fifty feet without special allowance from the City Manager.

Mayor McKibban reminded the Commissioners of several other events that would require noise permits if the City started regulating all events.

City Clerk Kendra Porter stated that she would contact the current ice-cream vendor and advise them of the complaints.

Commissioner Nick Badwey thanked all the City employees for their storm clean-up efforts and congratulated all graduates.

Commissioner Linda Clark inquired on the status of the street lights at Sixth Avenue and Main Street.

Assistant City Engineer Scott Rickard stated that Westar has been notified.

Commissioner Clark stated that the street lights at Haverhill and Central Avenue as well as Pine and Gordy Street are not in service either.

Assistant City Engineer Rickard stated that he would research the problem.

Commissioner Clark suggested a retreat session in August to discuss Commission goals.

Commissioner Shane Krause thanked City Staff for their hard work after the recent storm.

Commissioner Krause also discussed the very informative town hall meeting regarding the closing of the North Unit Correctional Facility.

City Manager Llewellyn stated that the City has discussed carpooling with the County to bus inmates from Winfield.

Commissioner Krause reminded citizens that the City has made a great effort to keep the bike path clean considering all the recent high water.

Mayor McKibban inquired on the traffic signal at Village Road.

Assistant Public Works Director Brad Meyer updated the Commissioners on the May 8, 2009 wind damage.

Mayor Tom McKibban closed the Commissioners' comments.



**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn updated the Commissioners on recent modifications for exempt employees. These changes would allow salary employees to earn overtime during an event the City Manager deems as a disaster.

City Manager Llewellyn informed the Commission that the City has received inquiries from an attorney regarding the North Main culvert accident.

City Manager Llewellyn stated that Work Sessions have been scheduled for May 20, 2009 at 3:35 pm as well as June 3, 2009 at 3:35 pm.

City Manager Llewellyn reminded the Commission of the REAP regional conference on May 28, 2009 in Hutchison.

City Manager Llewellyn stated that the CIP administrative hearing will be on May 26, 2009 at 11:00 am and the City Commission CIP hearing will be at the June 1, 2009 City Commission meeting.

**EXECUTIVE SESSION**

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

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing acquisition of real estate, legal and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 10:20 pm.

Commissioner Linda Clark seconded the motion.

Mayor Tom McKibban reconvened the meeting at 10:20 pm.

Commissioner Shane Krause moved to extend the Executive Session until 10:35 pm. (Commissioner Clark and Commissioner Badwey remained in the conference room).

Commissioner David Chapin seconded the motion.

Mayor Tom McKibban reconvened the meeting at 10:35 pm.

**ADJOURNMENT**

Commissioner Linda Clark moved to adjourn the meeting at 10:35 pm.

Commissioner Dave Chapin seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**May 20, 2009**

The El Dorado City Commission met in special session on May 20, 2009, at 3:35 pm in the Commission Room with the following present: Mayor Tom McKibban (arrived late), Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and Finance Director Dee Anne Grunder. Absent: City Attorney Jim Murfin, and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
John Scanlon	220 E. 1st	El Dorado, Kansas
Brad Meyer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the May 20, 2009 Special City Commission meeting to order.

**BUDGET/CIP DISCUSSION WITH DEPARTMENT HEADS**

Police Chief Tom Boren, Assistant Public Works Director Brad Meyer, Assistant City Engineer Scott Rickard, and Public Utilities Director Kurt Bookout presented their 2010 – 2015 Capital Outlay and Capital Improvement Plan items.

**ADJOURNMENT**

Commissioner David Chapin moved the meeting adjourned at 6:20 pm.

Commissioner Shane Krause seconded the motion.

Motion Carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**June 1, 2009**

The El Dorado City Commission met in regular session on June 1, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Rev. Meredyth Bellows	Susan B. Allen Hospital	El Dorado, Kansas
James Cook	719 Fredrick Drive	El Dorado, Kansas
Jeff & Teressa Eastman	215 Post Road	El Dorado, Kansas
Susan Adams	116 Post Road	El Dorado, Kansas
Suzie Van Tries	10352 S.W. Eagle Road	Augusta, Kansas
Ella Reusser	3650 N. Woodlawn	Wichita, Kansas
Peggy Krause	830 W. 4th Avenue	El Dorado, Kansas
Jeannie Parscal	1765 S. E. 60th Street	Leon, Kansas
Derrick Kuhl	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the June 1, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Relay For Life representatives led the Pledge of Allegiance.

**PROCLAMATION**

Suzie Van Tries, 10352 S.W. Eagle Road, Augusta, Kansas, presented an overview of Relay For Life, and invited the citizens to attend the upcoming events.

Mayor Tom McKibban read a proclamation to declare June 18, 2009, as Wear Purple Day, in support of the Relay For Life.

Mayor McKibban presented a signed copy to Suzie Van Tries.

**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 May 18, 2009, City Commission minutes.
- b) Approval of the May 20, 2009, Special City Commission minutes.
- c) Approval of Appropriation Ordinance No. 05-09 in the amount of \$1,110,913.10.

- d) Approval of the Engineer's Second & Final Pay Estimate dated May 27, 2009 on Project No. 306, Landscape Wall-Oaks Addition to the Contractor, Hazen Construction, in the amount of \$2,616.94.
- e) Approval of the Engineer's Second & Final Pay Estimate dated May 27, 2009 on Project No. 323, Landscape Wall-1910 N Main to the Contractor, Hazen Construction, in the amount of \$643.79.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**2010 – 2015 CIP - PUBLIC HEARING**

Mayor Tom McKibban stated that staff has initiated the six-year Capital Improvement Program, 2010-2015. The City Commission has been provided with a copy of the CIP and an Administrative Hearing was held May 26, 2009.

City Manager Herb Llewellyn informed the Commissioners that no one appeared at the administrative hearing.

City Manager Llewellyn stated that a citizen had inquired of the possibility that the City would be investing in Energy Windmill operation. City Manager Llewellyn explained that if the City participated in an Energy Wind farm that it would be in partnership with an experienced company such as Westar Electric.

**PUBLIC HEARING**

Mayor Tom McKibban opened the public hearing.

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

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Linda Clark explained that El Dorado citizens should appreciate the City's efforts of picking up limbs free of charge since surrounding cities do not offer that service.

Commissioner Nick Badwey stated that a constituent was inquiring of the status of items discussed at the Builder's meeting and the cost of specials.

Commissioner Badwey inquired when El Dorado Inc. would be meeting and if they would have any recommendations.

City Manager Herb Llewellyn stated that the requested changes to specials for new construction are in place, and that El Dorado Inc anticipates addressing the City Commission soon.

Mayor Tom McKibban stated that the cookout provided by the Commissioners for the City employees was successful.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn provided the Commissioners with a map of water districts in Butler County that purchases water from the City of El Dorado.

City Manager Llewellyn stated that a Work Session would be held on Wednesday, June 3, 2009, at 3:35 pm as an Executive Session to discuss the acquisition of property.

**ADJOURNMENT**

Commissioner Nick Badwey moved to adjourn the meeting at 7:23 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**June 3, 2009**

The El Dorado City Commission met in special session on June 3, 2009, at 3:35 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, and City Clerk Kendra Porter. Absent: City Attorney Jim Murfin, and Assistant City Engineer Scott Rickard.

**CALL TO ORDER**

Mayor Tom McKibban called the June 3, 2009 Special City Commission meeting to order.

**EXECUTIVE SESSION**

This item is for the purpose of discussing acquisition of property issues.

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing acquisition of property issues, and to reconvene the regularly scheduled meeting in the City Commission room at 4:40 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 4:40 p.m.

Commissioner Linda Clark moved to extend the Executive Session until 5:15 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0 (Commissioner Nick Badwey remained in conference room).

Mayor Tom McKibban reconvened the meeting at 5:15 p.m.

**ADJOURNMENT**

Commissioner David Chapin moved the meeting adjourned at 5:15 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**June 15, 2009**

The El Dorado City Commission met in regular session on June 15, 2009 at 7:15 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Derrick Kuhl	220 E. 1st	El Dorado, Kansas
Bruce Miller	5499 S.W. Kansa	El Dorado, Kansas
Becky & Bob Minard	2490 S.E. 70th Street	Leon, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the June 15, 2009 City Commission meeting to order.

**INVOCATION**

City Manager Herb Llewellyn opened the meeting with a prayer.

**PLEDGE OF ALLEGIANCE**

The City Commissioners led the Pledge of Allegiance.

**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 June 1, 2009, City Commission minutes.
- b) Approval of the June 3, 2009, 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.

**HYDRO-ELECTRIC GENERATOR PROJECT**

City Manager Herb Llewellyn stated the proposed project will be an insertion of a helical low head turbine in El Dorado’s raw water transmission line to generate electricity for use at the City’s Water Treatment Facility. The assessment performed in 2002 found that installing a hydropower facility at the El Dorado Water Treatment Facility is economically justifiable and is worth pursuing. The project will partially be funded by a loan from the Kansas Public Water Supply Loan Fund and will include a nominal 20% principal forgiveness from the American Recovery Reinvestment Act (ARRA) of 2009.

City Manager Herb Llewellyn informed the Commissioners that approval would allow staff to apply for funds.

**PUBLIC HEARING**

Mayor Tom McKibban opened the public hearing.

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

**RESOLUTION NO. 2638**

Commissioner Linda Clark moved that Resolution No. 2638, 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 Nick Badwey seconded the motion.

Motion carried 5-0.

**ANNEXATION OF 701 S. STONE ROAD (BUTLER COUNTY JAIL)**

City Manager Herb Llewellyn stated that Butler County has requested the City of El Dorado annex the Butler County Jail into the City limits. This request is made due to a state statute that requires a county jail be within the city limits of the county seat.

City Manager Llewellyn informed the Commissioners that the annexation has been discussed between the City and County. This resolution would begin the process and an ordinance would follow.

Mayor Tom McKibban inquired if the Butler County Jail currently has water and sewer service.

Assistant City Engineer Scott Rickard stated that the Butler County Jail has water and sewer services.

**RESOLUTION NO. 2639**

Commissioner David Chapin moved that Resolution No. 2639, a resolution of the City of El Dorado, Kansas, requesting the Board of County Commissioners of Butler County, Kansas, to make certain findings regarding the annexation of property, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**QUORUM ORDINANCE**

City Attorney Jim Murfin informed the Commissioners 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.

City Manager Herb Llewellyn stated that the proposed ordinance would change the way a quorum is considered; instead of being based on membership, the new ordinance would be based solely on quorum.



City Manager Llewellyn also stated that with the 2008 amendment, the commissioners have the option to change the quorum number from four to three. The consensus of the Commission was for the quorum to remain four members.

**ORDINANCE NO. G-1073**

Commissioner Linda Clark moved that Ordinance No. G-1073, an ordinance adding quorum provisions to Title II, Chapter 2.04 of the City of El Dorado Municipal Code, be approved with four members as a quorum.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

**YOUTH COMMISSION BOARD APPOINTMENTS**

Commissioner David Chapin stated that the Youth Commission was initiated in May 2002 and has completed its seventh year. The City Commission needs to appoint the new Youth Commission members.

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

Commissioner Nick Badwey moved to appoint Sarah Deen, Katie Goebel, Davion Bowens, Taylor Briscoe, Alex Pennington, Laura Haines, John Jones, Kaylan Miles, Delaney Smith, Anastasia Rausch, Ty Butler, Lee Huff, Kyle Koerner, Ashley Leckliter, and Chyla Pugh to the Youth Commission for a one-year term ending June 30, 2010.

Commissioner Shane Krause 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 service appreciation celebration for David and Vicky Wiebe at the El Dorado airport was a success.

Commissioner Chapin thanked Commissioner Linda Clark and all involved at the airport celebration for making the event a success.

Commissioner Nick Badwey inquired about the street improvements to Douglass Road.

Assistant City Engineer Scott Rickard stated that Douglass Road was included in the street program for improvements years ago; however, was petitioned out by residents.

Commissioner Badwey inquired about the status of the recommendations from the builder's meeting.

City Manager Herb Llewellyn informed the Commissioners that El Dorado Inc. is scheduled to present their proposals to the City Commission during a special session on July 1, 2009.

Commissioner Linda Clark stated she would not be available to attend the special session on July 1, 2009.

Commissioner Badwey inquired if the presentation could be rescheduled to the June 24, 2009, special session.

City Manager Llewellyn stated that he would inquire with El Dorado Inc. if they could present an update on June 24, 2009.

Commissioner Shane Krause reminded the Commissioners that Thursday, June 18, 2009, is wear purple day. Relay for Life ceremonies will be held on Friday, June 19, 2009.

Commissioner Krause also stated that the Frontier Western Days was a success.

Mayor Tom McKibban closed the Commissioners' comments.

### **CITY MANAGER'S REPORT**

City Manager Herb Llewellyn provided the Commissioners with an update on the status of the traffic lights located at the intersection of Village Road and Central Avenue.

City Manager Llewellyn stated that a temporary traffic light has been installed and that repairs should be finished in three to four weeks.

City Manager Llewellyn also informed the Commissioners that the repairs for the traffic signals at Haverhill Road and Central Avenue were underway.

City Manager Llewellyn discussed the possibility of allowing left turns from Haverhill Road onto Central Avenue on a solid green light; however, a protected turn is safer due to the truck traffic at that intersection.

City Manager Llewellyn stated that the repairs to the round top hangers are scheduled to begin on Thursday, June 28, 2009.

City Manager Llewellyn stated that the May 8, 2009 wind storm loss was estimated at \$490,000.00. The roof at the Flinthills Services building has been repaired.

Commissioner David Chapin inquired if the trees in the right-of-ways were covered under insurance.

City Manager Llewellyn stated that trees have a value and would check the City's policy.

City Manager Llewellyn also stated that clean-up is still underway at the Airport.

City Manager Llewellyn also informed the Commissioners that road resurfacing is in progress on Post Road between Chelsea Road and Ridge Road.

**EL DORADO CITY COMMISSION MEETING**

**June 15, 2009**

City Manager Llewellyn stated that the Planning Commission has approved the updated Comprehensive Plan and asked if the Commissioners would prefer to discuss at a work session or a regular commission meeting.

Mayor Tom McKibban stated that a regular commission meeting would allow citizens to be involved.

Commissioner Chapin inquired about the removal of large tree stumps from the May 8, 2009 wind storm.

City Manager Llewellyn stated that if citizens could get the tree stump to the curb, the City would remove. If the citizen was unable to get the tree stump to the curb, Staff has a list of available contractors.

Commissioner Linda Clark informed City Manager Llewellyn that the drainage ditch at Rice Park was full of debris.

City Manager Llewellyn stated that currently the City does not own the proper equipment to remove the debris. However, City Manager Llewellyn indicated he would prepare a proposal to request the necessary equipment.

**ADJOURNMENT**

Commissioner Linda Clark moved to adjourn the meeting at 8:10 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**June 24, 2009**

The El Dorado City Commission met in special session on June 24, 2009 at 3:35 pm in the commission room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Linda Clark, City Manager Herb Llewellyn, Assistant to the City Manager Matt Rehder, Finance Director Dee Anne Grunder, Assistant Public Works Director Brad Meyer, Parks and Recreation Director John Scanlon, Building Inspector Kyle McLaren, Fire Chief Ken Nakaten, Police Chief Tom Boren, Assistant City Engineer Scott Rickard, Water Treatment Superintendent Brett Perry, Finance Assistant Tammy Schaffer, Administrative Interns Derrick Kuhl and Bryant Cotton. Absent: City Clerk Kendra Porter.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, Kansas
Linda Jolly	El Dorado Inc.	El Dorado, Kansas
Stan Stewart	El Dorado Inc. Housing	El Dorado, Kansas
John Bailey	El Dorado Inc. Housing	El Dorado, Kansas
Dave Sundgren	116 W. Central	El Dorado, Kansas
Ed Gard	El Dorado Inc. Housing	El Dorado, Kansas
Don Adlesperger	1285 S. Topeka	El Dorado, Kansas
Mark Utech	1870 Kendrick	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the June 24, 2009 Special City Commission Meeting to order.

**2010 BUDGET/2010-2015 CIP DISCUSSION**

Finance Director Dee Anne Grunder gave a brief overview.

Finance Director Grunder also identified the organizations requesting Ad Valorem monies: Bradford Memorial Library, Convention & Visitor’s Bureau, Main Street, El Dorado Inc., Crime Stoppers, Holiday Vision, Municipal Band and Fireworks (Friends of the Lake, and El Dorado Broncos).

Commissioner Linda Clark requested additional discussion regarding Main Street.

Each Department Head discussed unusual amendments within their department.

City Manager Herb Llewellyn stated funding for Main Street, fireworks, and library will be discussed at a later work session.

City Manager Herb Llewellyn stated that a Work Session is scheduled for additional budget discussions for July 13, 2009.

Mayor Tom McKibban recessed the meeting at 5:08 pm.

Mayor Tom McKibban reconvened the Special City Commission Meeting at 5:30 pm.

**HOUSING COMMITTEE**

Ed Gard, El Dorado Inc. Housing Committee representative, updated the Commission regarding the mission of the committee.

John Bailey, El Dorado Inc. Housing Committee representative, stated that the committee has researched other communities to find different avenues for El Dorado to encourage housing development.

John Bailey, El Dorado Inc. Housing Committee member, also stated that the committee is currently designing a report to present to the City Commission. However, this report requires extensive research and time.

John Bailey, El Dorado Inc. Housing Committee representative, also stated that El Dorado Lake is a nice attribute to El Dorado and should be used as a tool to attract citizens.

Stan Stewart, El Dorado Inc. Housing Committee representative, stated that the committee needs to address why citizens are not living in El Dorado.

Mayor Tom McKibban inquired if there are any short-term suggestions to the housing slump.

John Bailey, El Dorado Inc. Housing Committee representative, suggested offering tax abatements or City involvement with initial costs of infrastructure.

Commissioner Shane Krause inquired on short-term incentives on vacant lots.

City Manager Herb Llewellyn suggested that the Commission examine the mission and scope of their vision. Discussion ensued.

Dave Sundgren, 116 W. Central, stated that homes in the \$80,000 to \$90,000 price range are more marketable right now due to the economy. He also stated that we need to look long-term at marketing avenues to attract citizens.

Linda Jolly, El Dorado Inc., stated that El Dorado Inc. is in the process of designing a comprehensive website to attract citizens to El Dorado.

Linda Jolly, El Dorado Inc., suggested a short-term tax abatement program for El Dorado.

Mayor Tom McKibban inquired if residents would continue to purchase exciting homes if tax abatements were offered on new construction homes within the same price range.

Mark Utech, 1870 Kendrick, and Dave Sundgren, 116 W. Central, both agreed that buyers are going to purchase homes that fit their individual needs, not necessarily solely on the incentives.

John Bailey, El Dorado Inc. Housing Committee representative, reiterated that there needs to be a long-term plan and encouraged the Commission to consider what would encourage citizens to want to move to El Dorado.

Discussion ensued regarding development around the El Dorado Lake.

Assistant City Engineer Scott Rickard noted the recent changes that have already been put into place for new development.

Commissioner Nick Badwey inquired if short-term strategies were implemented would it be detrimental to the City's long-term plans. Consensus was that some type of short-term program would not influence any long-term plan.

Commissioner Krause discussed removing building permits fees on new construction.

Dave Sundgren, 116 W. Central, briefly discussed Harvey County's incentive program for encouraging development. This program would allow the City to cover the interest on homes not sold within sixty days after the certificate of occupancy has been issued. The consensus of the Commission was for Staff to draft an agreement for the next City Commission meeting.

**ADJOURNMENT**

Commissioner Linda Clark motioned to adjourn at 7:28 pm.

Commissioner David Chapin seconded the motion.

Motion Carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**July 1, 2009**

The El Dorado City Commission met in special session on July 1, 2009 at 3:35 pm in the commission room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Nick Badwey, Commissioner David Chapin, and City Manager Herb Llewellyn. Absent: Commissioner Linda Clark, City Clerk Kendra Porter, City Attorney Jim Murfin, and Assistant City Engineer Scott Rickard.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, Kansas
Linda Jolly	El Dorado Inc.	El Dorado, Kansas
Bryant Cotton	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Rick Whiteside	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Ken Nakaten	220 E. 1 <sup>st</sup>	El Dorado, Kansas
David Ellis	Main Street	El Dorado, Kansas
Lindsay Baines	Man Street	El Dorado, Kansas
Matt Rehder	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Shelley Reiswig	Main Street	El Dorado, Kansas
Marci Fugarino	220 E. 1 <sup>st</sup>	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the July 1, 2009 Special City Commission Meeting to order.

**IMAGE CAMPAIGN**

Linda Jolly, El Dorado Inc., gave a brief presentation of marketing options for the City of El Dorado.

Linda Jolly, El Dorado Inc., stated that during the Mayor’s roundtable discussions, marketing needs were addressed as a concern.

Linda Jolly, El Dorado Inc., discussed existing marketing tools as well as future options. Directory information regarding implementing a 360eldorado.com website was discussed.

Mayor Tom McKibban inquired about funding such a website.

City Manager Herb Llewellyn indicated that El Dorado Inc. has requested \$30,000 from the City of El Dorado and anticipates additional funding from commercials or advertisements.

The consensus of the Commission was to move forward with a 360eldorado.com website.

**K P & F RETIREMENT**

City Manager Herb Llewellyn gave a brief overview of the KP & F retirement proposal and additional retirement program for non-police and fire employees.

City Manager Herb Llewellyn explained that one mill was set aside in the 2009 budget. This year, an additional mill is anticipated for the 2010 budget, leaving an estimated additional half mill increase for the 2011 budget. Future mill levies may need to be adjusted as needed for any additional funding.

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**July 1, 2009**

Fire Chief Ken Nakaten stated that employees were surveyed last year and seemed very receptive to the idea.

City Manager Herb Llewellyn stated that legislative action would need to be taken in order to implement the new retirement plan.

The consensus of the Commission was to move forward with an anticipated January 1, 2010 implementation date.

**ADJOURNMENT**

Commissioner Shane Krause motioned to adjourn at 5:15 pm.

Commissioner David Chapin seconded the motion.

Motion Carried 4-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban



**EL DORADO CITY COMMISSION MEETING**

**July 6, 2009**

The El Dorado City Commission met in regular session on July 6, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Steve Reynolds	1309 Joyce	El Dorado, Kansas
Jim Phillips	216 W. Central	El Dorado, Kansas
Tim Smith	416 State Street	El Dorado, Kansas
Mary Harms	4366 SE Highway 77	El Dorado, Kansas
Kurt Bookout	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Wade Wilkinson	2420 Bridgette Dr.	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the July 6, 2009 City Commission meeting to order.

**INVOCATION**

The Reverend Tim Smith, Church of God Prophecy, opened the meeting with a prayer.

**PLEDGE OF ALLEGIANCE**

Assistant Public Works Director Brad Meyer led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Jim Phillips, 216 West Central, requested permission to use East Park for the annual Prairie Port Festival.

**PUBLIC COMMENTS**

Mayor Tom McKibban opened the floor for public comments.

Steve Reynolds, 1309 Joyce, invited citizens to the pork tasting contest during the Prairie Port Festival on July 25<sup>th</sup> from 9:00 am to 11:00 am.

**CONSENT AGENDA**

- a) Approval of the June 15, 2009, City Commission minutes.
- b) Approval of the June 24, 2009, Special City Commission minutes.
- c) Approval of the July 1, 2009, Special City Commission minutes.
- d) Approval of Appropriation Ordinance No. 06-09 in the amount of \$2,554,501.80.
- e) Approval of the Engineer’s First Pay Estimate dated June 26, 2009 on Project No. 292, KLINK Resurfacing Main (Post to City Limits) to the Contractor, Cornejo Construction, in the amount of \$172,929.87.
- f) Approval of the Engineer’s First Pay Estimate dated June 26, 2009 on Project No. 329, 2009 Sales Tax-Repaving Meadow (Country Club to Ridge) and Ridge, Circle,

Chelsea (Post to Meadow) to the Contractor, Cornejo Construction, in the amount of \$154,501.33.

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

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**HOME BUILDING GRANT PROGRAM**

City Manager Herb Llewellyn stated the City Commission had been discussing the problem of building trades not working because of the recession and trying to help this issue in El Dorado. El Dorado Inc's Housing Committee had also been working on similar issues and the Commission asked them to update them on work they were doing at their work session on June 24<sup>th</sup> work session. During that work session, the Housing Committee explained that they were looking more long term and did not have any recommendations for the Commission at this time. The Commission asked if any of the members had thoughts on how to get people back working. From that question, many programs and ideas were discussed. One of the programs presented was by Linda Jolly, El Dorado Inc's Executive Director. It was used in Harvey County and encouraged spec housing starts. The program reimbursed builders interest expense on spec houses that do not sell within 60 days of completion up to a maximum of \$3,000 per house. The Commission embraced this concept and instructed staff to develop a similar program for presentation. Discussion ensued amongst the Commissioners regarding the proposed program.

City Manager Herb Llewellyn stated that Commissioner David Chapin had approached him with concerns of a conflict of interest with this program and his business.

City Attorney Jim Murfin stated that he did not sense a conflict. However, he could confirm with the League of Kansas Municipalities.

City Commissioner Chapin agreed to refrain from further discussion until final indication from the League of Kansas Municipalities.

Wade Wilkinson, 2420 Bridgette Dr., stated his preference of providing an incentive for the buyer versus the builder. Discussion ensued.

Commissioner Chapin indicated that since the focus turned to the buyer, he was comfortable that a conflict of interest would not exist with his business and this discussion.

Commissioner Chapin suggested spreading the \$3,000 incentive amongst any home purchased; new or existing.

The consensus of the Commission was for Staff to draft a program effective July 1, 2009 for a five year abatement with a maximum of \$175,000 for a duration to mirror the current NRP program.

Commissioner Shane Krause moved to table the Spec Home Interest Grant Program indefinitely.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**BUTLER COUNTY JAIL ANNEXATION**

City Manager Herb Llewellyn stated that Butler County has requested the City of El Dorado annex the Butler County Jail into the City limits. This request is made due to a state statute that requires a county jail be within the city limits of the county seat.

**ORDINANCE NO. G-1074**

Commissioner David Chapin moved that Ordinance No G.-1074, an ordinance annexing land known as 701 S. Stone Road to the City of El Dorado, Kansas, by K.S.A. 12-520, be approved.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes

**SET PUBLIC HEARING PROJECT NO. 307**

Assistant City Engineer Scott Rickard stated that Project No. 307 is complete. The City Commission must set a hearing date to spread the costs to the properties involved.

**Project No. 307 – Paving Prairie Land Estates 2<sup>nd</sup> Addition**

Preliminary Estimate	\$446,018.28
Final Cost	\$374,739.77
Improvement District Cost	\$169,977.48
City at Large Cost	\$204,762.29

Commissioner Linda Clark moved to accept the statement of final costs and proposed assessment roll, set the public hearing for 7:00 pm on July 20, 2009 to be held for the purpose of considering the proposed assessments of the cost of Project No. 307, authorize the City Clerk to publish notice of the public hearing in the official city newspaper, and further direct individual mailings to each owner liable for the special assessments

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**HYDRO-ELECTRIC GENERATOR DISCUSSION**

Public Utilities Director Kurt Bookout stated that the City applied for funding from the American Recovery and Reinvestment Act for a hydro-generator for the water plant. If the City qualifies for the twenty percent funding a Spring completion date is required.

Public Utilities Director Kurt Bookout stated that the total cost of the generator is estimated at \$200,000 with a possible \$47,000 annual electricity savings.

Public Utilities Director Kurt Bookout indicated that a timeline and projected consultant cost will be drafted and provided to the Commission.

**TRACK HOE PURCHASE**

City Manager Herb Llewellyn indicated that proposals have been received from four financial institutions for lease/purchase financing of a used track hoe and attachments. This piece of equipment should allow the City to complete several projects such as instillation of College Acres sewer lines.

City Manager Llewellyn explained that the authorization is not to exceed \$125,000; however, the anticipated cost should be \$90,000 to \$111,000.

**Bids for Lease/Purchase of Track Hoe**

	<u>Bids</u>
Intrust Bank	3.214%
Commerce Bank	3.65%
Community National Bank	3.67%
First Bank	3.95%

**RESOLUTION NO. 2640**

Commissioner Shane Krause moved that the City Manager be authorized to sign a lease/purchase agreement with Intrust Bank in a principal amount not to exceed \$125,000 to fund the purchase of a used track hoe and attachments, and that Resolution No.2640, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner David Chapin inquired about a short-term solution for Douglass Avenue.

Assistant City Engineer Scott Rickard explained that since Douglass Road was a concrete road, the standard short-term solutions could potentially worsen the condition of the street.

Assistant Public Works Director Brad Meyer stated that the Street Department would look at the road this week.

Commissioner Nick Badwey stated that he had received a complaint regarding a tree limb at Forrest Park that needs removed.

Assistant Public Works Director Brad Meyer indicated that he would make sure it was removed.

Commissioner Linda Clark inquired about the traffic lights at Sixth Avenue and Main Street.

City Manager Herb Llewellyn indicated that a new bucket truck has been purchased and should be able to repair the lights.

Commissioner Shane Krause inquired about the smell of the bio-solids.

**EL DORADO CITY COMMISSION MEETING**

**July 6, 2009**

Public Utilities Director Kurt Bookout stated that some of the solids set too long before they were spread and became sour.

Commissioner Shane Krause requested fireworks data and encouraged the public to call the Commissioners regarding their thoughts on fireworks.

Mayor Tom McKibban closed the Commissioners' comments.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn stated that a Work Session has been set for July 13, 2009 for further budget discussion.

Assistant Public Works Director Brad Meyer updated the Commission on the progress of the pilot refuse program.

City Manager Llewellyn explained that the pilot program is designed for the public's perception of the carts, not necessarily the efficiency of the department.

Assistant Public Works Director Brad Meyer stated that the City has been notified by the State of illegal dumping at the compost site. Effective this week, the compost site will be staffed with a City employee to try to eliminate the problem.

City Manager Llewellyn advised the Commissioner that the City has requested a hearing to discuss this matter with the State.

**EXECUTIVE SESSION**

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to 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 financial affairs or trade secrets of second parties, and to reconvene the regularly scheduled meeting in the City Commission room at 9:50 pm.

Commissioner Shane Krause seconded the motion.

Motion carried -0.

Mayor Tom McKibban reconvened the meeting at 9:50 pm.

**ADJOURNMENT**

Commissioner David Chapin moved to adjourn the meeting at 9:51 pm.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**July 13, 2009**

The El Dorado City Commission met in special session on July 13, 2009 at 3:35 pm in the commission room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Linda Clark, Commissioner Nick Badwey, City Manager Herb Llewellyn, and Finance Director Dee Anne Grunder. Absent: Commissioner David Chapin, City Clerk Kendra Porter, City Attorney Jim Murfin, and Assistant City Engineer Scott Rickard.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, Kansas
Bryant Cotton	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Matt Rehder	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Kurt Bookout	220 E. 1 <sup>st</sup>	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the July 13, 2009 Special City Commission Meeting to order.

**2010 BUDGET/2010-2015 CIP DISCUSSION**

Main Street funding was discussed. \$30,000 is the requested amount for next year, and that is the amount currently in the 2010 budget. The Commission requested Main Street address the Commission of their future plans at a Work Session.

City Manager Herb Llewellyn discussed fireworks funding. Friends of the Lake and El Dorado Broncos have each requested \$5,000 for next year. A total of \$5,000 is currently in the 210 budget. The Commission consensus was to budget a \$5,000 contribution for fireworks display and discuss the allocation between the Friends of the Lake and the Broncos at a future date.

City Manager Herb Llewellyn and Finance Director Dee Anne Grunder briefed the Commission on the Library funding. The consensus of the Commission was to meet with a few of the Library Board members to discuss.

City Manager Herb Llewellyn gave an overview of the proposed longevity changes to be funded through elimination of the current longevity program and forfeiture of a 2010 COLA. The proposal included a two percent COLA to those employees that would not be eligible for longevity in 2010. Additional information was requested by the Commission.

City Manager Herb Llewellyn stated that a Work Session is scheduled for July 22, 2009 at 3:35 pm.

**ADJOURNMENT**

Commissioner Linda Clark motioned to adjourn at 5:50 pm.

Commissioner Shane Krause seconded the motion.

Motion Carried 4-0.

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City Clerk Kendra Porter

\_\_\_\_\_  
Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**July 20, 2009**

The El Dorado City Commission met in regular session on July 20, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Matt Rehder	220 E. 1st	El Dorado, Kansas
Wade Graber	First Baptist Church	El Dorado, Kansas
Jean Plummer	221 N. Denver	El Dorado, Kansas
Jack Cauble	321 S. Denver	El Dorado, Kansas
Steve Hysom	1740 W. 3rd	El Dorado, Kansas
Wade Wilkinson	2410 Bridgette	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Angie Baur	Community Foundation	Andover, Kansas
Scott Donakey	PEC	Wichita, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the July 20, 2009 City Commission meeting to order.

**INVOCATION**

The Reverend Wade Graber, First Baptist Church, opened the meeting with a prayer.

**PLEDGE OF ALLEGIANCE**

Jean Plummer led the Pledge of Allegiance.

**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 July 6, 2009, City Commission minutes.
- b) Approval of the June 13, 2009, 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.

**COMMUNITY FOUNDATION**

Angie Baur, Community Foundation of Greater Butler County, provided a presentation to the Commission. The presentation included a foundation overview, brochure information and fund overview.

Ms. Baur stated that the foundation was established in 2001, and provides endowments for the arts, community preservation, scholarships and animal welfare.

**PUBLIC HEARING - PROJECT NO. 307**

Assistant City Engineer Scott Rickard stated that Project No. 307 is complete. The City Commission established this date to spread the special assessments to the properties.

Assistant City Engineer Scott Rickard spread the bids.

Preliminary Estimate	\$446,018.28
Final Cost	\$374,739.77
Improvement District Cost	\$169,977.48
City at Large Cost	\$204,762.29

Mayor Tom McKibban opened the public hearing.

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

Assistant City Engineer Scott Rickard stated that the developer has requested to remove five property's from the ordinance.

**ORDINANCE NO. S-1304**

Commissioner David Chapin moved that Ordinance No. S-1304 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. 2601 of the city; and providing for the collection of such special assessments with changes to accommodate the developers request to exclude lots eight through twelve, be approved.

Commissioner Linda Clark seconded the motion.

**ROLL CALL**

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes

**SPECIAL USE PERMIT TO ALLOW A PRE-SCHOOL ON PROPERTY LOCATED AT 430 EUNICE. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 09-006-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Trinity United Methodist Church, is requesting a Special Use Permit to allow a Pre-school at 430 Eunice. The property is zoned R-1, Residential-Low Density District.

Assistant to the City Manager Rehder also stated that at the June 25, 2009, 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 7 to 0.



Commissioner Linda Clark inquired about the opening date for the pre-school.

Jack Cauble, 321 South Denver, stated that the projected opening date is in September; however, the date is contingent upon certain state requirements being met.

Commissioner Shane Krause inquired how the pre-school differed from a daycare.

Jack Cauble, 321 South Denver, stated that the program is more structured and meals and transportation would not be offered.

Commissioner David Chapin inquired on the expected number of children to attend.

Jack Cauble, 321 South Denver, stated that approximately twenty-four or less children are expected to attend the pre-school. The pre-school will offer morning and afternoon classes and the class size will not exceed sixteen children.

Commissioner Chapin inquired about the eligibility requirements to attend the pre-school.

Jack Cauble, 321 South Denver, stated the pre-school would be open to the public.

**ORDINANCE NO. G-1075**

Commissioner Shane Krause moved that the recommendation of the Planning Commission to approve Case No. 09-006-SUP requesting a Special Use Permit to allow the establishment of a Pre-school on property located at 430 Eunice be accepted and that Ordinance No. G-1075, be approved.

Commissioner Nick Badwey seconded the motion.

**ROLL CALL**

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes

**COMPREHENSIVE PLAN ADOPTION**

City Manager Herb Llewellyn stated that, the City of El Dorado began the comprehensive planning process in January 2008. Steering Committee and subcommittee meetings began in September 2008 and lasted until January 2009. Public open houses were conducted on January 21 and May 5, 2009. In addition, over 500 surveys were completed between October 2008 and May 2009.

The Planning Commission conducted the public hearing on May 28. At the meeting, the Planning Commission voted 8-0 to recommend approval of the El Dorado 2030 Comprehensive Plan.

Scott Dunakey, PEC, provided the Commissioners with a summary of revisions of the El Dorado 2030 Comprehensive Plan and stated that hard copies would be available soon.

**ORDINANCE NO. G-1076**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve the City of El Dorado 2030 Comprehensive Plan be accepted and that Ordinance No. G-1076, be approved.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes

**NEIGHBORHOOD REVITALIZATION PROGRAM AMENDMENT**

City Manager Herb Llewellyn stated that the Neighborhood Revitalization Program currently allows new construction and rehabilitation of residential and commercial properties in certain areas of the City. Proposed changes to this plan include allowing new construction and rehabilitation of residential properties in all areas of the city, for a period of six months and with a cap of \$175,000 of appraised value with a rebate period of five years in an effort to stimulate housing starts.

Mayor Tom McKibban inquired about the positions of the other taxing entities.

City Manager Llewellyn stated that Butler Community College was favorable, and Butler County would favor a six month time limit; however no commitments have been made.

Mayor McKibban inquired about the percentage of the tax rebate the City would be responsible for.

City Manager Llewellyn stated that the City would guarantee twenty-five percent of the tax rebates.

Mayor McKibban stated he would prefer to have a six month limit to encourage new construction.

Commissioner Shane Krause recommended that the six month period begin on August 1, 2009, and end on February 1, 2010.

**RESOLUTION NO. 2641**

Commissioner Linda Clark moved that Resolution No. 2641, a resolution authorizing and directing the Mayor to execute an amendment to the Neighborhood Revitalization Program Interlocal Agreement with the Butler County Board of County Commissioners, Unified School District #490, Unified School District #375, and Butler Community College for a time period of August 1, 2009 through February 1, 2010, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Nick Badwey inquired about the status of the Beijing restaurant.

Assistant City Engineer Scott Rickard stated that the owners of Beijing are reviewing design plans and anticipate reopening the end of 2009, beginning of 2010.

Mayor Tom McKibban inquired about the repair status for the traffic lights at the intersection of Village Road and Central Avenue.

City Manager Herb Llewellyn stated that the repairs will be completed as soon as the necessary parts are received.

Mayor McKibban requested staff to prepare a cost analysis on the track hoe reflecting the difference between City incurred expenses versus the cost of having contractors perform the projects.

**MANAGER’S REPORT**

City Manager Herb Llewellyn informed the Commission that the Police Department has been awarded the radio communication grant.

City Manager Llewellyn also requested that a change be made in our municipal code to comply with current legal requirements concerning adult entertainment venues.

**ORDINANCE G-1077**

Commissioner Nick Badwey moved that Ordinance G-1077, amending chapter 5.36.010 of the El Dorado Municipal code by amending definitions that license and regulate the operation of adult entertainment establishments, be approved.

Commissioner Linda Clark seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
	Mayor Tom McKibban	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

**EXECUTIVE SESSION**

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to financial affairs or trade secrets of second parties and legal issues.

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing confidential data relating to financial affairs or trade secrets of second parties and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:35 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**EL DORADO CITY COMMISSION MEETING**

**July 20, 2009**

Mayor Tom McKibban reconvened the meeting at 8:43 p.m.

**ADJOURNMENT**

Commissioner Linda Clark moved to adjourn the meeting at 8:43 pm.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**July 22, 2009**

The El Dorado City Commission met in special session on July 22, 2009 at 3:35 pm in the commission room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner David Chapin, and City Manager Herb Llewellyn. Absent: City Clerk Kendra Porter, City Attorney Jim Murfin, and Assistant City Engineer Scott Rickard.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, Kansas
Bryant Cotton	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Matt Rehder	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Kurt Bookout	220 E. 1 <sup>st</sup>	El Dorado, Kansas
David Ellis	208 S. Summit	El Dorado, Kansas
Lindsay Baines	1516 W. 3 <sup>rd</sup>	El Dorado, Kansas
Brad Meyer	220 E. 1 <sup>st</sup>	El Dorado, Kansas
Lee Allard	1741 Candace Lane	El Dorado, Kansas
Bebbe Thomas	816 Fredrick Drive	El Dorado, Kansas
Bill Kloeblen	1770 Country Club Rd, #2	El Dorado, Kansas
Hollis Helmecci	718 S. Summit	El Dorado, Kansas
Kenna Dice	2100 Hazlett	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the July 22, 2009 Special City Commission Meeting to order.

**2010 BUDGET/2010-2015 CIP DISCUSSION**

**COLA**

Each Commissioner discussed their views regarding the 2010 COLA. The consensus of the Commission was not to budget a COLA for 2010. Since a COLA was not budgeted, a change in longevity pay was not considered.

**MAIN STREET**

Lindsay Baines, 1516 W. Third, gave an overview regarding Main Street’s budget.

Mayor Tom McKibban reminded the Commission that allocations to Main Street were supposed to decrease each year until exhausted and Frontier Western Day’s would help fund the organization.

Discussion ensued between the Commissioners regarding the amount of funds that the City should allocate to Main Street. The consensus was to continue to support Main Street in the amount of \$30,000 for 2010.

**LIBRARY**

Bill Kloeblen, 1770 Country Club Road, #2, gave an overview of the Library funding and services. Discussion ensued.

Mayor Tom McKibban suggested that if a new Library building is desired that it should be presented to the public for a vote versus increasing budget funding each year.

Bill Kloeblen, 1770 Country Club Road, #2, stated that the Library does not have any current anticipations of building a new facility at this time.

City Manager Herb Llewellyn stated that the City could proceed and publish the Library's proposed budget. However, only amendments to decrease expenditures could be made, not increases.

Mayor Tom McKibban stated that the City has requested the Library decrease their budget by approximately \$24,000.

Mayor Tom McKibban suggested that staff members from both entities strive for a better working relationship.

**ADJOURNMENT**

Commissioner David Chapin motioned to adjourn at 5:21 pm.

Commissioner Linda Clark seconded the motion.

Motion Carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**August 3, 2009**

The El Dorado City Commission met in regular session on August 3, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter. Commissioner Nick Badwey was absent.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
William Caughey	Grace Lutheran Church	El Dorado, Kansas
Lindsay Baines	1516 W. 3rd	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas
Vince Haines	300 N. Star	El Dorado, Kansas
David Stewart	101 S. Star	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the August 3, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

David Stewart, 101 South Star, led the Pledge of Allegiance.

**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 July 20, 2009, City Commission minutes.
- b) Approval of the July 22, 2009, Special City Commission minutes.
- c) Approval of Appropriation Ordinance No. 07-09 in the amount of \$1,816,638.04.
- d) Approval of the Engineer’s Second & Final Pay Estimate dated July 28, 2009 on Project No. 292, KLINK Resurfacing Main (Post to City Limits) to the Contractor, Cornejo Construction, in the amount of \$10,272.02.
- e) Approval of the Engineer’s Second Pay Estimate dated July 28, 2009 on Project No. 329, 2009 Sales Tax-Repaving Meadow (Country Club to Ridge) and Ridge, Circle, Chelsea (Post to Meadow) to the Contractor, Cornejo Construction, in the amount of \$70,499.03.
- f) Approval of the Engineer’s First Pay Estimate dated July 28, 2009 on Project No. 330, 2009 Sales Tax-Repaving Towanda (Douglas to Edgemoor) to the Contractor, Cornejo Construction, in the amount of \$93,065.00.

**EL DORADO CITY COMMISSION MEETING**

**August 3, 2009**

- g) Approval of the Engineer's First Pay Estimate dated July 28, 2009 on Project No. 327, Paving Lot 3 Block 3 El Dorado Business Park to the Contractor, APAC-Kansas, in the amount of \$11,965.25.
- h) Approval of the Engineer's First Pay Estimate dated July 28, 2009 on Project No. 334, 2009 Residential Sidewalks to the Contractor, APAC-Kansas, in the amount of \$8,606.60.

Commissioner Shane Krause moved that the Consent Agenda, as presented, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

**MAIN STREET**

Lindsay Baines, Main Street, presented the City Commission with a quarterly report.

Lindsay Baines, Main Street, stated that research has begun on a grant to revitalize the downtown housing.

Lindsay Baines, Main Street, updated the Commission with a few upcoming events; Art on the Town on September 10, 2009, Magic in the Moonlight on October 3, 2009, and En Plein Air Art Fair on October 10, 2009.

**EL DORADO INC.**

Vince Haines, El Dorado Inc., presented the City Commission with a quarterly report for El Dorado Inc.

Vince Haines, El Dorado Inc., stated that sales tax collection decreased by 4.6 %, unemployment in Butler County increased by 3.2% from last year, and four building permits have been issued for 2009.

Vince Haines, El Dorado Inc., also stated that grants have been awarded to develop the rail spurs for the Industrial Park.

Vince Haines, El Dorado Inc., informed the Commission that 360eldorado.com website will launch soon, and El Dorado Inc. has recruited thirty-four new members.

Linda Jolly, El Dorado Inc., presented the City Commission with a quarterly report for the Convention and Visitor's Bureau.

Linda Jolly, El Dorado Inc., reported that bed tax revenue has decreased; however, should improve when the refinery turn-around begins in the fall.

Linda Jolly, El Dorado Inc., stated that El Dorado Inc. is considering sponsoring a softball tournament, and would be attending the State Fair.

Linda Jolly, El Dorado Inc., also presented the Commission the effect the Windmillers had on the community.

Linda Jolly, El Dorado Inc., stated that the first meeting for 360eldorado.com will be held on August 11, 2009.



**FIRE SUB-STATION – RESOLUTION**

Fire Chief Ken Nakaten stated that the City of El Dorado has previously identified the need for a fire sub-station to provide improved service to customers on the west side of the City. Plans are being formed for this project to move forward in 2010. This Resolution will authorize for the funding of that project.

Fire Chief Nakaten also stated that a fire sub-station would allow better response time and be within the recommended time limits for the residents on the west side of El Dorado.

City Manager Herb Llewellyn stated that the City has applied for a federal grant. This resolution would begin the process until the City is notified about the grant.

Commissioner Linda Clark inquired of the location of the fire sub-station.

Fire Chief Nakaten stated that the fire sub-station would be located in the 2500 block of West Sixth Avenue.

Commissioner Clark also inquired of the number of personnel required.

Fire Chief Nakaten stated that two full-time personnel, Butler Community College fire science residents and volunteers would operate the fire sub-station.

Commissioner Shane Krause inquired about the amount of money the City would have to contribute to obtain the grant.

Chief Nakaten stated that the grant did not require matching funds; however approval is more likely if the community is willing to provide funding.

Chief Nakaten stated that \$1,200,000 was requested.

**RESOLUTION NO. 2642**

Commissioner David Chapin moved that Resolution No. 2642, a resolution authorizing and providing for the construction of a new fire sub-station in the City of El Dorado, Kansas; and providing for the payment of the costs thereof, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

**PROJECT NO. 317 – WATER SUPPLY SYSTEM IMPROVEMENTS - RESOLUTION**

Assistant City Engineer Scott Rickard stated that the City has determined that it is necessary to improve the water supply system by constructing a new booster pump station in the Industrial Park, which will create a west pressure zone. This project also includes four sections of new 12-inch waterlines installed to create a supply for the booster pump station. This will increase flow to areas west of Haverhill Road and north of Central, which will also improve fire ratings for homes and businesses in this area.

**RESOLUTION NO. 2643**

Commissioner Linda Clark moved that Resolution No. 2643, a resolution of the City of El Dorado, Kansas, authorizing improvements to the City Public Water Supply System; and providing for the payment of the costs thereof, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 4-0.

**PROJECT NO. 317 – WATER SUPPLY SYSTEM IMPROVEMENTS**

Assistant City Engineer Scott Rickard stated that bids were received and the low bid was below the Engineer’s estimate.

Assistant City Engineer Scott Rickard spread the bids for the record.

**Bids for Project No. 317**

Engineer’s estimate-	\$ 935,335.00
Nowak Construction-	\$ 870,480.50
Dondlinger & Sons-	\$ 886,895.00
McInroy Contractors-	\$1,086,206.60
Middlecreek Corp-	\$1,132,829.00

Commissioner David Chapin inquired on the funding for the project.

City Manager Herb Llewellyn informed the Commission that water rates were increased in 2006 to accommodate such projects.

Assistant City Engineer Scott Rickard stated that customers west of Haverhill Road will utilize the new line.

Commissioner Shane Krause moved that as Nowak Construction has submitted the lowest and best bid for Project No. 317 and since their bid of \$870,480.50 is under the Engineer’s estimate, the City Manager be directed to award the contract to said contractor.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

**PROJECT NO. 308 – AMENDMENT**

Assistant City Engineer Scott Rickard stated that the property owner of Prairie Land Estates Second Addition has requested that the specials be spread over twenty years. This ordinance would amend the previous collection period from fifteen years to twenty years.

Assistant City Engineer Scott Rickard stated that an affidavit was received by the property owner.

**ORDINANCE NO. S-1305**

Commissioner David Chapin moved that Ordinance No. S-1305, an ordinance amending Ordinance No. S-1299 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 Linda Clark seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Absent
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

**BOARD APPOINTMENT**

Mayor Tom McKibban stated that the Recycling and Solid Waste Advisory Committee needs one more member. A previous committee member has re-applied.

**RECYCLING & SOLID WASTE ADVISORY COMMITTEE – NO TERM LIMIT (3-YEAR TERM)**

Commissioner Linda Clark moved to appoint Jack Perry to the Recycling & Solid Waste Advisory Committee for a term ending May 1, 2012.

Commissioner Shane Krause seconded the motion.

Motion carried 4-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Shane Krause inquired on the control of the skunk population.

Assistant Public Works Director Brad Meyer stated that the City is setting traps for the skunks, and citizens can set traps if an agreement is signed.

Commissioner Linda Clark inquired if a survey would be given to citizens at the end of the trash cart pilot program.

Assistant Public Works Director Brad Meyer stated that surveys will be distributed at the end of August.

Commissioner Clark also inquired on the cost to purchase an automated trash truck.

Assistant Public Works Director Meyer stated that a new automated truck would cost approximately \$200,000. However, the current fleet has not been upgraded so the funds are currently available to purchase the new automated trash truck.

Commissioner David Chapin inquired on the efficiency of one-way trash pick up.

**EL DORADO CITY COMMISSION MEETING**

**August 3, 2009**

Assistant Public Works Director Brad Meyer stated that the new automated trash truck would provide service in the same amount of time as the current procedure with less risk of injury to City employees.

Mayor Tom McKibban informed the Commissioners on the Library board update.

Mayor McKibban encouraged the public to inform the Library board members or the City Commissioners of their opinions of the Library closing on Sunday.

**CITY MANAGER’S REPORT**

City Manager Herb Llewellyn discussed left turn phasing at the intersection of Central Avenue and Haverhill Road.

City Manager Llewellyn stated that a suggestion had been received to allow a left turn on green from Haverhill Road onto Central Avenue. However, the City Engineer’s research warrants against changing the left turn practice.

City Manager Llewellyn informed the Commissioners on the final budget changes including additional funds for the KP & F and ICMA retirement benefit. This budget could be reduced by 1.8 mills over last year; however, staff recommends moving .8 mill to the Airport fund and leaving 1 mill in the General fund.

City Manager Llewellyn stated that with no consensus, the budget will be published with the 1.8 mills.

City Manager Llewellyn stated that a retreat is scheduled for August 12, 2009, at 3:35 pm.

**EXECUTIVE SESSION**

Mayor Tom McKibban stated that this item is for the purpose of discussing confidential data relating to 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 financial affairs or trade secrets of second parties, and to reconvene the regularly scheduled meeting in the City Commission room at 8:45 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 4-0.

Mayor Tom McKibban reconvened the meeting at 8:50 p.m.

**ADJOURNMENT**

Commissioner David Chapin moved to adjourn the meeting at 8:51 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**August 17, 2009**

The El Dorado City Commission met in regular session on August 17, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Shane Krause, Commissioner David Chapin, Commissioner Nick Badwey, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Finance Director Dee Anne Grunder. Absent: City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Mark Somerville	Hospice Care of Kansas	El Dorado, Kansas
Vicky Bell	823 E. 12th	El Dorado, Kansas
J.D. Schneider	865 Fabrique	Wichita, Kansas
Curt & Sandy Zieman	1220 S. Topeka	El Dorado, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
Bill & Heather Riddle	921 N. Denver	El Dorado, Kansas
Michael & Tanner Riddle	921 N. Denver	El Dorado, Kansas
Kirby Melugin	2025 Dragonfly	El Dorado, Kansas
Margo Whitlock		Wichita, Kansas
T. D. Miller		Bel Aire, Kansas
Doug Bell	419 Warren Rd.	El Dorado, Kansas
Johnie & Donna Gragg	640 N. High	El Dorado, Kansas
Marion Nichols	521 W. 4th	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the August 17, 2009 City Commission meeting to order.

**INVOCATION**

The Chaplain Mark Somerville, Hospice Care of Kansas, opened the meeting with a prayer.

**PLEDGE OF ALLEGIANCE**

Julie Clements, The El Dorado Times, led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Marion Nichols, Mid Kansas Community Action Program, provided the Commission with an overview of the 2010 action plan.

Marion Nichols, Mid Kansas Community Action Program, indicated an interest in a partnership with the City in 2011.

Doug Bell, El Dorado Broncos, informed the Commission that the El Dorado Broncos baseball team finished first in the Jayhawk League, the Midwest Regional Tournament and the National Baseball Conference.

Doug Bell, El Dorado Broncos, thanked the City and citizens for their support.

**PROCLAMATION**

Mayor Tom McKibban read a proclamation to declare the week of August 17, 2009 through August 23, 2009 as El Dorado Broncos week.

**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 August 3, 2009 City Commission minutes.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**HOME GRANT APPLICATION**

Assistant to the City Manager Matt Rehder stated that the City is eligible for another round of funding for the HOME Grant program. The program provides grants for housing repairs for income-eligible participants. Each grant is approximately \$25,000 and will rehabilitate approximately twelve homes. The City is providing a 25% match for the grant. The application states a 25% match is required by the federal government. The City received funding in 2004 and 2006.

Commissioner Shane Krause inquired on the income guidelines for applicants.

Assistant to the City Manager Matt Rehder stated that the income guidelines were 80% of the federal poverty level with special consideration for the elderly and single parent households.

Commissioner Linda Clark inquired on the bidding process.

Assistant to the City Manager Rehder stated that SCKEDD is responsible for awarding the bids.

Commissioner David Chapin inquired on the use of local contractors.

Assistant to the City Manager Rehder stated that due to delayed payments by the program, most local contractors were not interested in bidding.

Commissioner Linda Clark moved to direct the City Manager to submit the 2009 HOME Investment Partnerships Program grant application and assurances contained therein, and to act in connection with the submitted application, and to provide such additional information as may be required.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**BUTLER COUNTY HAZARD MITIGATION PLAN**

City Manager Herb Llewellyn stated that the Butler County Emergency Management has updated the Hazard Mitigation Plan for Butler County, which has now been approved by the Federal Emergency Management Agency (FEMA). Each entity in Butler County needs to formally adopt the updated mitigation plan. The plan can be found at <http://www.butlercoema.org/12101.html>.

**RESOLUTION NO. 2644**

Commissioner David Chapin moved that Resolution No. 2644, a resolution to formally adopt the updated Butler County Hazard Mitigation Plan for the City of El Dorado located within the incorporated area of Butler County, Kansas, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**PROJECT NO. 243B- CITYWIDE MANHOLE REHABILITATION**

Assistant City Engineer Scott Rickard stated that Project 243B involves the rehabilitation of 220 sanitary sewer manholes throughout the City. The repair of manholes is an integral part of correcting inflow and infiltration into our sanitary sewer system. The rehabilitation of existing manholes is performed by applying a monolithic liner of grout inside of the manholes.

Assistant City Engineer Rickard stated that Project 243B is part of the CDBG grant for sewer improvements.

Assistant City Engineer Scott Rickard spread the bids for the record.

**Bids for Project No. 243B**

Engineer’s Estimate	\$ 221,000.00
Mayer Specialty Services	\$ 129,372.50
Utility Maintenance Contractors	\$ 162,412.50

Commissioner Linda Clark inquired on the spread between the bids and the Engineer’s estimate.

Assistant City Engineer Rickard stated that the contractor completed the work in 1998 and, due to the recession, needs employment.

Commissioner Nick Badwey moved that as Mayer Specialty Services has submitted the lowest and best bid for Project No. 243B and since their bid of \$129,372.50 was under the Engineer’s estimate, the City Manager be directed to award the contract to said contractor.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**2010 BUDGET AND SIX-YEAR CAPITAL IMPROVEMENT PLAN**

Mayor Tom McKibban 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 2010 Budget. Following the public hearing, a motion to approve the 2010 Budget is required.

**PUBLIC HEARING**

Mayor Tom McKibban opened the public hearing for comments.

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

Commissioner Linda Clark thanked staff and Library Board for their work on the 2010 budget. She also stated her disappointment with Main Street and the lack of a cost of living adjustment.

**ORDINANCE NO. S-1306**

Commissioner Shane Krause moved that Ordinance No. S-1306, an ordinance attesting to an increase in tax revenues for Budget Year 2010 for the City of El Dorado, be approved, and to approve the 2010 Operating Budget and Capital Improvement Plan in the total amount of \$28,457,246, providing for an estimated mill levy of 47.061 mills and to certify the same to the County Clerk.

Commissioner Linda Clark seconded the motion.

**ROLL CALL**

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

**PROJECT NO. 243C- EIGHTH AVE. LIFT STATION REHABILITATION**

Assistant City Engineer Scott Rickard stated that Project 243C involves the rehabilitation of the Eighth Avenue lift station and the installation of a new force main.

Assistant City Engineer Scott Rickard spread the bids for the record.

**Bids for Project No. 243C**

	<u>Total Project Bids</u>
Engineer's Estimate	\$ 545,150.00
Middlecreek Corporation	\$ 391,456.00
Nowak Construction	\$ 427,897.00
Smoky Hill	\$ 430,119.00
Dondlinger & Sons	\$ 435,950.00
Utility Contractors	\$ 443,140.00

City Manager Herb Llewellyn stated the recession has impacted the bids making them lower than in a time of economic growth.



Commissioner Nick Badwey moved that as Middlecreek Corporation has submitted the lowest and best bid for Project No. 243C and since their bid of \$391,456.00 was under the Engineer's estimate, the City Manager be directed to award the contract to said contractor.

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 inquired on what could be done about the trees blocking the northern intersection of Emporia Street and Central Avenue.

City Manager Herb Llewellyn stated that the trees would be trimmed.

Commissioner Chapin expressed concern for pedestrians crossing at Central Avenue and Orchard. Commissioner Chapin stated that he has observed motorists not yielding the right of way to pedestrians.

City Manager Llewellyn instructed staff to obtain traffic study information for the City Commission regarding the need for a traffic signal near this intersection.

Commissioner Nick Badwey stated that a citizen inquired on non-conforming fences being erected in the city.

Commissioner Badwey also inquired on who is responsible for the control of noxious weeds.

Assistant Public Works Director Brad Meyer stated that the City Code Enforcement officer is responsible for addressing noxious weeds.

City Manager Llewellyn stated that Assistant to the City Manager Matt Rehder is responsible for fence regulations.

Commissioner Shane Krause stated that a citizen inquired about diagonal parking being changed on East Pine Street.

Assistant City Engineer Scott Rickard stated that the City did not anticipate changing the diagonal parking.

Commissioner Krause also thanked staff for their work on the budget, congratulated the Broncos on their win, and reminded citizens that school will be in session August 19, 2009.

Mayor Tom McKibban stated that he attended the dedication for the El Dorado High School and that the community should be proud of the new facility.

Mayor McKibban commented that he has noticed several semi-trucks not using the truck route.

City Manager Llewellyn stated that he would notify the Police Department of the problem.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn stated that the case between the Retreat and Butler County has been resolved so the three mile zoning issue will be re-addressed.

City Manager Llewellyn requested the City Commission consider raising the Municipal Court fees by \$4.00 to benefit social service agencies to avoid reliance on alcohol tax.

Commissioner David Chapin inquired on the court fees of other municipalities.

City Manager Llewellyn stated that Wichita court fees are approximately \$50.00.

Mayor Tom McKibban and Commissioner Chapin agreed that an increase would be beneficial to the social service agencies.

Commissioner Linda Clark suggested increasing fees to an even \$25.00.

City Manager Llewellyn also stated that this has been a banner year for El Dorado with having two national championship teams; Butler County Grizzlies and the El Dorado Broncos.

**ADJOURNMENT**

Commissioner Linda Clark moved to adjourn the meeting at 8:15 pm.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**September 8, 2009**

The El Dorado City Commission met in regular session on September 8, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Shane Krause, Commissioner David Chapin, Commissioner Nick Badwey, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Reverend Bill O’ Connell	First Presbyterian Church	El Dorado, Kansas
Valecia Vogts-Scribner	Big Brother Big Sisters	El Dorado, Kansas
Alicia & Bailey Morse	1243 Ford	El Dorado, Kansas
Mindy Jones	511 S. Washington	El Dorado, Kansas
Jeremiah & Jarrod Rauth	416 S. Emporia	El Dorado, Kansas
Keri Hadley	424 State St.	El Dorado, Kansas
Alex Cook	1102 W. Towanda	El Dorado, Kansas
Nioma Cook	209 S. Emporia	El Dorado, Kansas
Katie Goebel	2125 Pico Ct	El Dorado, Kansas
Alex Pennington	2320 Gentry Ln	El Dorado, Kansas
Davie Bohens	2320 Gentry Ln	El Dorado, Kansas
Deanna Robinson	1522 Terrace	El Dorado, Kansas
Heather Head	1626 Montana	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the September 8, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Ms. Keri Hadley’s Washington Third Grade students led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Valecia Vogts-Scribner, Big Brothers Big Sisters, provided an overview of the program to the City Commissioners.

**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 August 17, 2009 City Commission minutes.
- b) Approval of Appropriation Ordinance No. 08-09 in the amount of \$1,832,607.78.

- c) Approve the Engineer's Third & Final Pay Estimate dated August 26, 2009 on Project No. 329, 2009 Sales Tax-Repaving Meadow Road (Country Club Road to Ridge Road) and Ridge Road, Circle Drive, Chelsea Drive (Post Road to Meadow Road) to the Contractor, Cornejo Construction, in the amount of \$17,142.12.
- d) Approve the Engineer's Second & Final Pay Estimate dated August 26, 2009 on Project No. 330, 2009 Sales Tax-Repaving Towanda Avenue (Douglas Road to Edgemoor Drive) to the Contractor, Cornejo Construction, in the amount of \$17,240.42.
- e) Approve the Engineer's Second Pay Estimate dated August 26, 2009 on Project No. 327, Paving Lot 3 Block 3 El Dorado Business Park to the Contractor, APAC-Kansas, in the amount of \$20,746.84.
- f) Approve the Engineer's Second & Final Pay Estimate dated August 26, 2009 on Project No. 334, 2009 Residential Sidewalks to the Contractor, APAC-Kansas, in the amount of \$20,832.49.

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

Commissioner Shane Krause 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 Topeka, Kansas, on October 3-6, 2009. The City is entitled to three voting delegates and three alternate delegates.

Commissioner Linda Clark moved to appoint Mayor Tom McKibban, Commissioner Shane Krause, and City Clerk Kendra Porter to be named voting delegates at the annual business meeting of the Kansas League of Municipalities and that Finance Director Dee Anne Grunder, Administrative Assistant to the City Manager Susan Evenson, and Public Utilities Director Kurt Bookout be named alternates.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2009,  
AND THE UNIFORM PUBLIC OFFENSE CODE, EDITION 2009**

City Manager Herb Llewellyn stated that the 2009 Kansas legislative session provides for certain changes in the Standard Traffic Ordinance for Kansas Cities, and the Uniform Public Offense Code, both Edition 2009. This action incorporates certain legislative changes effective July 1, 2009. The City Commission approves these actions annually.

**ORDINANCE NOS. G-1078 AND G-1079**

Commissioner Nick Badwey moved that Ordinance No. G-1078, 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 2009, and Ordinance No. G-1079, 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 2009, be passed and approved.

Commissioner David Chapin seconded the motion.

**ROLL CALL**

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Shane Krause inquired about transportation for the inmates.

City Manager Herb Llewellyn stated that there has been occasions the City has not received inmates for various reasons. The contract expires this week, and the City anticipates extending it.

Assistant Public Works Director Brad Meyer stated that the Winfield facility has different rules for providing inmates which the City is working through.

Commissioner Krause inquired about the e-waste recycling center west of El Dorado.

City Manager Llewellyn stated that a Special Use Permit was not acquired and the e-waste recycling center was operating without a permit.

Commissioner Krause stated that the e-waste recycling center was encroaching onto the City’s property.

Assistant City Engineer Scott Rickard stated that the City marked the property lines and advised the center, and will discuss with them again.

Mayor Tom McKibban inquired on the status of the three-mile zoning.

City Manager Llewellyn stated that the Butler County Commission has included the three-mile zoning on their October agenda.

Commissioner Shane Krause inquired about the trimming of the trees located at the intersection of Central Avenue and Emporia Street.

City Manager Llewellyn stated that the homeowner has been notified; however, no action has been taken.

Commissioner Krause also inquired on the Boyer Road improvements.

Assistant City Engineer Scott Rickard stated that the project is scheduled to bid in November, and the City is currently meeting with property owners concerning right-of-way easements.

**EL DORADO CITY COMMISSION MEETING**

**September 8, 2009**

Commissioner Linda Clark inquired about the traffic signal at the intersection of Village Road and Central Avenue.

Assistant Public Works Director Brad Meyer stated that the cameras have been repaired since the wind storm and are working properly.

Commissioner Nick Badwey inquired on the status of Douglass Road repairs.

Assistant Public Works Director Meyer stated that staff is currently reviewing repair options since portions of the road are concrete.

Assistant City Engineer Rickard reminded the Commissioners that residents could request improvements and be assessed.

Mayor Tom McKibban inquired with regard to reducing the speed limit at Main Street and McCollum Road.

City Manager Llewellyn stated that a traffic study has been completed.

Assistant City Engineer Rickard updated the Commission on the traffic study. Assistant City Engineer Rickard stated that the study will be presented to KDOT. The Secretary of Transportation has the authority to change the speed limit at that location.

Mayor Tom McKibban requested information on the cart pilot program.

Assistant Public Works Director Meyer stated that the final cart survey will be mailed to participants on Friday, September 11, 2009, and that the cart pilot program ends September 30, 2009.

Mayor Tom McKibban inquired about the College Acres sewer project.

City Manager Llewellyn stated that the sewer line for College Acres residents has been in service for approximately two weeks.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn stated that the Eighth Avenue and Main Street bridges will be entered in a competition on how the City's new bridges compare to other bridge modifications.

City Manager Llewellyn stated that Wichita State University will be holding an Economic Outlook Conference October 1, 2009 at Century II.

City Manager Llewellyn stated that due to recent wrecks and excessive mileage on many of the police department vehicles, new vehicles need to be purchased. City Manager Llewellyn stated that the monies to purchase the vehicles would come from insurance proceeds and unused budgeted salaries.

**EXECUTIVE SESSION**

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing acquisition of real estate, non elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 8:25 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**EL DORADO CITY COMMISSION MEETING**

**September 8, 2009**

Mayor Tom McKibban reconvened the meeting at 8:30 pm.

Commissioner Nick Badwey moved to extend the Executive Session for thirty minutes.

Commissioner Shane Krause seconded the motion.

Motion carried 3-0 (Commissioners Linda Clark and David Chapin remained in the conference room).

Mayor Tom McKibban reconvened the meeting at 9:06 pm.

**ADJOURNMENT**

Commissioner Shane Krause moved to adjourn the meeting at 9:07 pm.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**September 21, 2009**

The El Dorado City Commission met in regular session on September 21, 2009 at 7:00 pm in the Commission Room with the following present: Vice-Mayor David Chapin, Commissioner Linda Clark, Commissioner Shane Krause, Commissioner Nick Badwey, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and City Clerk Kendra Porter. Mayor Tom McKibban and City Attorney Jim Murfin were absent.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
Roger Cutsinger	712 W. 14th	El Dorado, Kansas
Richard Edds	1815 Quail Run	El Dorado, Kansas
Kelly Bernhardt	209 W. Olive	El Dorado, Kansas
Ruth Cabrales	1230 Sheldon	El Dorado, Kansas
Amy Holladay	618 W. Carr	El Dorado, Kansas
Alex Pennington	2320 Gentry Lane	El Dorado, Kansas
Jennifer Craig	636 S. High	El Dorado, Kansas
Vanessa Moore	207 S. Topeka	El Dorado, Kansas
John Holladay	939 S. Summit	El Dorado, Kansas

**CALL TO ORDER**

Vice-Mayor David Chapin called the September 21, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Ms. Kari Lee’s Washington Third Grade students led the Pledge of Allegiance.

**PUBLIC COMMENTS**

Vice-Mayor David Chapin opened the floor for public comments.

With no one appearing, Vice-Mayor David Chapin closed the public comment session.

**CONSENT AGENDA**

- a) Approval of the September 8, 2009 City Commission minutes.
- b) Approve changing the October 5, 2009 City Commission to October 6, 2009 due to the Annual League of Kansas Municipalities Conference October 3-6, 2009.

Commissioner Nick Badwey moved that the Consent Agenda, as presented, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 4-0.



**APPLICATION TO REZONE PROPERTY FROM R-1 RESIDENTIAL LOW DENSITY DISTRICT TO O-I BUSINESS-OFFICE-INSTITUTIONAL DISTRICT. (CASE NO. 09-001-REZ)**

City Manager Herb Llewellyn stated that Augusta Health Care, LLC, is requesting lots 7-12, Block 3 of Shelden’s 2<sup>nd</sup> Addition be rezoned from R-1 Residential Low Density District to O-I Business-Office-Institutional District.

At the August 27, 2009 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 7 to 0.

Roger Cutsinger stated that the rezoning would allow an additional thirty-two units for assisted living.

**ORDINANCE NO.G-1080**

Commissioner Linda Clark moved that the recommendation of the Planning Commission approve Case No. 09-001-REZ requesting a rezoning of Lots 7-12, Block 3 of Shelden’s 2<sup>nd</sup> Addition be accepted, and that Ordinance No.G-1080, be approved.

Commissioner Nick Badwey seconded the motion.

**ROLL CALL**

Position No. 4	Vice-Mayor David Chapin	Yes
	Mayor Tom McKibban	Absent
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes

**GENERAL OBLIGATION BONDS, SERIES 1996-A AND SERIES 1997-A**

Vice-Mayor David Chapin stated that as a result of the sale of the Valmont building, the City will utilize a portion of the proceeds to pay off the outstanding balances of the 1996-A and 1997-A General Obligation Bonds previously issued to finance construction/expansion of the facility for former tenants. The funds will be placed in an escrow account with the State Treasurer and invested in U.S. government securities until the November 1, 2009 redemption date, with the interest on the investment being returned to the City. The State Treasurer will notify all the bondholders of the redemption.

**RESOLUTION NO. 2645**

Commissioner Linda Clark moved that Resolution No. 2645, a resolution authorizing the optional redemption of certain outstanding general obligation bonds, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 4-0.

**SETTING A PUBLIC HEARING FOR AUTHORIZING COMPLETION OF AN APPLICATION**

Vice-Mayor David Chapin stated that the City of El Dorado Public Utilities Department requests the City Commission to pass a resolution setting a public hearing for the October 6<sup>th</sup> City Commission meeting regarding a proposed loan in an amount not to exceed \$500,000 (the “Loan”) to be taken by the City from the Kansas Public Water Supply Loan Fund (the “Fund”) administered by the Kansas Department of Health and Environment (“KDHE”) pursuant to K.S.A. 65-163c *et seq.* The City has made preliminary application to KDHE for the Loan, the proceeds of which will be used by the City to finance improvements at the El Dorado Prison Lift Station (the “Project”), to pay Loan origination costs and interest during construction of the Project. This project has been selected for ARRA stimulus money for “Green” improvements. “Green” improvements are anything associated with the pumps, VFD motors and controls for the lift station. Estimates of Green improvements are \$115,000 of which, fifty percent (\$57,500) are to be refunded with stimulus money. Debris entering the lift station has caused pump and motor deterioration. Improvements to prevent future damage to new pumps and motors include screening equipment necessary to remove debris from the waste stream entering the lift station.

Public Utilities Director Kurt Bookout stated that the lift station serves the Correctional Facility and the County Jail.

Commissioner Shane Krause moved to set the Public Hearing for 7:00 p.m. on October 6, 2009 to be held for the purpose of considering the authorization of the completion of an application of a loan from the Public Water Supply Loan Fund, and to authorize the City Clerk to publish notice of the public hearing in the official city newspaper.

Commissioner Nick Badwey seconded the motion.

Motion carried 4-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Vice-Mayor David Chapin opened the floor for Commissioners’ comments.

Commissioner Shane Krause informed the citizens that Susan B. Allen Memorial Hospital will be offering lipid profiles on Saturday, September 26, 2009 between the hours of 7:00 and 8:30 am. Susan B Allen Memorial Hospital will also be offering osteoporosis testing.

Commission Linda Clark reminded citizens of the leash law, especially while using the bike path.

Vice-Mayor David Chapin requested staff to address the condition of potholes on Boyer Road.

Vice-Mayor Chapin also inquired of the possibility of adding bicycle lanes to streets that are being re-done.

City Manager Herb Llewellyn stated that he would encourage the Commission to discuss future bike lanes.

Vice-Mayor Chapin also inquired on the annual airport appreciation day.

City Manager Llewellyn stated that he would like to continue this event and will discuss with Assistant Public Works Director Brad Meyer and Airport Manager Deric Karst.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn stated that a meeting with Butler County to discuss radio communications has been scheduled for Wednesday, September 30, 2009. Staff from both the City and County will be there to discuss radio usage.

City Manager Llewellyn also stated that most of the current equipment should be in compliance and there should not be a need to purchase the new equipment that Butler County believes is necessary. However, the federal mandates need to be reviewed further prior to the meeting with Butler County.

**ADJOURNMENT**

Commissioner Linda Clark moved to adjourn the meeting at 8:41 pm.

Commissioner Nick Badwey seconded the motion.

Motion carried 4-0.

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City Clerk Kendra Porter

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Vice-Mayor David Chapin

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**September 30, 2009**

The El Dorado City Commission met in special session on September 30, 2009, at 7:00 pm in the El Dorado City Council Room with the following present: Mayor Tom McKibban, Commissioner David Chapin, Commissioner Nick Badwey, Commissioner Linda Clark, Commissioner Shane Krause, City Manager Herb Llewellyn, and Administrative Intern Tabitha Sharp. Absent: City Attorney James Murfin, City Clerk Kendra Porter, and Assistant City Engineer Scott Rickard.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, Kansas
Will Johnson	County Administrator	El Dorado, Kansas
Jim Neese	Radio Systems Director	El Dorado, Kansas
Bob Sage	Rose Hill PD	Rose Hill, Kansas
Ricke Whiteside	El Dorado FD	El Dorado, Kansas
Jim Schmidt	Butler CO Emergency Management	
Jeremy Seglem	Butler CO 911	El Dorado, Kansas
Chris Davis	Butler CO 911	El Dorado, Kansas
Bruce Harris	Butler CO Commissioner	El Dorado, Kansas
Mike Wheeler	Butler CO Commissioner	El Dorado, Kansas
Tom Boren	El Dorado PD	El Dorado, Kansas
Kurt Bookout	El Dorado Public Utilities	El Dorado, Kansas
Brad Meyer	El Dorado Public Works	El Dorado, Kansas
Kendra Wilkinson	USD 375	Towanda, Kansas
Herbert Cooper	Citizen	
Vince Haines	300 N. Star	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the September 30, 2009, Special City Commission Meeting to order.

**FCC COMMUNICATIONS PLAN FOR BUTLER COUNTY**

Will Johnson, County Administrator, gave an overview of the current communications regulations. In 2004, Butler County Emergency Services Association (BCESA) was formed and received a grant to: 1) look at communication issues in Butler County; and 2) facilitate better communication between public safety agencies by making one group that coordinates all of the emergency service groups in the county. The BCESA in accordance with the FCC mandate found that Butler County needed to make changes to or replace the current communication system. The current system has been in operation since 1996 and is a 400 MHz wide band. The committee presented the following options:

1. Do nothing, and wait for the FCC to catch up with us.
2. Narrow band the current system at a cost of \$6.8 million.
3. Co-op with the State of Kansas which uses KDOT at their lead agency at a cost of \$11 to 12 million.
4. Build a county operated system at \$16 million.

BCESA gave the County Commission the suggestion in 2006 to use option number three, which would be expandable to other agencies outside police, fire and EMS including Public Works, Public Utilities and School Districts.

Will Johnson, County Administrator, stated that the County hired Jim Neese to oversee the project. There is currently one tower located at El Dorado Lake. Extending to the 800 MHz system would enable the County to use towers located at Hwy 254 and Hillside and Dexter. The new plan would replace all existing mobiles, portables, and consoles. The committee is proposing to replace all existing equipment, and allow

individual cities to worry about future growth. The new system would also provide data plugs for police cars, narrow banding for the paging system, and create a close secure system (truncated system).

Will Johnson, County Administrator, elaborated further by stating that the City of El Dorado would receive 98 new portable and mobile radios for the police and fire departments at a cost of \$344,000. The County would repay this debt through sales tax and enter into an MOU.

Will Johnson, County Administrator, stated that funding would come from one of two places:

1. Quarter cent sales tax to be voted on November 24<sup>th</sup>
  - a. 12.9 million repaid over 10 years
2. Property tax
  - a. 3 MIL increase in the county

Mayor McKibban questioned if the new towers were included in the 12 million dollar figure.

Will Johnson, County Administrator, stated that the towers were included in the proposed amount. If the County is able to pay off the debt early, the sales tax will sunset.

Mayor McKibban asked why Butler County had three dispatch centers while Sedgwick only had one.

Will Johnson, County Administrator, indicated that the two cities in Butler County with their own Public Safety Answering Point (PSAP) had elected to keep their dispatching center.

Mayor McKibban clarified that with this plan; the City of El Dorado will not have a PSAP, but will be required to pay for the two extras at a cost of \$250,000 each.

Will Johnson, County Administrator, reiterated that the County's new plan will be replacing the existing equipment.

Commissioner David Chapin questioned what would happen if the voters chose to vote no on the sales tax.

Will Johnson, County Administrator, indicated that the County is committed to the \$12 million project and would move forward with a property tax if the sales tax was vetoed.

Commissioner Nick Badwey questioned the cost for school districts.

Will Johnson, County Administrator, stated that the County would recommend the minimum standards to them such as would be used for Public Works or Public Utilities which run \$1500 to \$2000. A public safety radio runs approximately \$3500 to \$5000. All employees will receive one of the least expensive radios except for supervisors who will have a few extra functions.

Mayor McKibban questioned the quality of equipment the City would be receiving.

Will Johnson, County Administrator, clarified that the equipment was good quality; it was not the most intricate offered, but it meets the requirements of the state of Kansas. They are solid systems bought from the State of Kansas and recommended by the consultant used by the State as well.

City Manager Herb Llewellyn clarified that the City has \$90,000 in the budget to buy narrow banding. The City's current information states that this will fix the existing problems of the Public Works and Public Utilities' radios without buying new ones.

Commissioner Shane Krause asked for clarification regarding the towers.

Jim Neese, Radio Systems Director, indicated that there was one tower at El Dorado Lake able to service El Dorado, owned by KDOT. The new system will provide six total towers; two new ones, the KDOT tower, and space leased off of three other towers. He also stated that the \$6.8 million system would not include the extra towers.

Will Johnson, County Administrator, clarified that the towers would give 95% coverage, the coverage would be smaller on the \$6.8 million system. The new system will be fewer channels, but because of truncation, will seem like more.

Commissioner Linda Clark questioned what the twelve million would be used for.

Jim Neese, Radio Systems Director, indicated that \$1.2 million would be for improvements, \$4 million would be for mobiles and portables, and the remainder would be for the construction and backbone.

Mayor McKibban questioned why the City of El Dorado could not get a PSAP if the sales tax generated here provided 30% of the funds or using the MIL would provide close to 50% on this system. He also questioned if we would need to implement a ½ MIL a year now so that we would have the money to replace the radios in ten years.

Will Johnson, County Administrator, stated that the debt service payments would not start until the project was complete. The County is working on a maintenance contract for the radios that will possibly cost about \$100 per radio.

Commissioner Linda Clark requested a break down of the cost for the system.

Will Johnson, County Administrator, indicated that the breakdown is as follows:

Mobiles and Portables - \$4,042,000  
Installation - \$254,760  
Dispatch Upgrades - \$739,499  
System Integration - \$3,200,000  
Tower Site Upgrades - \$3,400,000  
Contingency – 10%

Will Johnson, County Administrator, stated that the County is providing each city with replacements of their existing equipment. The City can not opt out of the sales tax because it will be county wide. The city that owns the PSAP will be responsible for the maintenance.

Herbert Cooper questioned if the County was implementing a sales tax with a quarter cent attached or simply the quarter cent sales tax.

Mayor McKibban explained that it was only a quarter cent sales tax and that it would be removed when the debt was paid.

Assistant Public Works Director Brad Meyer inquired on the cost of narrow banding on the paging system.

Jim Neese, Radio Systems Director, stated that the County has not obtained those quotes at this time.

**ADJOURNMENT**

Commissioner David Chapin moved to adjourn at 9:02 pm.

Commissioner Nick Badwey seconded the motion.

Motion Carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**October 06, 2009**

The El Dorado City Commission met in regular session on October 6, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
Tabitha Sharp	220 E. 1st	El Dorado, Kansas
Sue Austin	220 E. 1st	El Dorado, Kansas
Tom Boren	220 E. 1st	El Dorado, Kansas
Frank & David Williams	701 W. 14th	El Dorado, Kansas
Dianne Meyer	Washington Elementary	El Dorado, Kansas
Mary E. Heide	925 S. E. River Rd	El Dorado, Kansas
Darla Carter	Safe House	El Dorado, Kansas
Stan Seymour	First Christian Church	El Dorado, Kansas
Jim Gardner	930 Fairway Ct	El Dorado, Kansas
Robert Lee Huff	1425 W. Olive Ave	El Dorado, Kansas
Cindy & Chyla Pugh	331 Ohio St.	El Dorado, Kansas
Shannan Kohman	611 W. 14th	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the October 6, 2009 City Commission meeting to order.

**INVOCATION**

The Reverend Stan Seymour, First Christian Church, opened the meeting with a prayer.

**PLEDGE OF ALLEGIANCE**

Ms. Dianne Meyer’s Washington Third Grade students led the Pledge of Allegiance.

**PROCLAMATION**

Darla Carter, El Dorado Safe House, gave an overview of the organization.

Mayor Tom McKibban read a proclamation to declare October as Domestic Violence Awareness month and presented Darla Carter a signed copy.

**PUBLIC COMMENTS**

Mayor Tom McKibban opened the floor for public comments.

Mary Heide, 925 South East River Road, stated that she was concerned with the tree limbs and debris underneath the Walnut River Bicycle Bridge. Ms. Heide distributed pictures to the Commissioners.



City Manager Herb Llewellyn stated that the problem has been discussed with staff, and clean up of the area will begin soon.

Mayor Tom McKibban closed the public comment session.

**CONSENT AGENDA**

- a) Approval of the September 21, 2009 City Commission minutes.
- b) Approval of the September 30, 2009 Special City Commission minutes.
- c) Approval of Appropriation Ordinance No. 09-09 in the amount of \$1,335,292.89.
- d) Approve the Engineer's First Pay Estimate dated September 18, 2009 on Project No. 317, Water System Improvements-North West Pressure Zone to the Contractor, Nowak Construction, in the amount of \$68,368.72.

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

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**FIREWORKS DISCUSSION**

Youth Commission members, Chyla Pugh, 331 Ohio, and Lee Huff, 1425 W. Olive, presented the Youth Commission's report on fireworks. Discussion of the fireworks regulations was requested at the May 19<sup>th</sup> Commission meeting.

The Youth Commission's recommendation is to leave the ordinance the same; however, educate citizens with flyers distributed at the time of purchasing fireworks, and by placing advertisements in the newspaper.

Commissioner Shane Krause inquired on shortening the number of days citizens would be able to discharge fireworks.

Youth Commissioner Chyla Pugh stated that the Youth Commission would prefer to educate citizens.

Youth Commission Lee Huff stated that shortening the number of days for fireworks may cause vendors to sell elsewhere and reduce revenues for El Dorado. Citizens could purchase fireworks in another city and discharge them in El Dorado.

Mayor Tom McKibban requested that the Youth Commission supply a comparison of the number of 2009 violations versus 2010 violations.

Commission David Chapin stated that he is in favor of leaving the ordinance the same.

Commissioner Nick Badwey stated that the regulations in the current ordinance need to be enforced.

City Manager Herb Llewellyn stated that staff could create an on-line form for property owners to report firework complaints.

Commissioner Linda Clark stated that she is willing to try the Youth Commission's recommendation.

Commissioner Shane Krause stated that there are both positive and negative issues with the current ordinance, and would like to see the number of days shortened.

Mayor McKibban stated a citizens concern of reducing the number of days would simply allow citizens to purchase fireworks out of town.

The Commissioners concurred to readdress the ordinance in October 2010.

**SOLID WASTE AUTOMATED COLLECTION PROGRAM**

Assistant Public Works Director Brad Meyer stated that in April of 2009 staff brought the Commission a proposal to implement the automated collection of solid waste throughout the city. In an executive report, staff outlined the benefits of such a program and was instructed to proceed with a pilot program in an effort to gain input from our refuse customers for 90 days. Nearly 700 surveys were mailed out in the initial mailing. In all, 379 surveys were returned and the pre pilot results were over 67% supportive for an automated program. Thirty days prior to the conclusion of the pilot program nearly 700 surveys were sent out again and an overwhelmingly 80% of the 385 surveys that were returned were supportive.

Mayor Tom McKibban stated that he had heard from four opposed citizens.

Commissioner Nick Badwey inquired if citizens could still purchase City trash bags.

Assistant Public Works Director Brad Meyer stated that City trash bags would be available.

Mayor McKibban inquired if citizens could use orange trash bags instead of carts.

Assistant Public Works Director Meyer affirmed they could.

Assistant Public Works Director Meyer stated that two employees would be transferred to other positions if the program is approved and that no employee would lose their job.

Assistant Public Works Director Meyer also stated that the funds for the purchase of the new equipment was available and would not cause an increase in the Public Works budget.

Commissioner Linda Clark stated that she was reluctant towards the change in the system since the current system is effective.

Commissioner Clark expressed concerns for placement of the carts and cost of new equipment.

Assistant Public Works Director Meyer stated that the carts were nearly the same dimensions as the trash bags and would take little space to store.

City Manager Herb Llewellyn stated that if the current system remains in place a rate increase is imminent.

Commissioner David Chapin stated that some citizens are concerned they will still be required to bag their trash.

Assistant Public Works Director Meyer stated that citizens do not have to bag trash if they use a cart.

Commissioner Shane Krause suggested that the cost savings, of the cart program, be posted on Channel 7 and the El Dorado Times so citizens could be more informed.

Commissioner Shane Krause moved to approve the proposed plan as outlined in the executive summary and implement the automated collection program city-wide.

Motion failed due to lack of second and tabled for next meeting.

**PUBLIC HEARING FOR AUTHORIZING COMPLETION OF AN APPLICATION**

Public Utilities Director Kurt Bookout stated that this date was set to hold an open meeting for a public hearing regarding authorizing a proposed loan in an amount not to exceed \$500,000 (the "Loan") to be taken by the City from the Kansas Public Water Supply Loan Fund (the "Fund") administered by the Kansas Department of Health and Environment ("KDHE") pursuant to K.S.A. 65-163c *et seq.* The City has made preliminary application to KDHE for the Loan, the proceeds of which will be used by the City to finance improvements at the El Dorado Prison Lift Station (the "Project"), to pay Loan origination costs and interest during construction of the Project. This project has been selected for ARRA stimulus money for "Green" improvements. "Green" improvements are anything associated with the pumps, VFD motors and controls for the lift station. Estimates of Green improvements are \$115,000 of which, fifty percent (\$57,500) are to be refunded with stimulus money. Debris entering the lift station has caused pump and motor deterioration. Improvements to prevent future damage to new pumps and motors include screening equipment necessary to remove debris from the waste stream entering the lift station.

**PUBLIC HEARING**

Mayor Tom McKibban opened the floor for public comments.

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

**RESOLUTION NO. 2646**

Commissioner Nick Badwey moved that Resolution No. 2646, a resolution, 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 David Chapin seconded the motion.

Motion carried 5-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Shane Krause congratulated the High School on the homecoming events.

Mayor Tom McKibban suggested a fall clean-up in addition to spring clean-up.

Assistant Public Works Director Brad Meyer stated that dump trucks are available and the City could add bulky item pick up if desired.

Assistant Public Works Director Meyer also stated that fall clean-up has been offered in the past; however, had low participation.

Consensus was to have a fall clean-up in 2010.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn stated that the Butler County Memorandum of understanding is supported by staff; however, El Dorado's own dispatch was not included. City Manager Llewellyn informed the Commissioners that they could approve the Memorandum and still request the County Commission to consider a separate dispatch for El Dorado.

Mayor Tom McKibban stated his concerns with the County allowing Andover and Augusta to have separate dispatching centers; however, not El Dorado.

Consensus is to approve the Memorandum of Understanding and reiterate that if the County desires to have only one dispatch center that additional funds should not be given to Andover and Augusta.

City Manager Llewellyn stated that Butler Community College would like lockers built at Mc Donald Stadium.

City Manager Llewellyn also stated that Butler Community College has requested the City put a roof on the batting cages located at East Park. The City would cover the cost to build the roof and Butler Community College would reimburse the City for the improvement in three yearly installments.

City Manager Llewellyn stated that the Westar franchise is due to expire and will be presented at the next Commission meeting.

City Manager Llewellyn informed the Commissioners that a driving tour of the proposed North West Trafficway will be on October 14, 2009.

City Manager Llewellyn stated that the Chamber of Commerce would like a member of the City Commission to attend the Chamber meetings.

At this time, the Chamber meetings schedule does not accommodate any of the Commissioners' schedules.

Consensus of the Commissioners was for the City to become a member of the Chamber of Commerce.

Commissioner Shane Krause inquired if the Chamber could provide the Commissioners with an update.

City Manager Llewellyn stated that he would invite the Chamber of Commerce to a Commission meeting.

City Manager Llewellyn also stated that the City is researching ways to update the court system to handle people with mental illnesses. The court is trying to provide a more effective system for these citizens.

City Manager Llewellyn stated that Vintage Place has requested a location to evacuate residents to in case of an emergency. City Manager Llewellyn stated that staff does not believe that the City has the necessary facilities to meet their needs.

Mayor Tom McKibban suggested that Vintage Place approach the High School. Mayor McKibban also stated that the Senior Center is open to the public in emergencies and that Vintage Place is part of the public; however, the City does not want to enter into a contract.

**EXECUTIVE SESSION**

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

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing legal and real estate issues, and to reconvene the regularly scheduled meeting in the City Commission room at 10:05 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 10:07 p.m.

Commissioner Linda Clark moved to extend the Executive Session until 10:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 3-0 (Commissioner Nick Badwey and Commissioner Shane Krause remained in conference room).

Mayor Tom McKibban reconvened the meeting at 10:40 p.m.

Commissioner Shane Krause moved to direct the City Manager and City Attorney to enter into lease negotiations and a lease agreement with the American Legion for golf operations and to lease the ground.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**ADJOURNMENT**

Commissioner David Chapin moved to adjourn the meeting at 10:41 pm.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**October 19, 2009**

The El Dorado City Commission met in regular session on October 19, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter, and Assistant to the City Manager Matt Rehder. City Manager Herb Llewellyn was absent.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Tabitha Sharp	220 E. 1st	El Dorado, Kansas
Bernie Shauf	Westar Energy	Wichita, Kansas
Doug Mick	711 W. Broadway	Newton, Kansas
Marsha Spaht	113 E. Locust, Lot 13	El Dorado, Kansas
Christine Davis	115 N. Orchard	El Dorado, Kansas
Gene Lynch	1855 Kendrick Lane	El Dorado, Kansas
James Cook	719 Fredrick Drive	El Dorado, Kansas
Randi Stark	1128 Park Avenue	El Dorado, Kansas
Angelena Runnion		El Dorado, Kansas
Keri Hadley	424 State Street	El Dorado, Kansas
Suzanne Coin	Westar Energy	Wichita, Kansas
Linda Jolly	2100 Pico Ct	El Dorado, Kansas
Spencer Stewart	New Life Equip. Ministries	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the October 19, 2009 City Commission meeting to order.

**INVOCATION**

The Reverend Spencer Stewart, New Life Equipping Ministry, opened the meeting with a prayer.

**PLEDGE OF ALLEGIANCE**

Ms. Keri Hadley’s Washington Third Grade students led the Pledge of Allegiance.

**PUBLIC COMMENTS**

Mayor Tom McKibban opened the floor for public comments.

Gene Lynch, 1855 Kendrick Lane, stated that he would like the trash cart refuse service implemented.

Mayor Tom McKibban closed the public comment session.

**CONSENT AGENDA**

- a) Approval of the October 6, 2009, City Commission minutes.
- b) Approval of 2009 Cereal Malt Beverage license application as listed:
  - Two Brothers BBQ, 1701 W Central
  - City of El Dorado Municipal Golf Course, 1801 W Central

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

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**SOLID WASTE AUTOMATED COLLECTION PROGRAM**

Assistant Public Works Director Brad Meyer stated that in April of 2009 staff brought the Commission a proposal to implement the automated collection of solid waste throughout the city. In the report, staff outlined the benefits of such a program. The Commission instructed staff to proceed with the 90 day pilot program in an effort to gain input from our customers. At the October 6, 2009 City Commission meeting, Commissioners received the pilot program results. After discussion, the Commission instructed staff to gather additional data and present in two weeks.

Commissioner David Chapin inquired about the absence of sick leave in the refuse budget projections.

Assistant Public Works Director Brad Meyer stated that sick leave is never budgeted.

Commissioner Linda Clark questioned when cost reductions would be probable.

Assistant Public Works Director Meyer stated that reduced costs could be feasible within the first year.

Discussion ensued amongst Assistant Public Works Director Brad Meyer and City Commissioners regarding special collections and reducing animal problems.

Mayor Tom McKibban expressed concern for citizens' ability to place carts on the curb during winter weather.

Assistant Public Works Director Meyer stated that arrangements could be made to have the carts picked up by the citizens' house in inclement weather.

Commissioner Clark inquired on possible consequences for citizens that do not remove trash carts from the curb in a timely manner.

Assistant Public Works Director Meyer stated that citizens will have twenty-four hours to remove trash carts from curb before penalties are assessed.

Commissioner Clark expressed concern for vacationing citizens' trash.

Assistant Public Works Director Meyer stated that the citizen could bring the trash to the Public Works dumpster, or the cart could be placed back by the house if the citizen makes prior arrangements.

Commissioner Badwey inquired if black trash bags would still be available.

Assistant Public Works Director Meyer stated that black bags will still be sold to citizens.

Assistant Public Works Director Meyer also stated that the City would continue to deliver two rolls of recycle bags each year; however, the Solid Waste Committee has suggested charging for additional recycle bags.

Commissioner Shane Krause moved to approve the proposed plan as outlined in the executive summary and implement the automated collection program city-wide.

Commissioner Nick Badwey seconded the motion.

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

**FRANCHISE FEE AGREEMENT – WESTAR ENERGY**

Assistant City Engineer Scott Rickard stated that Westar Energy is our electric service provider. The most recent franchise agreement with Westar Energy took effect July 1998 and the terms of that contract require a new contract be signed. Westar Energy would like to have the new contract effective for a twenty-year period. With constantly changing energy environment, staff asked Westar about opening the franchise in the future prior to the term end. Westar has assured staff that they are willing to reopen the franchise when requested.

Suzanne Coin, Westar Energy, stated that the franchise agreement allows the terms to be reviewed every five years.

Commissioner Shane Krause requested clarification on franchise fees.

Suzanne Coin, Westar Energy, explained the franchise fee agreement.

**ORDINANCE NO. G-1081**

Commissioner Nick Badwey moved that Ordinance No. G-1081, an ordinance granting to Kansas Gas and Electric Company, a Kansas Corporation, doing business as Westar Energy, an electric franchise including the right to construct, operate and maintain electric transmission, distribution and street lighting facilities within the corporate limits of the City of El Dorado, Kansas, be approved.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 1825 LEONARD COURT. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 09-007-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Melissa Downing, is requesting a Special Use Permit to allow a Day Care Center at 1825 Leonard Court. The property is zoned R-1, Residential-Low Density District.

At the September 24, 2009 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 7 to 0.



**ORDINANCE NO. G-1082**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 09-007-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 1825 Leonard Court be accepted and that Ordinance No. G-1082 be approved.

Commissioner David Chapin seconded the motion.

**ROLL CALL**

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 115 NORTH ORCHARD. THE PROPERTY IS ZONED R-3 RESIDENTIAL-MULTIPLE FAMILY DWELLING DISTRICT. (CASE NO. 09-008-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Christine Davis, is requesting a Special Use Permit to allow a Day Care Center at 115 North Orchard. The property is zoned R-3, Residential-Multiple Family Dwelling District.

At the September 24, 2009 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 7 to 0.

**ORDINANCE NO. G-1083**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 09-008-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 115 North Orchard be accepted and that Ordinance No. G-1083, be approved.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes

**APPLICATION TO REZONE PROPERTY FROM R-1 RESIDENTIAL LOW DENSITY DISTRICT TO O-I BUSINESS-OFFICE-INSTITUTIONAL DISTRICT. (CASE NO. 09-002-REZ)**

Assistant to the City Manager Matt Rehder stated that El Paso Merchant Energy Petroleum Company, is requesting land located at 1800 North Topeka be rezoned from R-1 Residential Low Density District to O-I Business-Office-Institutional District.

At the September 24, 2009 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 7 to 0.

**ORDINANCE NO. G-1084**

Commissioner David Chapin moved that the recommendation of the Planning Commission to approve Case No. 09-002-REZ requesting a rezoning of 1800 North Topeka, be accepted and that Ordinance No. G-1084 be approved.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

**PUBLIC HEARING-VALMONT INDUSTRIES PROPERTY TAX EXEMPTION**

Ms. Linda Jolly, Community Development Executive Director, stated that per our agreement with Valmont Industries, a tax exemption application for real and personal property needs to be approved by the City Commission and submitted to the Kansas Court of Tax Appeals for approval. All taxing entities have been notified, as required by law, and the City Commission must conduct a public hearing. This exemption is for five years.

**PUBLIC HEARING**

Mayor Tom McKibban opened the floor for public comments.

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

**ORDINANCE NO. S-1307**

Commissioner Linda Clark moved that Ordinance No. S-1307, an ordinance exempting certain real and personal property from ad valorem taxation for economic development purposes, be approved.

Commissioner Nick Badwey seconded the motion.

**ROLL CALL**

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Shane Krause reminded citizens not to leave trash bags at the City compost site.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn was absent and no report was given.

Assistant City Engineer Scott Rickard stated that utility line relocation has begun on Boyer Road.

**ADJOURNMENT**

Commissioner Linda Clark moved to adjourn the meeting at 7:45 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**November 2, 2009**

The El Dorado City Commission met in regular session on November 2, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard and Finance Director Dee Anne Grunder. City Attorney Jim Murfin and City Clerk Kendra Porter were absent.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Tabitha Sharp	220 E. 1st	El Dorado, Kansas
Ken Nakaten	220 E. 1st	El Dorado, Kansas
Ricke Whiteside	220 E. 1st	El Dorado, Kansas
Curt Zieman	220 E. 1st	El Dorado, Kansas
Chad Young	220 E. 1st	El Dorado, Kansas
James Cook	714 Fredrick Drive	El Dorado, Kansas
George & Sarah Whitson	426 N. Denver	El Dorado, Kansas
Mick Selliday		El Dorado, Kansas
Drew Price		El Dorado, Kansas
Oral & Glenda Taylor	1415 Country Club	El Dorado, Kansas
Ralph Green	1013 S. Topeka	El Dorado, Kansas
Allen & Amanda Stalnaker	1155 S. Emporia	El Dorado, Kansas
Orin Stalnaker	1155 S. Emporia	El Dorado, Kansas
Sherry Scheuber	415 Oil Hill Rd	El Dorado, Kansas
Rick & Brenda Jenkins	229 N. Alleghany	El Dorado, Kansas
Doug Petty	526 State St.	El Dorado, Kansas
George & Kathy Rose	217 S. Summit	El Dorado, Kansas
David & Deb Wilson	1179 SE Conner Rd	El Dorado, Kansas
Gayl Reed	2639 SE 13th Terrace	El Dorado, Kansas
Rodney & Gaylene Reed	412 N. Taylor	El Dorado, Kansas
Brad & Kathie Hall	824 W. 5th	El Dorado, Kansas
Mike McGwire	Trinity United Methodist	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the November 2, 2009 City Commission meeting to order.

**INVOCATION**

The Reverend Mike McGwire, Trinity United Methodist Church, opened the meeting with a prayer.

**PLEDGE OF ALLEGIANCE**

Ms. Keri Lee’s Washington Third Grade students 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**

Doug Petty, Public Works  
Amanda Stalnaker, Engineering  
Chad Young, Police

**Fifteen-Year Service Award**

Rodney Reed, Fire

**Twenty-Year Service Awards**

Rick Jenkins, Public Works  
George Rose, Public Works  
David Wilson, Fire

**Twenty-Five Year Service Award**

Brad Hall, Fire

**Thirty-Year Service Awards**

Rick Whiteside, Fire  
George Whitson, Public Works

**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 October 19, 2009 City Commission minutes.
- b) Approve the Engineer’s Third & Final Pay Estimate dated October 27, 2009 on Project No. 327, Paving Lot 3 Block 3 El Dorado Business Park to the Contractor, APAC-Kansas, in the amount of \$3,746.69.

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

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**LEASE/PURCHASE AGREEMENT - AUTOMATED REFUSE COLLECTION TRUCK**

Assistant Public Works Director Brad Meyer stated that staff received proposals from four financial institutions for lease/purchase financing of a 2007 automated refuse collection truck (demonstrator).

Finance Director Dee Anne Grunder spread the bids for the records.

<u>Rate</u>	<u>Company</u>	<u>Other Charges</u>
3.33%	Commerce Bank	\$150.00
3.36%	Intrust Bank	N/A
3.41%	First Bank	N/A
4.24%	CalFirst National Bank	N/A

**RESOLUTION NO. 2647**

Commissioner Nick Badwey moved that the City Manager be authorized to sign a lease/purchase agreement with Intrust Bank in a principal amount of \$155,850 to fund the purchase of a 2007 automated refuse collection truck, and that Resolution No. 2647 be approved.

Commissioner Shane Krause seconded the motion.

Commissioner Linda Clark stated that she will support this purchase; however, has reservations concerning the program.

Motion Carried 5-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin thanked the Rotary Club for cleaning up the bike path.

Commissioner Nick Badwey inquired about the removal of the log jam under the bike path bridge on East Central.

Assistant Public Works Director Brad Meyer stated that the removal will begin as soon as the Corps of Engineer's stop letting out water.

Commissioner Linda Clark inquired as to when construction would start at the intersection of Central Avenue and Vine Street.

Assistant City Engineer Scott Rickard stated that the City has not received funding for the project; however, the City anticipates completing the work at minimal cost.

City Manager Herb Llewellyn stated that staff will bring this project back before the Commissioners; staff will do the design, work and landscaping.

City Manager Llewellyn also stated that this project would encroach onto the Civic Center property.

Commissioner Shane Krause stated that he appreciates the City employees' dedication and recognition.

Mayor Tom McKibban inquired about leasing the American Legion without an open session.

City Manager Llewellyn stated that statute allows land acquisition in executive session. However, there was a tremendous amount of public input over the last eighteen months, which lead to the recommendation of purchasing that property for a stadium. The motion was made publicly by the City Commissioners.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn stated that a considerable amount of stormwater drains into the ditch behind the houses adjacent to the American Legion. The lease allows the City to control the American Legion property and will help simplify the stormwater project.

Assistant Public Works Director Brad Meyer stated that the drop off event for City-wide clean-up was very successful.

City Manager Llewellyn stated that Prairie Port Inc. had its auction and the City purchased several items, and the building was turned back over to the City.

**EXECUTIVE SESSION**

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

Commissioner Shane Krause moved to recess into an Executive Session for the purpose of discussing acquisition of real estate and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:40 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 8:50 p.m.

Commissioner Nick Badwey moved to extend the executive session until 9:25 p.m.

Commissioner Shane Krause seconded the motion.

Motion Carried 3-0 (Commissioner Linda Clark and Commissioner David Chapin remained in conference room).

Mayor Tom McKibban reconvened the meeting at 9:25 p.m.

**ADJOURNMENT**

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

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**November 16, 2009**

The El Dorado City Commission met in regular session on November 16, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney Jim Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Tabitha Sharp	220 E. 1st	El Dorado, Kansas
John Scanlon	220 E. 1st	El Dorado, Kansas
Tom Boren	220 E. 1st	El Dorado, Kansas
Diane Solorio	248 Warren Road	El Dorado, Kansas
Lindsay Baines	1516 W. 3rd	El Dorado, Kansas
Robert & Cathy Hanson		
David Stewart	101 S. Star	El Dorado, Kansas
Ed Gard	601 N.W. 30th	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas
Sharon Holmes	518 S. High	El Dorado, Kansas
James Cook	719 Fredrick Drive	El Dorado, Kansas
Dianne Meyer	1950 Jason Drive	El Dorado, Kansas
Shannon Kohman	611 W. 14th	El Dorado, Kansas
Mike McGuire	First United Methodist	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the November 16, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Ms. Dianne Meyer’s Washington Third Grade students led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Diane Solorio, Senior Center Director presented an update of the Senior Center’s current activities calendar.

Linda Jolly and Ed Gard, El Dorado Inc., presented the quarterly report for El Dorado Inc. and Convention & Visitors Bureau to the Commissioners.

**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 November 2, 2009 City Commission minutes.
- b) Approval of Appropriation Ordinance No. 10-09 in the amount of \$1,073,333.58.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 1905 QUAIL RUN. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 09-009-SUP)**

City Manager Herb Llewellyn stated that the applicant, Jandee Scheffler, is requesting a Special Use Permit to allow a Day Care Center at 1905 Quail Run. The property is zoned R-1, Residential-Low Density District.

At the October 22, 2009, 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 to 0.

**ORDINANCE NO. G-1085**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 09-009-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 1905 Quail Run be accepted and that Ordinance No. G-1085 be approved.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes

**HOPE VI MAIN STREET GRANT**

City Manager Herb Llewellyn stated that the City is seeking an approximately \$1 million grant through the 2010 Hope VI Main Street Revitalitaion. This grant is to provide funding to rehabilitate property and add living units for low to moderate income residents within the Main Street area.

City Manager Llewellyn presented an overview of the grant process to the Commissioners.

City Manager Herb Llewellyn stated that the cost to complete the grant is \$14,250 and recommended to forward those costs onto the grant recipients.

Lindsay Baines, Mainstreet Director, stated that property owners have already started inquiring about renovating plans. Owners that have current completed plans will be eligible for funds.

Consensus of the Commission was to apply for additional grant funding if applications exceed the \$1 million original grant request.

Commissioner Nick Badwey moved to authorize the administrative costs for the preparation of the grant.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**PROJECT NO. 310 – KDOT AGREEMENT NO. 114-09**

Assistant City Engineer Scott Rickard stated that in order for Project No. 310 – Paving Boyer & Sixth Avenue from Central to Metcalf to move forward, the agreement between the City & Kansas Department of Transportation needs to be signed.

Commissioner Shane Krause moved to authorize the Mayor to execute for and on behalf of the City of El Dorado, Agreement No.114-09 between the City and the Kansas Department of Transportation.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**CENTRAL & VINE TURNING LANES (PROJECT NO. 333)**

Assistant City Engineer Scott Rickard stated that the City has determined that it is necessary to improve the intersection of Vine Street & Central Avenue. A large number of commercial vehicles navigate the intersection daily and the sub-standard turning radii creates traffic issues. This project will improve the intersection’s turning movements.

**ORDINANCE NO. G-1086**

Commissioner Linda Clark moved that Ordinance No. G-1086, an ordinance designating certain streets within the City of El Dorado, Kansas, as main traffic ways, be approved.

Commissioner David Chapin seconded the motion.

**ROLL CALL**

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes

**RESOLUTION NO. 2648**

Commissioner Nick Badwey moved that Resolution No. 2648, a resolution of the City of El Dorado, Kansas, authorizing improvements to the intersection of Vine Street & Central Avenue; and providing for the payment of the costs thereof, be approved.

Commissioner David Chapin seconded the motion

Motion carried 5-0.

**RAIL SPUR PETITION FOR BG**

Assistant City Engineer Scott Rickard stated that the City of El Dorado has received a petition for the creation of a Community Improvement District for the construction of a rail spur in the El Dorado Industrial Park. This spur will serve the BG and Barton Solvents development.

**RECEIVING THE PETITION**

City Clerk Kendra Porter verified that the petition for the construction projects, signed by owners of 66.66% of the total number of tracts in the community improvement district, is sufficient for Project No. 315.

**RESOLUTION NO. 2649**

Commissioner Shane Krause moved that Resolution No. 2649, a resolution calling and providing for the giving of notice of a public hearing on the advisability of creating a community improvement district in the City of El Dorado, Kansas and making certain railroad improvements therein; and providing for the giving of notice of said hearing (Industrial Park CID), be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**VALMONT ORDINANCE AMENDMENT – COTA**

City Manager Herb Llewellyn stated that on October 19, 2009 the City Commission approved a personal and real property tax exemption application for Valmont Industries with Ordinance S-1307. During completion of the application, Staff noticed the years were incorrect on the ordinance; thus, this ordinance will change the applicable years for the tax exemption so the application can be sent to the County and the State Court of Tax Appeals.

**ORDINANCE NO. S-1308**

Commissioner Linda Clark moved that Ordinance No. S-1308, an ordinance amending Ordinance No. S-1307 to change the applicable years for the tax exemption for Valmont Industries, be approved.

Commissioner Nick Badwey seconded the motion.

**ROLL CALL**

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Shane Krause congratulated Butler Community College football team on their successful season.

Commissioner Linda Clark commended the City employees' efforts during the Friday Cancer Walk.

Commissioner Clark clarified that the radio communication sales tax ballot is a Butler County election. If citizens vote no, a possible personal property tax increase will be advised.

City Manager Herb Llewellyn stated that the County will propose a three mill increase if the sales tax is not passed and an additional election will be held to pass the mill increase.

Commissioner David Chapin stated that he appreciated the positive feedback he received from a City employee.

**GOLF DISCUSSION**

Parks and Recreation Director John Scanlon provided a PowerPoint presentation to the Commissioners regarding local golf opportunities in surrounding regions.

City Manager Herb Llewellyn stated that the City could improve golfing in Butler County by purchasing Prairie Trails or building a new golf course.

Mayor Tom McKibban inquired on the type of management that would operate the golf course.

City Manager Llewellyn stated that outside management would be more feasible.

City Manager Llewellyn discussed the acquisition of the American Legion golf course.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn stated that the City has improved its process of handling underage drinking. Twenty-three tickets were issued at a recent party.

Police Chief Tom Boren provided the Commissioners with a PowerPoint presentation concerning underage drinking.

Chief Boren stated that stricter penalties have been imposed and minors will be placed into Kansas Social Service and Rehabilitation custody if parents cannot be reached.

Mayor McKibban inquired about assisting the County with parties outside of the City limits.

Chief Boren stated that the City will assist the County if necessary; however, the County has not required any assistance recently.

City Manager Llewellyn commended the Police Department on their efforts with the recent shooting.

City Manager Llewellyn also stated that he would like to close the City offices on the day after Thanksgiving.

Consensus of the Commissioners was to close City offices the day after Thanksgiving.

City Manager Llewellyn stated that the City will be receiving a Comprehensive Plan of the Year award for the work completed on the North Main bridge.

**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 10:00 pm.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 10:00 pm.

**ADJOURNMENT**

Commissioner Nick Badwey moved to adjourn the meeting at 10:00 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**December 7, 2009**

The El Dorado City Commission met in regular session on December 7, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard and City Clerk Kendra Porter. City Attorney Jim Murfin was absent.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Tabitha Sharp	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Sam Mc Vay Jr.	141 N. Emporia	El Dorado, Kansas
Scott Dunakey	PEC	Wichita, Kansas
Dan Hill	1758 S.E. Hwy 77	El Dorado, Kansas
Eddie Gibson	418 Ohio	El Dorado, Kansas
Howard Goldsmith	522 N. Denver	El Dorado, Kansas
Justin Hamilton	703 McCollum	El Dorado, Kansas
James Cook	719 Fredrick Drive	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the December 7, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

Ms. Carter’s Lincoln Third Grade students 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 November 16, 2009 City Commission minutes.
- b) Approval of Appropriation Ordinance No. 11-09 in the amount of \$1,435,381.03.
- c) Approve the Engineer’s Second Pay Estimate dated October 19, 2009 on Project No. 317, Water System Improvements-NW Pressure Zone to the Contractor, Nowak Construction, in the amount of \$271,961.47.
- d) Approve the Engineer’s Third Pay Estimate dated November 18, 2009 on Project No. 317, Water System Improvements-NW Pressure Zone to the Contractor, Nowak Construction, in the amount of \$97,589.58.
- e) Approval of 2009 Cereal Malt Beverage license application as listed:  
  - Jumpstart North, 701 N. Main

f) Approval of 2010 Cereal Malt Beverage license applications as listed:

- Jax's Place, 124 W. Locust
- Dillon's Store #29, 700 N. Main
- 24K LLC, dba Jumpstart, 1631 W. Central
- City of El Dorado Golf Course, 1801 W. Central
- Jumpstart North, 701 N. Main
- Two Brothers BBQ, 1701 W. Central
- Blue Goose Tavern, 120 E. 4<sup>th</sup>
- Casey's, 420 W. 6<sup>th</sup>
- Casey's, 1310 N. Main
- Saroya, Inc, 2575 W. Central
- Pizza Hut, 729 N. Main
- Pizza Hut, 2423 W. Central
- Prairie Bowl, Inc, 307 S. Haverhill
- Iron Horse Concert Hall, 315 ½ S. Main
- QuikTrip #310, 1320 W. Central

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

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 226 DELLWAY STREET. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT. (CASE NO. 09-010-SUP)**

Assistant to the City Manager Matt Rehder stated that the applicant, Kimberly Poe, is requesting a Special Use Permit to allow a Day Care Center at 226 Dellway Street. The property is zoned R-1, Residential-Low Density District.

At the November 19, 2009 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 to 0.

**ORDINANCE NO. G-1087**

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 09-010-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 226 Dellway Street be accepted and that Ordinance No. G-1087, be approved.

Commissioner Nick Badwey seconded the motion.

**ROLL CALL**

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes

**ZONING AND SUBDIVISION REGULATIONS REVISIONS**

Scott Dunakey, Professional Engineering Consultants, stated that the revisions to the Zoning and Subdivision Regulations are complete and ready for final approval. The

public hearing required by Kansas statute was held on November 19, 2009 and the Planning Commission voted to recommend adopting the regulations by a 6-0 vote.

Scott Dunakey, Professional Engineering Consultants, provided an overview of the changes in the regulations.

Mayor Tom McKibban stated concerns regarding the changes in the daycare regulations.

Assistant to the City Manager Matt Rehder stated that a pamphlet regarding regulations has been created for the County to provide to daycare providers.

Scott Dunakey, Professional Engineering Consultants, stated that the new daycare changes mirror the State regulations.

Dan Hill, 1758 SE Highway 77, stated that commercial daycares still need to be approved by the City Commission.

City Manager Herb Llewellyn stated that inspections will continue to be completed by City Staff.

**ORDINANCE NO. G-1088**

Commissioner Nick Badwey moved that Ordinance No. G-1088, an ordinance enacted approving and incorporating by reference certain zoning regulations governing the use of land and the location of buildings within the City Of El Dorado, Kansas, be approved.

Commissioner David Chapin seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

**ORDINANCE NO. G-1089**

Commissioner Shane Krause moved that Ordinance No. G-1089, an ordinance enacted approving and incorporating by reference certain subdivision regulations governing the subdivision of land within the City Of El Dorado, Kansas and the surrounding area as described, be approved.

Commissioner Nick Badwey seconded the motion.

**ROLL CALL**

	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes



**LOCAL GOLF OPPORTUNITIES**

City Manager Herb Llewellyn stated that over the past two years, the City Commission had Staff research preserving local golf opportunities. If the City Commission wants to insure local golf, Staff has discovered there are few options. One option is to acquire property, design and build a new course. The other option is to purchase Prairie Trails Golf Course. If the City Commission wants to keep golf in El Dorado, the most economical option is to purchase Prairie Trails Golf Course.

Commissioner Shane Krause stated that he supported the lease of land from the American Legion to build a stadium and correct stormwater issues. Commissioner Krause also stated that he supports the purchase of Prairie Trails to use as a municipal golf course.

Consensus of the Commission was a municipal golf course is needed in El Dorado.

City Manager Llewellyn stated that he anticipates issuing Request For Quotes to find a management team to operate the golf course and restaurant if the Commission wishes to move forward.

Commissioner Linda Clark moved to authorize Staff to purchase the Prairie Trails Golf Course.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**KP&F - RESOLUTION**

City Manager Herb Llewellyn stated that this item was discussed and approved during the 2010 budget process. The consensus of the Commission was to budget and move forward with the KP&F system for police and fire employees effective January 1, 2010. This motion finalizes the paperwork.

**RESOLUTION NO. 2650**

Commissioner Linda Clark moved that Resolution No. 2650, a resolution adopting the Kansas Police and Firemen's Retirement System, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

**RESOLUTION NO. 2651**

Commissioner Linda Clark moved that Resolution No. 2651, a resolution adopting an option for Group Life Insurance of the Kansas Police and Firemen's Retirement System, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**INTERLOCAL AGREEMENT FOR 3-MILE ZONING AREA**

Assistant to the City Manager Matt Rehder stated that the interlocal agreement for the City to establish zoning regulations is ready for final approval. All legal issues associated with land in the area have been resolved. The Butler County Board of Commissioners approved the agreement last month.

**ORDINANCE NO. G-1090**

Commissioner Shane Krause moved that Ordinance No. G-1090, an ordinance authorizing an 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 Linda Clark seconded the motion.

**ROLL CALL**

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes

**PROJECT NO. 315-INDUSTRIAL PARK RAILROAD IMPROVEMENTS**

Assistant City Engineer Scott Rickard stated that the City Commission established this date to hold the public hearing on the advisability of creating a community improvement in the city and making certain railroad improvements therein. This spur will serve the BG and Barton Solvents development. Authorizing the making of certain improvements relating thereto; approving the estimated costs of such improvements; approving the maximum amount and method of assessment; and approving the method of financing for the construction of a rail spur in the El Dorado Industrial Park.

**PUBLIC HEARING**

Mayor Tom McKibban opened the floor for public comments.

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

**ORDINANCE NO. S-1309**

Commissioner David Chapin moved that Ordinance No. S-1309, an ordinance authorizing the creation of a community improvement district in El Dorado, Kansas; authorizing the making of certain improvements relating thereto; approving the estimated costs of such improvements; approving the maximum amount and method of assessment; and approving the method of financing (Project No. 315 - Industrial Park CID), be approved.

Commissioner Nick Badwey seconded the motion.

**ROLL CALL**

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes

**PROJECT NO. 310-KDOT SUPPLEMENTAL AGREEMENT**

Assistant City Engineer Scott Rickard stated that in the agreement with KDOT for Project No. 310– Paving Boyer & Sixth from Central to Metcalf, the City share of the project cost was due fifty (50) days after the letting. Due to temporary financing costs and the large share of City costs, Staff requested an amendment to the agreement.

The Secretary has agreed for the City to remit payment in three (3) installments over the direction of the project. The City will remit the first installment of its estimated share by the date indicated on the resolution form Authorization to Award Contract, Commitment of City Funds received by the City from the Secretary. The date indicated for the City to deposit the first installment of its estimate share of the total project expenses is fifty (50) calendar days after the letting date. The City shall deposit the second installment of its estimated share within ninety (90) calendar days after work on the project begins, and the third installment of its estimate share within one hundred twenty (120) calendar days after work on the project begins.

Commissioner David Chapin moved to authorize the Mayor to execute for and on behalf of the City of El Dorado, Supplemental No.1 for Agreement No.114-09 between the City and the Kansas Department of Commerce.

Commissioner Shane Krause seconded the motion.

Motion Carried 5-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Shane Krause stated that December 7th is the anniversary of the attack on Pearl Harbor.

Mayor Tom McKibban inquired on the status of the traffic survey on North Main Street.

Assistant City Engineer Scott Rickard stated that Staff collected the data and provided to KDOT for their review. Eighty percent (80%) of the traffic was traveling below the posted limits.

**CITY MANAGER’S REPORT**

City Manager Herb Llewellyn stated that the County Communications committee met regarding sales tax approval. City Commission needs to discuss how the City will move forward with the purchase of new radios.

Mayor Tom McKibban expressed his concerns regarding Butler County not addressing the City’s questions and comments.

City Manager Llewellyn stated that he anticipates determining the capability of each radio that the City will need and bid the equipment for the best price.

City Manager Llewellyn stated that he will be discussing stadium parking, stormwater issues and utilities for the future stadium with the Planning Commission.

City Manager Llewellyn presented a PowerPoint slide of the State statute that exempts property taxes for the lease of the American Legion.

**EXECUTIVE SESSION**

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

Commissioner Linda Clark 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 9:20 pm.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 9:20 pm.

Commissioner Linda Clark moved to return to Executive Session until 10:00 pm.

Commissioner David Chapin seconded the motion.

Motion carried 3-0 (Commissioner Nick Badwey and Commissioner Shane Krause remained in the conference room).

Mayor Tom McKibban reconvened the meeting at 10:05 pm.

**ADJOURNMENT**

Commissioner Nick Badwey moved to adjourn the meeting at 10:05 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO CITY COMMISSION MEETING**

**December 21, 2009**

The El Dorado City Commission met in regular session on December 21, 2009 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Kendra Porter.

**VISITORS**

Brad Meyer	220 E. 1st	El Dorado, Kansas
Tabitha Sharp	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
John Scanlon	220 E. 1st	El Dorado, Kansas
Ken Nakaten	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
Rick McNary	Numana	Wichita, Kansas
Dan & Lauren Davis		El Dorado, Kansas
Jason Reiswig	938 W. 3rd	El Dorado, Kansas
Brian Johnson	Hope Covenant Church	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the December 21, 2009 City Commission meeting to order.

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE**

City Commissioner David Chapin led the Pledge of Allegiance.

**PERSONAL APPEARANCE**

Rick Mc Nary presented the Commissioners with an overview of the Numana packing event that will be held December 29<sup>th</sup> and 30<sup>th</sup> at the Civic Center.

**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 December 7, 2009 City Commission minutes.
- b) Approval of the appointment of Mayor Tom McKibban to represent the City of El Dorado as “Member,” and the appointment of City Manager Herb Llewellyn to represent the City of El Dorado as “Alternate Member” to the governing body of the Regional Economic Area Partnership (REAP) for 2010.
- c) Approval of the appointment of Commissioner Shane Krause to represent the City of El Dorado as “Member,” and the appointment of Public Utilities Director Kurt Bookout to represent the City of El Dorado as “Alternate Member” to the governing

- d) body of the Regional Economic Area Partnership (REAP) Water Resources Committee for 2010.
- e) Approval of 2010 Cereal Malt Beverage license applications as listed:
  - Oklahoma Boy's BBQ, 626 N. Main
  - Bella Casa, 1111 E. Central
  - Wal-Mart, 301 S. Village Rd.

Commissioner David Chapin moved that the Consent Agenda, as presented, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

**CREATIVE COMMUNITY LIVING**

City Manager Herb Llewellyn stated that Creative Community Living, a nonprofit organization with services located in El Dorado, is requesting support from the City Commission as they seek financial assistance from the Kansas Department of Transportation. Creative Community Living is requesting the Commission to put their initials as their show of support on a letter CCL sent December 10, 2009 to the Commission.

Commissioner Linda Clark moved to approve the support of the Creative Community living organization in their efforts to secure financial assistance from the State of Kansas.

Commissioner Shane Krause seconded the motion.

Motion Carried 5-0.

**STONE ROAD LIFT STATION IMPROVEMENT – AMENDMENT**

City Manager Herb Llewellyn stated that trash and debris entering this lift station has caused wear on pumps and motors. A project was developed to address the debris accumulation by utilizing screening equipment. Replacement of pumps, motors and controls with energy efficient VFD's is eligible for ARRA stimulus funds, and the rest of the project is to be funded using the State Revolving Loan Fund (SRLF). This amendment adds the cost of this project to our existing SRLF loan on the new wastewater treatment plant.

City Manager Herb Llewellyn clarified that this is simply an amendment to the original application.

**ORDINANCE NO. S-1310**

Commissioner Linda Clark moved that Ordinance No. S-1310, an ordinance authorizing the execution of a third amendment to the loan agreement between the City of El Dorado, Kansas and the State of Kansas, acting by and through the Kansas Department of Health and Environment for the purpose of financing a wastewater treatment project, be approved.

Commissioner Nick Badwey seconded the motion.

**ROLL CALL**

Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes

**PROJECT NO. 346 – STONE ROAD LIFT STATION BIDS**

Assistant City Engineer Scott Rickard stated that bids were received and the low bid was below the Engineer’s Estimate. To date of publication of the agenda, the State of Kansas has not provided the required easements for the construction and future operation of the station. Staff recommends awarding the contract contingent to the easements being acquired.

Assistant City Engineer Scott Rickard spread the bids for the record.

	<u>Total Project Bids</u>
Engineer’s Estimate-	\$477,455.00
Dondlinger & Sons-	\$424,440.00
UCI-	\$442,845.00
Midland Contractors-	\$481,100.00
Middlecreek Corporation-	\$570,450.60

Commissioner Shane Krause moved that as Dondlinger & Sons has submitted the lowest and best bid for project no. 346, and since their bid of \$424,440.00 was under the Engineer’s Estimate, the City Manager be directed to award the contract to said contractor providing that the required easements are acquired from the State of Kansas and recorded with Butler County, and the company furnish the proper bonds, and KDHE approval is met.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**PROJECT NO. 315 - RAIL SPUR BIDS**

Assistant City Engineer Scott Rickard stated that bids were received and the low bid was below the Engineer’s Estimate.

Assistant City Engineer Scott Rickard spread the bids for the record.

Engineer’s Estimate-	\$ 926,222.50
Dondlinger & Sons-	\$ 645,000.00
Bob Bergkamp Construction-	\$ 723,055.20
Kanza Construction-	\$ 851,383.50
United Railroad Services-	\$1,016,508.46
Mies Construction-	\$1,341,797.23

Commissioner Nick Badwey moved that as Dondlinger & Sons has submitted the lowest and best bid for project no. 315, and since their bid of \$645,000.00 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, and meets EDA approval.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**CITY COMMISSION MEETING DATE CHANGE**

City Manager Herb Llewellyn stated that the first meeting in January 2010 is scheduled for January 4, 2010. Historically, this meeting has been canceled. If this meeting is canceled, Staff is requesting approval to release the January checks after the finalized ordinance is sent to the Commission for their review.

Commissioner Linda Clark moved to cancel the City Commission meeting on Monday, January 4, 2010.

Commissioner Nick Badwey seconded the motion.

City Manager Herb Llewellyn stated that Commissioner Shane Krause was concerned that a Special Use Permit request will need reviewed. Consensus of the Commission was to schedule a Special City Commission meeting on December 31, 2009 at 4:00 pm.

**2005, 2006, 2007, AND 2008 DEFERRED FINES AND 2009 MISCELLANEOUS BILLING WRITE-OFF'S**

City Manager Herb Llewellyn stated that delinquent accounts owed to the City of El Dorado need to be considered 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 deferred fines to be removed total \$15,688.85 for 2005, \$13,106.98 for 2006, \$19,010.96 for 2007, and \$19,599.39 for 2008, and the total miscellaneous billing amount to be removed is \$1,737.86. It is noted that of the total deferred fines being written off, \$3,033.98 is for restitution that would be remitted to another party upon collection; therefore, that portion is not a loss of revenue to the City. This action is an accounting function and follows GAAP. We do not "forget" the debts and still try to collect them.

Commissioner David Chapin moved to deem uncollectible the deferred fines accounts in the amount of \$15,688.85 for 2005, \$13,106.98 for 2006, \$19,010.96 for 2007, and \$19,599.39 for 2008, and miscellaneous billing accounts in the amount of \$1,737.86 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 Nick Badwey seconded the motion.

Motion carried 5-0.

**2010 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.

**RESOLUTION NO. 2652**

Commissioner Nick Badwey moved that Resolution No. 2652, a resolution establishing 2010 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 Shane Krause seconded the motion.

Motion carried 5-0.



**2009 BUDGET AMENDMENT – DEBT SERVICES, GENERAL, SEWER AND REFUSE FUNDS**

City Manager Herb Llewellyn stated that there have been several major events occur in this past year that necessitates amending the 2009 budget. The first was the wind and ice storms; the second was selling the Valmont building; the third was purchasing Prairie Trails.

**PUBLIC HEARING**

Mayor Tom McKibban opened the floor for public comments.

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

Commissioner Linda Clark moved to approve the amendment to the 2009 Operating Budget in the Debt Service, General, Sewer, and Refuse funds as published and presented.

Commissioner Shane Krause seconded the motion.

Motion Carried 5-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner David Chapin wished everyone happy holidays and thanked Mr. and Mrs. Gardner for their assistance with the Youth Commission celebration.

Commissioner Linda Clark inquired on the water service for the College Acres residents.

Public Utilities Director Kurt Bookout stated that College Acres residents are still served by Rural Water District #2; however, the City will continue to negotiate with the district to acquire these customers.

Commissioner Shane Krause inquired on the status of the Memorandum of Understanding (MOU).

City Manager Herb Llewellyn stated that he has expressed to the County that the City needs more information regarding the contract they entered into with Motorola.

Mayor Tom McKibban indicated that he and City Manager Llewellyn will be meeting with the County tomorrow.

Mayor McKibban thanked City staff and citizens for a great year.

**CITY MANAGER'S REPORT**

City Manager Herb Llewellyn stated that the January meeting will be held on Tuesday, January 19, 2010 since Monday is Martin Luther King's birthday and City offices are closed.

City Manager Llewellyn distributed the Civic Center Rental policy and explained that the form will be required if an organization requests any fees waived. The purpose of the form is to justify how the event will benefit El Dorado.

City Manager Llewellyn indicated that the remaining trash carts were delivered.

Assistant Public Works Director Brad Meyer stated that the City does not anticipate any refuse rate increase in the near future. He presented a PowerPoint presentation of Butler County Landfill rates versus the City's refuse rates. Any rate increase will be due to landfill increases, not changes in collection.

Assistant Public Works Director Meyer explained the placement of carts at the curb for collection. He also reported that nine-hundred-forty (940) carts were emptied today on the first full day in operation.

Commissioner David Chapin inquired if the City would be collecting Christmas trees.

Assistant Public Works Director Meyer indicated that the City would be picking up Christmas trees.

**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 8:45 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**ADJOURNMENT**

Commissioner Nick Badwey moved to adjourn the meeting at 8:50 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban

**EL DORADO SPECIAL CITY COMMISSION MEETING**

**December 31, 2009**

The El Dorado City Commission met in special session on December 31, 2009 at 4:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Nick Badwey, Commissioner Linda Clark, Commissioner Shane Krause, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and City Clerk Kendra Porter. Absent: City Commissioner David Chapin and City Attorney Jim Murfin.

**VISITORS**

Julie Clements	El Dorado Times	El Dorado, Kansas
Matt Rehder	220 E. 1 <sup>st</sup>	El Dorado, Kansas

**CALL TO ORDER**

Mayor Tom McKibban called the December 31, 2009 Special City Commission meeting to order.

**SPECIAL USE PERMIT TO ALLOW AN AGRICULTURAL SERVICE ON LOT 6, BLOCK 2 OF THE EL DORADO BUSINESS PARK. THE PROPERTY IS ZONED O-I BUSINESS-OFFICE-INSTITUTIONAL DISTRICT. (CASE NO. 09-012-SUP)**

City Manager Herb Llewellyn stated that applicant, Dr. Elizabeth Wittenberg, is requesting a Special Use Permit to allow a large and small animal veterinary clinic on Lot 6, Block 2 of the El Dorado Business Park. This lot is zoned O-1 Business-Office-Institutional.

On December 17, 2009 the El Dorado Planning Commission met, 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 with the following condition: no veterinary services may be performed outdoors.

Staff’s recommendation to the Planning Commission was to deny the request. Staff believes this is not the most appropriate use of this parcel at this time. The site plan calls for a curb cut off of El Dorado Avenue (north property line). Staff believes the planned development for the Business Park should develop as it is platted and allow only curb cuts on Business Court. Staff believes this use is more appropriate for the I-1 Light Industrial District section of the Business Park.

If the Commission approves the land use, staff requests two additional conditions be attached to the Special Use Permit. In addition to the Planning Commission’s condition, staff recommends that all metal sides visible from current streets of the building be screened with brick or stone building material, leaving no metal to be visible to the naked eye from the streets. Additionally, staff suggests that vegetative screening be used to enhance the developed property’s curbside appeal. Staff believes that the site plan incorporates these recommendations.

**ORDINANCE NO. G-1091**

Commissioner Nick Badwey moved that the recommendation of the Planning Commission to approve Case No. 09-012-SUP requesting a Special Use Permit to allow an Agricultural Service on land zoned O-I Business-Office-Institutional District be accepted, with the condition that all metal sides visible to the naked eye from streets are screened with brick or stone building material, the property incorporate landscaping and that Ordinance No. G-1091 be approved.

Commissioner Shane Krause seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Abstain
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Absent
	Mayor Tom McKibban	Yes

**GOLF COURSE RATES**

City Manager Herb Llewellyn stated that at the December 7, 2009 meeting, the City Commission voted to purchase the Prairie Trails Golf Course and directed Staff to move forward with the management Request For Quotes (RFQ). Staff would like to propose one rate system for both golf courses until a management company is up and running and make long term recommendations.

Commissioner Nick Badwey inquired about corporate membership rates.

City Manager Llewellyn indicated that the current rates would be for the next three months and corporate membership rates will be address with the new rate system.

Mayor Tom McKibban inquired if the City anticipated forming a golf committee.

City Manager Herb Llewellyn indicated that he foresees the management company forming a committee.

Commissioner Shane Krause moved to accept staff recommendation and set interim monthly dues to be equal at both municipal golf courses.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

**MEMORANDUM OF UNDERSTANDING**

Mayor Tom McKibban stated that he and City Manager Herb Llewellyn met with County Administrator Will Johnson and Commissioner Masterson last week to discuss the communication MOU. City of Augusta and City of Andover declined to attend the meeting.

City Manager Llewellyn stated that the County addressed some concerns that the City had regarding radios.

Discussion ensued between City Manager Llewellyn and Commissioners regarding the newspapers comments.

Mayor McKibban indicated that the County agrees that one dispatch center would be most efficient; however, they are reluctant to eliminate funding for Andover and Augusta.

**ADJOURNMENT**

Commissioner Nick Badwey motioned to adjourn at 4: 20 pm.

Commissioner Shane Krause seconded the motion.

Motion Carried 4-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban