



EL DORADO

THE FINE ART OF LIVING WELL

2011

City Commission Minutes

The El Dorado City Commission met in regular session on January 18, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Linda Clark, Commissioner Shane Krause, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Tabitha Sharp.

VISITORS

Richard Kraybill	230 Laura	Wichita, KS
Matt Conard	230 Laura	Wichita, KS
Ken Nakaten	220 E 1 st	El Dorado, KS
Ralph Green	1013 S Topeka	El Dorado, KS
Jim Edwards	914 Rim Rock Road	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Tom Boren	220 E 1 st	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Bill Young	1751 Lakeland	El Dorado, KS
Alex Pennington	2320 Gentry Ln	El Dorado, KS
Heather Riddle	921 N Denver	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
James Powell	323 W Carr	El Dorado, KS
Dr. Jackie Vietti	1235 Glenview	El Dorado, KS
Tom Murry	1650 Jason Dr	El Dorado, KS
Jim Hargrove	400 Abby Circle	El Dorado, KS
Tad Fugate	142 N Main	El Dorado, KS
Tom Kaleko	Springsted	Wichita, KS

CALL TO ORDER

Mayor McKibban called the January 18, 2011, City Commission meeting to order.

INVOCATION

Rev. Wade Graber, First Baptist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Worley’s third grade class from Lincoln Elementary led the Pledge of Allegiance.

PERSONAL APPEARANCE

Tom Murry, ICI, presented the City’s current Workers Compensation rating. The improvements in the City’s rating stem from the addition of an HR Director, safety training and incentives for employees. The City is saving \$55,000 on Workers Compensation Insurance this year.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

James Hargrove, 200 Abby Circle, spoke on behalf of his client Tad Fugate. Mr. Hargrove addressed concerns Mr. Fugate had regarding inspection requirements for property located at 142 N. Main.

CONSENT AGENDA

1. Approval of the December 15, 2010 & December 20, 2010 City Commission minutes.
2. Approval of the Appropriation Ordinance 12-10 in the amount of \$1,666,594.34.

- 3. Approval of the appointment of Mayor Tom McKibban to represent the City of El Dorado as “Member,” and the appointment of Herb Llewellyn to represent the City of El Dorado as “Alternate Member” to the governing body of the Regional Economic Area Partnership (REAP) for 2011.
- 4. Approval of the appointment of Commissioner Shane Krause to represent the City of El Dorado as “Member,” and the appointment of Kurt Bookout to represent the City of El Dorado as “Alternate Member” to the governing body of the Regional Economic Area Partnership (REAP) Water Resources Committee for 2011.

Commissioner Shane Krause moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

CONSENT ANNEXATION – 350 SW BOYER ROAD

Norris Grain and Transportation, Inc., 350 SW Boyer Road, requested to be annexed into the city. The Consent for Annexation was received in the City Manager’s Office. A Consent Annexation does not require any public notice or public hearing.

Commissioner Linda Clark moved to accept the request for Consent Annexation by Norris Grain and Trucking, Inc., for property located at 350 SW Boyer Road, and that Ordinance No. G 1114 be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL VOTE

	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

UPDATE ON THE FIRE SUB-STATION AND FIRE SCIENCE FACILITY

Richard Kraybill presented the Commission with an update on the design and planning of the facility.

Mayor McKibban tabled this discussion until later in the meeting because Tom Kaleko was delayed at another meeting.

FEDERAL FUNDING EXCHANGE PROGRAM – PROJECT #333 VINE AND CENTRAL INTERSECTION

The federal fund exchange program is a voluntary program that allows local public agencies to trade all or a portion of its federal fund allocations in a specific federal fiscal year with KDOT in exchange for state transportation dollars

Assistant City Engineer Scott Rickard asked the Commission to use this funding in the amount of \$164,513.62 to improve the intersection of Vine and Central.

Commissioner Shane Krause asked if a specific project has been developed.

Mr. Rickard stated that the City is required to have the general scope and cost in order to complete the request.

Commissioner David Chapin asked what the cost of the project would be.

Mr. Rickard stated that the project was estimated at \$272,000.

Commissioner Chapin asked if this money comes from the gasoline tax.

Mr. Rickard stated that the money comes from the gasoline tax and some federal funding.

Commissioner Krause asked the cost of the project included the money to buy the building that used to be on the land.

Mr. Rickard stated that yes, and the City will be reimbursed for that cost immediately.

Commissioner Chapin asked if the project was ready to begin.

Mr. Rickard stated that it was.

Commissioner Nick Badwey moved to authorize the City Manager to execute for and on behalf of the City of El Dorado, "Request to Exchange Federal Funds" for the improvements to the intersection of Vine and Central to be submitted to the Kansas Department of Transportation.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

FEDERAL MOTOR CARRIER INSPECTIONS

Due to the City's location at the intersection of highways 254 and 77, and proximity to I-35, the City experiences a high volume of semi truck and trailer traffic. In an average day 1,200-1,400 trucks pass through town. If not monitored closely, this type of traffic has the potential to become a significant public safety hazard.

Chief of Police Tom Boren presented the Commission with a plan to mitigate the situation through the training of an officer in Federal Motor Carrier Inspection. Currently, City police are only able to prosecute semi trucks for being off route. Providing this training and equipment will allow the City to prosecute semi trucks for log book issues, equipment and licensing.

Chief Boren stated that John Throckmorton, Kansas Highway Patrol Motor Carrier Inspector, was in support of this plan because it provides more coverage of the state highways.

Commissioner Nick Badwey moved that staff prepare a resolution to be considered at the next Commission meeting.

Commissioner Linda Clark seconded the motion.

Motion carried 5 – 0.

EL DORADO GENERATOR PROJECT BID PACKAGE #2 PEC#20-10227

Staff has received bids for the Water Treatment Plant Stand-by Generator and High Service Pump Station Improvements project. City Staff presented this project to the City Commission on August 2, 2010 and there was a consensus to proceed with the project. Staff also presented to the City Commission that Frontier Refinery will be paying for a portion of the Generator and the cost of upgrading service to their raw water pumps, approximately \$200,000. This project will provide complete back-up power for the Water Treatment Plant and Frontier Refinery Raw Water Pump Station. It will also provide new

variable frequency drive motors for the Water Plant’s High Service Pump station. The existing motors and switchgear are 40 years-old, antiquated and unsafe to work on.

The City received a tight grouping of very favorable bids with the low bid going to A& H Electric for \$1,163,969.00. The engineer’s estimate was \$1,400,000.00

Linder & Associates	\$1,197,026.00
A&H Electric, Inc.	\$1,163,969.00
Shelly Electric, Inc.	\$1,244,575.00
Atlas Electric, LLC	\$1,270,830.00

Kurt Bookout, Director of Public Utilities stated that the contractor was ready to proceed on the project, but there will be some time before the motors are received.

Commissioner Linda Clark asked if the City had worked with A&H Electric before.

Mr. Bookout stated that PEC only chose reputable electrical contractors to send bids to, so while the City has not worked with them prior to this project, it is our belief that they are a worthy company.

Mayor Tom McKibban stated that he would like to remind the citizens that the project is being done out of concern for the safety of our citizens during a disaster. This generator will allow the City to provide water in the case of a power loss, which includes water necessary for fighting fires.

City Manager Herb Llewellyn asked what portion of the electric charge is demand versus actual electrical costs.

Mr. Bookout stated that five to six thousand dollars is demand which will save the City more money by putting us on the standby rate.

Commissioner Linda Clark moved to accept the bid of \$1,163,969.00 from A&H Electric for the Water Treatment Plant Stand-by Generator and High Service Pump Station Improvements project.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner David Chapin wished the citizens a Happy New Year and introduced Alex and Heather from the Youth Commission.

The Commission gave the Public Works Department kudos for clearing the snow and ice after the recent storm.

UPDATE ON THE FIRE SUB-STATION AND FIRE SCIENCE FACILITY

The Mayor resumed the discussion on the fire sub-station and fire science facility upon the arrival of the City’s financial advisor, Tom Kaleko.

City Manager Herb Llewellyn stated that Butler County Community College prefers to use a lease purchase arrangement which would be included in the bond package.

Tom Kaleko stated that if the City decided to finance the whole project, there are two avenues that could be used: general obligation bonds or public building commission bonds. In either case, the City assumes all risk.

City Manager Llewellyn stated that if a lease purchase agreement is made, there will be contracts between the City and the College for payment.

Mayor Tom McKibban asked why the college wanted to use a lease purchase.

Dr. Jackie Vietti, President of Butler County Community College, stated that it gives the College a better ability to manage their debt service. Ms. Vietti stated that the risk to the City is miniscule if not nonexistent. She believes that their arrangements with other entities support this claim.

Commissioner Shane Krause asked how much the project is going to cost.

Fire Chief Ken Nakaten stated that it would cost just over three million dollars.

Commissioner Krause asked if this affects the City's bond rating.

Mr. Kaleko stated that there would be no impact on the rating. The City has a sufficient commercial base and is nowhere near its borrowing capacity.

Commissioner David Chapin asked if this would raise the mil levy.

City manager Llewellyn stated that it would raise the mil levy if the college defaulted and we were forced to use mils to pay for the project. City staff have anticipated this project and are structuring our current mil levy around the costs so that there is not an increase.

Mayor McKibban asked how the City's portion of the cost had increased from \$750,000 to \$1.3 million.

Chief Nakaten stated that the cost per square foot that was originally presented was not realistic and that the figure was four or five years old. The data currently being presented is based on stations being built in the Wichita area.

Chief Nakaten also stated that it was important to build a station that would meet the needs of the City for the next fifty years as opposed to one that would need to be updated in five years.

Commissioner Krause asked what the architect was ready for.

Chief Nakaten stated that the architect was ready to move forward with the drawings which will pose a significant cost.

City Manager Llewellyn stated that some portions of the project could be cut. He also stated that the issue could be tabled until the next meeting to give the Commission time to think about the project.

Mayor McKibban asked when the college would begin payment since the City would be required to begin payment immediately.

Dr. Vietti stated that the architects have already provided the College with a payment plan that includes interest. The college will most likely opt for a twenty year repayment plan.

Commissioner Chapin stated that it was important to have a nice building, but it is also important to keep the cost for citizens to a minimum.

Mayor McKibban reminded citizens that the college would be sharing in the cost of the building.

Dr. Vietti stated that the original cost to the City would only be for the building, furnishings would be provided by the College under separate funding.

CITY MANAGER'S REPORT

WEATHERIZATION SEMINAR

The City's energy manager, Sara Jones, will be holding a weatherization seminar on January 28, 2010 from 12:00 p.m. to 6:00 p.m. The event is open to the public.

SNOW REMOVAL

Brad Meyer, Assistant Director of Public Works, stated that the City has purchased some manual equipment to remove snow from the streets and sidewalks. He reminded citizens that primary and secondary streets, hospitals and schools take priority over others in snow and ice removal. Citizens should adhere to the signs on the back of snow removal trucks and remain fifty feet away.

Commissioner David Chapin expressed concern that some of the sidewalks on Central get covered with snow because they are too close to the curbs.

Mr. Meyer said that he would see if the City has the proper equipment to assist in snow removal in those areas.

EXECUTIVE SESSION

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing non-elected personnel matters, and to reconvene the regularly scheduled meeting in the City Commission room at 10:00 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 10:00 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on February 7, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Linda Clark, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Tabitha Sharp.

VISITORS

Jim Edwards	914 Rim Rock Rd	El Dorado, KS
Loren Anthony	401 N Frazier	El Dorado, KS
James Powell	323 W Carr	El Dorado, KS
Rick Ludwig	5115 SW Ohio St	El Dorado, KS
Tallie Wilson	115 W Kansas #16	El Dorado, KS
Angie Barr	329 W 9 th	Towanda, KS
Coby Stewart		Augusta, KS
Terry Lowmaster	857 NW 90 th	El Dorado, KS
Marc Biby	5765 NW 50 th	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Sara Jones	102 S Arthur	El Dorado, KS
Kyle McLaren	220 E 1 st	El Dorado, KS
Tom Boren	220 E 1 st	El Dorado, KS
Wade Graber	220 E 1 st	El Dorado, KS
Megan Morris	519 W 4 th	El Dorado, KS
Katie Goebel		El Dorado, KS
Dan Mayberry		Derby, KS
Wendy Huffman		Towanda, KS
Steven Stanfield	5305 SE 30 th	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Linda Baines	253 Post Rd	El Dorado, KS
Lindsey Baines	1516 W 3 rd	El Dorado, KS
Karen Foreman	724 Benton Ave	El Dorado, KS
Carolyn Dwire	700 N Washington	El Dorado, KS
Stephen Mills	1506 W 3 rd	El Dorado, KS
Sierra Bonn		El Dorado, KS
Deanna Bonn	450 Hillside	El Dorado, KS
Broderick Bean	629 N Summit	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
Ken Nakaten	220 E 1 st	El Dorado, KS
Dr. Jackie Vietti	1235 Glenview	El Dorado, KS

CALL TO ORDER

Mayor McKibban called the February 7, 2011, City Commission meeting to order.

INVOCATION

Rev. Wade Graber, First Baptist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Lee’s third grade class from Washington Elementary led the Pledge of Allegiance.

PERSONAL APPEARANCE

Lindsay Baines, Program Director, El Dorado Main Street, presented an update on their activities including a bike rack contest and Vine and Central enhancements.

The City Commission agreed that both projects would be a welcome addition to the downtown area and encouraged Main Street to move forward.

Ms. Baines invited Coby Stewart from Frontier Refinery to discuss a proposed rodeo facility. The facility would require moving the baseball fields behind MacDonald Stadium to the lake sports complex. The facility would not require funding from the City.

City Commissioners agreed that Commissioner Nick Badwey will represent the Commission on the Rodeo Facility Committee.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

James Powell, 323 W Carr, stated that he was supportive of the proposed bike racks.

CONSENT AGENDA

1. Approval of the January 18, 2011 City Commission minutes.
2. Approval of the Appropriation Ordinance 1-11 in the amount of \$1,666,338.64.
3. Approval of the appointment of Assistant Director of Public Works, Brad Meyer, to the Solid Waste Committee for term expiring December 31, 2013.

Commissioner Nick Badwey moved that the Consent Agenda, as presented, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0

PRESENTATION ON WIND TURBINE PROJECT

Director of Public Utilities, Kurt Bookout, presented additional information on the Wind Turbine Project. Jennifer Gunby with GBA has updated the payback analysis. The payback with energy credits and energy cost escalations built in is 8.5 years. Our \$250,000 DOE grant requires a project completion in 2011. Kim Bell, bond counsel, is working on City Commission authorization for preliminary expenditures. Our legal staff has reviewed all contracts and agreements and found everything in order. City staff will also start the process of requesting the grant reimbursement for this project.

Mayor Tom McKibban asked if our current electric payments would pay the debt for the turbine.

Mr. Bookout stated that yes they would be the same and the City would have the added benefit of net metering (selling energy back to Westar).

Commissioner Shane Krause asked about the payoff.

Mr. Bookout stated that based on the net metering and wind energy credits, the payoff would be eight and a half years.

Mayor McKibban clarified that there will be no increase in taxes for this project because our current electrical payments equal the payment on the debt.

Mr. Bookout stated that was correct.

Commissioner David Chapin asked that City Staff confirm the agreement with Westar.

Commissioner Nick Badwey moved that City Staff proceed with the wind turbine project.

Commissioner Linda Clark seconded the motion.

Motion carried 5 – 0.

FINANCING PACKAGE FOR THE FIRE SCIENCE FACILITY

Over the past year, City staff has been engaged in a conversation with Butler Community College regarding the improvement and expansion of their fire science program. The College has agreed to the concept of building a facility adjoining the new fire substation. The next step is to come to an agreement on the financing of the facility.

Butler Community College is requesting a 20 or 30 year lease-purchase agreement, whereby the City would act as a conduit borrower. Under this agreement the City would issue general obligation debt and pay the debt service using lease payments collected from the College. After the debt is repaid in full, the City would transfer the title of the building and property to the College.

At the January 18, 2011 Commission Meeting our financial advisor, Tom Kaleko, discussed this financing option and several alternatives. He explained that entering into a lease-purchase agreement with the College would have a negligible impact on the City's bond rating and debt capacity. However, the City would be responsible for repayment of the debt in the event the College defaulted on the lease.

City Manager Herb Llewellyn stated that Butler has asked if they can do a lease purchase on the facility.

Dr. Jackie Vietti, President of Butler Community College assured the Commission that the college has never defaulted on a loan.

Commissioner Linda Clark moved that staff work with Butler Community College to prepare a draft lease-purchase agreement.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

EXECUTIVE SESSION

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing business and trade secrets, and to reconvene the regularly scheduled meeting in the City Commission room at 8:40 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban reconvened the meeting at 8:40 p.m.

FEDERAL MOTOR CARRIER INSPECTIONS

Due to the location of the City at the intersection of 254 and 77, and proximity to I-35, the City experiences a high volume of semi truck and trailer traffic. In an average day 1,200-1,400 trucks pass through town. If not monitored closely, this type of traffic has the potential to become a significant public safety hazard.

Assistant Director of Public Works, Brad Meyer, gave a presentation on the location of truck route signs in the City of El Dorado.

Assistant City Engineer, Scott Rickard, stated that the City passes sign inspection every five years.

Chief of Police Tom Boren provided the Commission with further information on the truck inspection program.

Commissioner David Chapin asked how many other towns participated in the inspection program.

Chief Boren stated that he was unsure, but could ask.

Commissioner Chapin asked which trucks would be targeted.

Chief Boren stated that he had not been through the training, but it would be for items such as being off route or obvious traffic violations.

Commissioner Chapin expressed concern for those drivers that deliver to his and other businesses that are not on the truck route.

City Manager Herb Llewellyn stated that they would be stopped for the same reasons as they currently are, the new program gives the City the opportunity to make sure that the trucks are following all of the requirements of the law.

Commissioner Linda Clark moved that staff prepare a resolution to be considered at the next Commission meeting.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

WICHITA WATER SALES/RFQ

City Staff have provided the Commission with a request for qualifications to provide water to the City of Wichita.

Public Utilities Director Kurt Bookout stated that the City of Wichita has expressed interest in buying water from the City of El Dorado. The request for qualifications will give engineers the opportunity to explain how they will approach the issue of providing water to Wichita. The engineer that is chosen will assist City Staff in developing a proposal for providing water to the City of Wichita.

The Commission expressed that they would like to proceed with the RFQ.

TRAVELING BASEBALL LEAGUE

Citizens of El Dorado have expressed an interest in participating in a traveling baseball league. Kevin Wishart, Recreation Superintendent, met with a Wichita Heights Junior Baseball League in order to provide this opportunity. He stated that informational meetings will be held on February 12 at four p.m. and February 16 at seven thirty p.m.

Commissioner Linda Clark asked about the age groups for the league.

Mr. Wishart stated that it would be third grade to age fifteen, and it would include boys' and girls' baseball and softball.

DISTRICT 142/CODE COMPLIANCE

Assistant City Engineer Scott Rickard and Building Official Kyle McLaren presented the background information on the project that has been proposed by the owner of District 142.

Mr. Rickard showed the Commission the original permit applications. These applications did not include any work associated with the proposed martini bar, they were only for office space. He stated that the City has had meetings and discussions with the building owner, but has not received any new plans to review.

Mr. Rickard stated that Building Official Kyle McLaren gave the owner a letter detailing each issue with the permit and referenced the applicable code. He provides feedback on the permit and plans for each applicant.

Mr. Rickard stated that all of the information on building codes can be retrieved online and he provided the applicable websites.

Mr. McLaren briefly explained the International Existing Building Code. This code is required by State Statute.

Mr. Rickard also discussed the appeals process. All appeals regarding permits may go to Board of Appeals. He stated that the Board does not have the authority to waive specific code requirements because they are enacted by the State of Kansas.

SALES TAX COMMITTEE APPOINTMENT

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.

Commissioner Nick Badwey moved to appoint Jason Burk and Larry Gaston (Mayor McKibban), Randy Wells (Commissioner Badwey), Simon Schippers (Commissioner Chapin), Ryan Murry (Commissioner Clark), Jim Holderman (Commissioner Krause), and Van Pooler (Planning Commission) to the Sales Tax Advisory Board for a one-year term set to expire March 1, 2012.

Commissioner Linda Clark seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

The Commission congratulated City Staff on the snow removal.

Commissioner Linda Clark asked if the alley ways were included in snow removal processes.

Assistant Director of Public Works Brad Meyer stated that he would include them in the clean up.

Commissioner Shane Krause stated that the Engineering Department had done an excellent job with the code and permit process.

CITY MANAGER’S REPORT

MILL LEVY

This item was tabled until the next meeting.

BOARD VACANCIES

City Manager Herb Llewellyn stated that there would be many vacancies on various City Committees in the spring. Interested citizens should apply at City Hall.

LIGHTING

Assistant City Engineer Scott Rickard stated that they lighting at the intersections in the business park would be put up as soon as possible. Discussions are proceeding with business owners regarding further lighting.

City Manager Llewellyn stated that the solar lights for the bike path and civic center would be going up when the weather permitted.

EXECUTIVE SESSION

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing business and trade secrets, and to reconvene the regularly scheduled meeting in the City Commission room at 11:00 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban reconvened the meeting at 11:00 p.m.

Commissioner Linda Clark requested an additional thirty minutes for executive session.

Commissioner David Chapin seconded the motion.

Motion carried 3 – 0.

Mayor McKibban reconvened the meeting at 11:30 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 11:30 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on February 21, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Linda Clark, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
John Hurst	Hospice Care of Kansas	El Dorado, KS
Darla Carter	Family Life Center	El Dorado, KS
Kyle Bell		Wichita, KS
James Cook	719 Fredrick Drive	El Dorado, KS
Linda Jolly	2100 Pico Ct	El Dorado, KS
Brent Mitchell	4100 E 53 rd	Kechi, KS
Jack Dickson	323 N Randall	Potwin, KS
Suzi Thien	SCARF	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Dee Anne Grunder	825 Rim Rock	El Dorado, KS
Phil Wickwire	341 Village Rd	El Dorado, KS
Ryan Cutsinger	712 W 14 th Ave	El Dorado, KS

CALL TO ORDER

Mayor McKibban called the February 21, 2011, City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Dee Anne Grunder, 825 Rim Rock, led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

1. Approval of the February 7, 2011 City Commission minutes.

Commissioner Shane Krause moved that the Consent Agenda, as presented, be approved.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0

ASSIGNMENT REQUEST FOR B&B THEATER

In February 2003, the City of El Dorado entered into a lease agreement with B&B Theatres, LLC. The property in the lease was to be used for the construction of a movie theatre and under the agreement the City would construct 177 parking spaces for use by the theatre. Construction was completed by both parties. The City of El Dorado also made a loan to B&B in the amount of \$280,000. The ending principal balance on 12/31/2010 of said loan was \$98,525.46.

Linda Jolly, El Dorado Inc. Director, stated that Central 6 Cinema, LLC would like to buy B&B Theater.

Brent Mitchell, one of the principals in Central 6 Cinema, LLC was present to discuss his company's plans for the theater. He stated that his family owned business would be converting the theater to digital and lowering prices.

Mr. Mitchell's company intends to pay off the loan to the City of El Dorado, and they are asking the City to approve the assignment of the land lease from B&B to their LLC. The original lease term was for 20 years. The first 10 years are rent free with rent for years 11-20 at \$6,000 per year. B&B theaters has just completed year 8 of the lease term.

City Manager Herb Llewellyn stated that the City entered into the lease in order to bring a theater to El Dorado.

Mayor Tom McKibban reminded the public that the lease was for the land only, not the building.

Commissioner Nick Badwey moved that the Commission authorize the City Manager to execute the Consent of Landlord to the Assignment and Assumption Agreement of the current lease between B&B Theatres, LLC and the City of El Dorado.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

FEDERAL MOTOR CARRIER INSPECTIONS

City Manager Herb Llewellyn asked the Commission to table this discussion until the next meeting because City Staff are waiting for an MOU from the State of Kansas.

SPECIAL USE PERMIT TO ALLOW A NURSERY AND GARDEN CENTER ON PROPERTY LOCATED AT 2627 W CENTRAL

Kaw Valley Greenhouses is requesting a Special Use Permit to allow a retail garden center on property located at 2627 W. Central. The property is currently zoned General Business District.

Kaw Valley will sell lawn/garden seed, plants, soil, and mulch on-site between April and June. The applicant indicates the lot will be clear June 1 or soon thereafter.

At the January 27, 2011, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval the Special Use Permit application by a vote of 6-0.

Matt Rehder, Planning and Zoning, stated that under the old regulations, an SUP was not required, but now the permit is required. They will be conducting business on that lot in the months of March, April and May.

Commissioner David Chapin asked if there would be any permits or charges they would be required to pay.

Mr. Rehder stated that they have already worked with Building Official Kyle McLaren, and they meet all of the requirements.

Commissioner Shane Krause asked if this SUP was specific to Kaw Valley Greenhouse.

Mr. Rehder stated that the SUP applied to the land only.

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 11-001-SUP requesting a Special Use Permit to allow a

nursery and garden center on property located at 2627 W. Central be accepted and that Ordinance No. G 1115 be approved.

Commissioner Shane Krause seconded the motion.

ROLL CALL VOTE

	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

UPDATE ON FIRE SUB-STATION

Ken Nakaten, Fire Chief, stated that he has provided the City Commission with a list of items that will help to reduce the cost of the building.

City Manager Herb Llewellyn stated that City Staff are asking to move forward with the bid process. If the bids come in too high, the City Commission will have the opportunity to veto the project.

Chief Nakaten stated that City Staff would continue to find items that could be cut in order to save money.

Commissioner David Chapin asked what the total square foot was for the living space.

Chief Nakaten stated that it was approximately 4100 square feet.

Commissioner Shane Krause asked what the graft pit was.

Chief Nakaten stated that it was a holding pond in order to test the pumps on the fire equipment. He stated that the river is currently used to test the pumps, but things can get caught in the pumps and cause damage. The pool and water plant are not available for this purpose because the apparatus has to be within 20 feet of the water.

Commissioner Nick Badwey stated that it sounded like an important piece of the new station. He asked what the cost of a new pump was.

Chief Nakaten stated that it was \$40,000.

Commissioner Badwey stated that if a pump was broken, that amount would pay for the graft pit.

Mayor Tom McKibban asked Chief Nakaten to explain the difference in the original cost provided to the Commission and the cost of the station now.

Chief Nakaten stated that building costs had increased since the first estimate was provided several years ago.

Mayor McKibban asked if the fire department had a training room now.

Chief Nakaten stated that they do not have a dedicated training room. They currently utilize the classrooms downstairs when they were available.

Mayor McKibban asked if that space could be cut out of the design to save money and space at City Hall used in its place.

Chief Nakaten stated that he would look into that as a possibility, as well as possibly sharing space with the college.

Chief Nakaten stated that he did not want to be short sighted and cut space that would be important in the future. He stated that before anything was signed, it would be brought back to Commission for approval, but the project is currently two months behind schedule.

Mayor McKibban stated that he did not want to duplicate costs and wanted to be responsible with the tax payers' money. He stated that he wanted to give the fire station every opportunity to succeed, but at a responsible cost.

City Manager Herb Llewellyn stated that we would have the architects provide an add alternate plan. This would allow the Commission to take portions out of the plans in order to meet cost.

Commissioner Nick Badwey moved that City Staff be allowed to proceed with the next steps in the process.

Commissioner Linda Clark seconded the motion.

Motion carried 5 – 0.

WIND TURBINE FUNDING

Director of Public Utilities Kurt Bookout stated that City Staff have found that the City is eligible for a State Revolving Loan Fund that would help to pay for the wind turbine. The SRLF allows for principal forgiveness and a significantly lower interest rate. City Staff are working with the State of Kansas in order to investigate the possibility.

City Manager Herb Llewellyn stated that this was the same program used for the lift station on Stone Road. That loan allowed for some forgiveness because of the "green" elements involved.

Commission tabled the discussion until the next meeting.

ALLOCATION OF SPECIAL ALCOHOL AND COURT FEE REVENUE

Annually the City distributes monies to Non-Profit Organizations through the collection of liquor taxes and court fees.

Liquor Tax Program. In 2010 the City received \$66,540.56 in liquor tax revenue; \$33,270.28 was allocated to the General Fund and \$33,270.28 to the Special Parks and Recreation Fund. One-third of the revenue allocated to the Special Parks and Recreation Fund, \$11,090.09, is available for the liquor tax program. An additional \$10,000 is estimated for this year, for a total liquor tax program budget of \$21,090.09.

Court Fee Program. The municipal court began collecting fees for this program in December 2009. As of 12/31/10 the account had \$7,017 in undesignated funds available for allocation.

Commissioner Linda Clark stated that because the agencies were all established, she recommended that the Commission provide a little more money than the groups requested.

City Manager Herb Llewellyn stated that the first program is only for programs that provide assistance to victims of domestic violence. The second fund is court money which is allocated to programs that benefit the most vulnerable people in the community. This is the first year that court monies will be allocated.

Commissioner Linda Clark moved to allocate the portion of the alcohol tax monies in the Special Parks & Recreation Fund in the following manner and to authorize the City Manager to execute the appropriate documents and contracts with the following recipients and that these funds are disbursed consistent with Kansas statutes:

<u>Requesting Organization</u>	<u>Commission Allocation</u>
First United Methodist	\$ 1,500.00
SCARF	\$ 2,500.00
Family Life Center	\$15,000.00
Total	\$19,000.00

Commissioner David Chapin asked where the extra money would be allocated.

City Manager Llewellyn stated it will be carried over to the fund next year to be allocated out again.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

Commissioner Linda Clark moved to allocate a portion of the court fees in the General Fund in the following manner and to authorize the City Manager to execute the appropriate documents and contracts with the following recipients and that these funds are disbursed consistent with Kansas statutes:

<u>Requesting Organization</u>	<u>Commission Allocation</u>
El Dorado Elks Lodge #1407	\$2,000.00
SCARF	\$3,000.00
Family Life Center	\$2,000.00
Total	\$7,000.00

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

DISCUSSION OF THE MILL LEVY

City Manager Herb Llewellyn showed the Commission how the mill levy is set each year. Last year, City Staff developed a 2011 budget that maintained the 2010 mill levy.

Commissioner Shane Krause asked the City Manager to explain exemptions.

City Manager Llewellyn stated that a good example was the Holiday Inn. They asked for exemptions on their property tax. When the hotel was built, they went onto the tax rolls, they then made an appeal to be taken off of the tax rolls. That is an exemption. Property that the City uses for business purposes can not be exempted.

City Manager Llewellyn stated that the County exempted the high school addition without making the City aware. Therefore this exemption was accounted for twice. This raised the mill levy.

Dee Anne Grunder, former Finance Director, stated that once our budget is submitted to the state, we are unable to change it. She stated that 2010 was the first year the County exempted something without prompting from the City. They did so under new rules that the City was not made aware of. She provided a letter received from the County that showed there was no change in the wording from 2009 to 2010.

City Manager Llewellyn stated that if the County had made the City aware of the issue in August, the City Commission could have amended the budget and avoided the situation. He stated that the County had meetings with the College and USD 490 to instruct them on how to handle the change in exemptions. They did not have that meeting with the City.

Commissioner Shane Krause asked why there was a change in the number of USD 490 properties.

Mrs. Grunder stated that they had to exempt only new properties, unless there was a change in the property and then it would have to be exempted again.

Mrs. Grunder stated that communication between the County and the City could have prevented this problem. The County has agreed to meet with the City in the future in order to discuss exemptions before the budget is due.

Commissioner Krause noted that the City had investigated several ways to fix the problem, but the cost to the City was too great.

NEW BUSINESS

Commissioner Shane Krause commented that tearing down the house at 415 S Star was good for the neighborhood.

Commissioner Linda Clark stated that the North Main sidewalks look great.

Assistant City Engineer Scott Rickard stated that the sidewalk project would be finished in 2012.

Commissioner Nick Badwey congratulated Kurt Bookout on the wind turbine project.

Commissioner David Chapin also congratulated Mr. Bookout.

Mayor Tom McKibban extended a thank you to Dee Anne Grunder for her many years of service to the City of El Dorado.

Mayor McKibban also thanked Kurt Bookout for his work on the wind turbine project and asked when the state would come through with net metering.

Kurt Bookout, Director of Public Utilities, stated that City Staff were working with the KCC to encourage net metering.

Commissioner Krause asked if the project had to be finished this year.

Mr. Bookout stated that it would have to be according to the terms of the loan. The turbine is being built, and can be delivered in September.

Mayor McKibban asked if there was information available on the new schools.

Mr. Rickard stated that the preliminary work is being done now.

Mayor McKibban asked if the final phase of the environmental assessment had been done at the Legion.

Mr. Rickard stated that it had been done and it was looking good.

EXECUTIVE SESSION

City Manager Herb Llewellyn asked if executive session could be tabled until the next meeting.

The Commission consented.

ADJOURNMENT

Commissioner Linda Clark moved to adjourn the meeting at 8:03 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

February 21, 2011

The El Dorado City Commission met in special session on February 21, 2011, at 4:30 p.m. 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 Tabitha Sharp, and City Attorney Jim Murfin.

VISITORS

Julie Clements	El Dorado Times	El Dorado, Kansas
Tammy Schaffer	220 E. 1 st	El Dorado, Kansas
John Bailey	220 E. 1 st	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the February 21, 2011 Special City Commission meeting to order.

EDUCATIONAL FACILITIES AUTHORITY OF BUTLER COUNTY

The Educational Facilities Authority of Butler County has requested that each of the three contributing entities; City of El Dorado, USD 490 and Butler Community College, respond to questions raised regarding the development of the stadium.

Discussion on the project ensued, and consensus was reached on the following questions (answers are in italics):

1. What is the timing of this project?
 - a. What are the barriers to accomplishing this project in the stated timeframe? *In order to complete the project, financing must be arranged, construction completed in a timely manner, a maintenance agreement must be reached, and the environmental assessment must be completed.*
 - b. What are the current strengths of our partnership to date? *The strengths of the project include that the group is civic minded, the goal is to improve the quality of life in El Dorado, and all three entities and their constituents, the citizens of El Dorado, stand to benefit from the project.*
 - i. Why will this project succeed? *This project will succeed because the groups share a common vision.*
 - c. Is there a “no-go” scenario? *The lack of participation of USD 490 could cause the project to be unable to move forward.*
2. What are the project mission/goals?
 - a. Who are our customers or constituents? *The constituents of the City of El Dorado are property owners, tax payers and the visitors/tourists. What do they expect from us? The citizens expect the Commission to appropriately weigh the cost and benefit of this project and to responsibly allocate resources.*
3. What will be financed? *The City Commission will not be able to appropriately answer this question until the cost of the project is confirmed. The City has tentatively agreed to be in for 1/3 of the cost of construction, primarily for costs related to utilities, roads and parking.*
 - a. Land?
 - b. Capital construction?
 - c. Furniture, fixtures and equipment?
 - d. Soft costs (engineering, architectural design, legal, etc)?
 - e. Infrastructure extension (utilities, roads)?

4. How will initial capital costs of construction (and resulting debt service) be apportioned and paid between and among the members? *General Obligation Bonds will be used by the City. If the City only provides Utilities and Roads, the money will come from the General Fund. If parking is included, the City will be required to finance.*
 - a. What funding sources will be utilized by each member to finance its share of the debt and operations? *See above.*
 - b. To what degree will these funding sources be “pledged”? *See above.*
 - c. Is it reasonable to expect that there will be sufficient revenue sources available? *See above.*
 - d. How will capital campaign money be used?
 - i. When will it be available? *The City Commission would like for the Authority to provide a plan for allocating the money that is being raised. They would like to know if funds raised will be taken off of the project as a whole and the remaining costs divided or if the College will be using funds raised to pay for their portion only.*
 - e. How will cost over-runs, if they occur, be funded? *Whoever is responsible for the change that increases costs will be responsible for the difference.*
 - f. What happens if a Member does not make debt service/lease payments? *The Commission agrees to follow the buyout provision provided. Escrow will be required of each group.*
 - g. Maximum term of debt? *Typical terms of debt for the City are 20 years.*
5. Conditions under which a member may withdraw or the Authority be dissolved.

ADJOURNMENT

Commissioner Shane Krause moved the meeting adjourned at 6:08 p.m.

Commissioner David Chapin seconded the motion.

Motion Carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

March 7, 2011

The El Dorado City Commission met in regular session on March 7, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Linda Clark, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Thelda Shelton	1134 S Arthur	El Dorado, KS
Phyllis Jackson		El Dorado, KS
Naomi Flint		El Dorado, KS
Ken Nakaten	220 E 1 st	El Dorado, KS
George Myers		El Dorado, KS
Dick Morris		El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Dr. Jackie Vietti	Butler Community College	El Dorado, KS
Marlene Rethman	1153 Arthur	El Dorado, KS
Wayne Rethman	1153 Arthur	El Dorado, KS
Alex Pennington	2320 Gentry Lane	El Dorado, KS
Sarge Phillips	1731 Lakeland Dr	El Dorado, KS
Brian Beathi	1515 Cottonwood Dr	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Pat Hicks	1147 Arthur	El Dorado, KS
Sierra Bonn		El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor McKibban called the March 7, 2011, City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

The Washington Elementary 3rd graders led the pledge of allegiance.

PERSONAL APPEARANCE

Rick McNary, Dick Morris and George Myers were present to share their plans for a Community Garden with the City Commission. The garden would be used to feed the

hungry in El Dorado. Numana is asking the City Commission to consider donating land that is not being used to house the project.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

1. Approval of Appropriation Ordinance 02-11 in the amount of \$1,830,836.78
2. Approval of the Engineer's Third Pay Estimate dated February 23, 2011, on Project No. 357-SE Quadrant Sidewalk Replacement to the Contractor, Barkley Construction, in the amount of \$20,108.67.
3. Approval of the Engineer's Third Pay Estimate dated December 2, 2010, on Project No. 341, Airport Apron Reconstruction to the Contractor, Cornejo & Sons, in the amount of \$285,483.55.
4. Approval of the Engineer's Fourth Pay Estimate dated December 27, 2010, on Project No. 341, Airport Apron Reconstruction to the Contractor, Cornejo & Sons, in the amount of \$191,608.02.
5. Approval of the Engineer's Fifth Pay Estimate dated February 20, 2011, on Project No. 341, Airport Apron Reconstruction to the Contractor, Cornejo & Sons, in the amount of \$33,534.90.
6. Approval of the reappointment of Tom Storrer to the Recreation Advisory Committee. Committee members have a term length of two years with no term limits. Tom Storrer's term would be effective January 15, 2011 through January 15, 2013.
7. Approval of the reappointment of Loren Anthony to the Recreation Advisory Committee. Committee members have a term length of two years with no term limits. Loren Anthony's term would be effective January 15, 2011 through January 15, 2013.
8. Approval of a CMB License for Butler County Community Building – 206 N. Griffith

Commissioner Shane Krause asked why all of the airport payments were being made at one time.

Assistant City Engineer Scott Rickard stated that they were delayed due to paperwork the FAA required.

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

Commissioner David Chapin seconded the motion.

Motion carried 5-0

FIRE SUB-STATION SITE LOCATION

At the August 3, 2009 City Commission Meeting, the City Commission approved Resolution No. 2642, a resolution authorizing and providing for the construction of a new fire sub-station in the City of El Dorado, KS.

In conjunction with the fire sub-station project and in preparation for the site development, it was necessary to identify the best location for this facility. Both private and city-owned properties were considered and evaluated for ease of access to primary response routes, strategic positioning (west side), and hazard assessment.

A location in the 2600 blk. W. Sixth Ave. has been determined to meet the needs for this facility. The proposed location is on the north side of Sixth Ave., between Marmaton Rd. and Village Rd.

Fire Chief Ken Nakaten stated that the reasons for choosing this site included; the site is City owned, there is easy and quick access to primary response routes, the site is visible, it is located in the most populated residential area west of Haverhill Road, and it is close to the Industrial Park.

Mayor Tom McKibban asked how many acres would be set aside for the project.

Chief Nakaten stated that there would be four acres available.

Commissioner Linda Clark moved that the proposed location for the future fire sub-station, in the 2600 blk. W. Sixth Ave., be approved.

Commissioner Nick Badwey seconded the motion.

DEVELOPMENT COSTS

With the Completion on the rankings of importance in the Housing Report and the upcoming submission of the Criss 8th Plat; City staff felt that it was important to review and discuss the current subdivision regulations. The highest ranked area of importance in

the housing report was to explore methods to lower the costs of special assessments in new developments. The past practice was the City at Large paid the cost for storm sewers, waterlines, street intersections, and any increase beyond minimum standards (ex. Larger Sanitary Sewers, Thicker Pavement). In 2007 at the City Commission passed Ordinance G-990 to amend the subdivision regulations to make water infrastructure a cost to the developer. The only plat that was submitted during that time was Prairie Land Estates II and at the time of assessment the Commission waived the cost of the waterlines and the City carried that expense. Currently City Staff are working under the new subdivision regulations that were passed in December 2009. These regulations state that the developer shall bear the cost of the entire subdivision with exception to street intersections and any increase above minimum standard. Concern has already been expressed to the City regarding the change in these regulations and how they directly cost the developer.

Mayor Tom McKibban asked what the cost per plot was under the current regulations.

Assistant City Engineer Scott Rickard stated that they are \$233.79 under a 20 year repayment plan.

Commissioner David Chapin asked when the new regulations were passed.

Mr. Rickard stated that they were passed in December 2009.

City Manager Herb Llewellyn stated that the Commission passed the regulations that the Planning Commission had recommended.

Commissioner Nick Badwey stated that it was in the Comprehensive Plan that was passed in 2009.

Matt Rehder, Planning and Zoning, stated that the Planning Commission was following the direction of the City Commission to replicate what other cities were doing.

Commissioner Badwey expressed his dislike for the new regulation stating that the Commission should be making El Dorado more attractive to developers. He asked how we can rectify the situation.

Mr. Rickard stated that the Commission could request that the Planning Commission review the regulation.

Commissioner Linda Clark moved that City Staff take the discussion of development costs to the Planning Commission so that they may return with a recommendation at the next Commission meeting.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

EL DORADO INC. HOUSING COMMITTEE WORK PLAN

In late 2010, the El Dorado, Inc. Housing Committee presented a list of recommendations to the City Commission. These recommendations have since been ranked by each commissioner.

Staff is now working to implement these recommendations, according to their overall ranking and the feedback received from the Commission.

Prior to implementation, some of the recommendations will require formal Commission action. These items will be brought back to the Commission for further discussion and approval, as necessary.

Assistant Finance Director Jared Cobb presented the final scores based on the ranking by the Commission.

Commissioner David Chapin asked if one was the highest priority.

Mr. Cobb stated that it was.

Mayor Tom McKibban stated that the Commission would review the rankings and return with comments at the next meeting.

**NEIGHBORHOOD REVITALIZATION PROGRAM INITIATIVES
RECOMMENDED BY THE EL DORADO INC. HOUSING COMMITTEE**

The Housing Committee of El Dorado Inc. recommended four initiatives for the city to consider for the Neighborhood Revitalization Program (NRP). The initiatives are:

- Continue the eligibility of infill housing in the Neighborhood Revitalization Plan on lots and in neighborhoods where condemned housing has been removed. Offer a 95% tax rebate for ten years.
- Expand the Neighborhood Revitalization Plan to include all residential property—owner-occupied homes, rentals and property—older than 25 years of age.
- Expand the Neighborhood Revitalization Plan to include existing property that has been rehabilitated or upgraded, with a minimum investment of \$10,000 or greater. A 95% five-year tax rebate should be extended to the property owner.
- Expand the Neighborhood Revitalization Plan to include new residential construction which replaces a dilapidated structure. A 95% five-year tax rebate should be extended to the property owner.

Matt Rehder, Planning and Zoning, stated that the City already does the first and last items. Currently the City regulations state that houses 25 years or older have to be designated a dilapidated structure in order for the second item to apply. This regulation

would remove that requirement. The third regulation would change the current 10 year rebate in designated areas to a 5 year rebate City wide.

Mayor Tom McKibban asked if there is a current NRP committee.

City Manager Herb Llewellyn stated that there are stakeholders appointed to this committee. City staff will gather information on the committee and return with it to the next meeting.

WIND TURBINE PROJECT

Director of Public Utilities Kurt Bookout stated that the City has encountered a problem with the wind turbine project. As reported to the Commission in prior meetings, City Staff had confirmed with Westar that net metering would be available should the City put in a wind turbine.

Mr. Bookout stated that during a recent meeting with Westar, the City was informed that net metering would not be a possibility because the wind turbine was too large. If the size of the wind turbine is decreased, it will not produce the energy needed to run the water plant. The payback on the project would also take another twenty years.

Mr. Bookout stated that more discussion would take place with Westar and the KCC in an attempt to move the project forward. The project can still be completed under the grant timeline if a decision is reached in the near future.

EDUCATIONAL FACILITIES AUTHORITY OF BUTLER COUNTY STADIUM UPDATE

Mayor Tom McKibban stated that the committee has received eleven requests for engineer's qualifications. Four of these were selected to interview with the committee.

Thelda Shelton, 1134 S Arthur, asked what the City plans to do about the run-off from the Legion property.

City Manager Herb Llewellyn stated that the Engineer just began working on the issue. The City has plans to look at it as part of the storm water utility associated with developing the property.

Assistant City Engineer Scott Rickard stated that KDHE and the KCC were drilling soil bores to test, so far everything has been clean. KDHE will provide an action plan once the assessment is finished.

Wayne Rethman, 1153 S Arthur, stated that his property is also subject to flooding if nothing is done about the run-off.

Phyllis Jackson suggested that the creek be cleaned in order for the water to move more freely.

Pat Hicks, 1147 S Arthur, expressed concerns that the tax payers were not allowed to vote on the stadium project.

Commissioner Linda Clark stated that she did not remember if the Commission had discussed a vote during the original stadium discussions in the past because no plans had been definite.

Ms. Hicks stated that she was concerned about the cost of the stadium being assessed to tax payers on top of the cost associated with the new schools. She stated that people living in that area could not afford extra taxes in addition to flood insurance that they had to have in the case that the creek were to flood again.

Dennis Cook, 325 Broadview, also expressed concerns about the creek flooding.

Commissioner David Chapin asked if City Staff had walked the creek.

Mr. Rickard stated that another staff member had walked the creek. There were some dumping issues on the south side of Towanda Street, all of the debris were on private property. He also stated that the problems existed primarily on County property and that the City and County had contacted the land owner to initiate clean up.

Commissioner Chapin asked if retention ponds could be built to help with some of the run-off.

Mr. Rickard stated that there is discussion about including them on the new fire station land and on the Legion property. He said that the retention ponds would not help much because they require a large wake in order to capture enough water to make a difference.

NEW BUSINESS

Commissioner David Chapin thanked the citizens present at the meeting for speaking on the issues. He also stated that the auction at Butler Community College was successful. Commissioner Chapin asked when the pavement markings on Central were scheduled to be replaced.

Assistant City Engineer Scott Rickard stated that they are replaced with the asphalt, and it is not bad enough to replace. The City is using asphalt that last longer, so City Staff will be touching them up when the weather allows.

City Manager Herb Llewellyn stated that the new thermal plastic last longer. The City is also reviewing bids on a paint sprayer that can cover more area and allows the use of reflective elements.

Commissioner Shane Krause stated that the Soroptimist dinner was good.

Commissioner Nick Badwey stated that the Trinity Episcopal Church pancake and sausage feed would be on Thursday.

Mayor Tom McKibban stated that he was glad to see the support of non-profit organizations in the City of El Dorado.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that a pipe burst at the recreation center. In order to fix the floors that were damaged, free play will be limited for awhile.

EXECUTIVE SESSION

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing trade secrets and non-elected personnel matters, and to reconvene the regularly scheduled meeting in the City Commission room at 10:15 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban reconvened the meeting at 10:15 p.m.

ADJOURNMENT

Commissioner Shane Krause moved to adjourn the meeting at 10:15 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

March 16, 2011

The El Dorado City Commission met in special session on March 16, 2011, at 4:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark (left early for work obligations), Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp, and Finance Director Tammy Schaffer.

VISITORS

Jared Cobb	220 E. 1 st	El Dorado, Kansas
Chris Thouey	Prairie Trails	El Dorado, Kansas
Bill Moorberg	Prairie Trails	El Dorado, Kansas
Deidra Thompson	Prairie Trails	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the March 16, 2011 Special City Commission meeting to order.

PRAIRIE TRAILS GOLF AND DINING

Prairie Trails Managers Chris Thouey, Bill Moorberg, and Deidra Thompson presented the expenditures and revenues for Prairie Trails in the current year.

Ms. Thompson stated that the banquets and catering events were bringing in good revenue, but the restaurant was a work in progress.

Mayor Tom McKibban inquired about the cost of goods on the two for twenty dollar special.

Ms. Thompson stated that the two for twenty special was to build business, not to specifically make money. The current customer base at Prairie Trails is loyal, but very resistant to change.

Mr. Thouey stated that a large problem was that customers were not informing restaurant staff of issues, but were going home and calling City Staff or the Commission. This problem makes it difficult for restaurant staff to build rapport.

Mayor McKibban stated that he had heard from several citizens that had contacted restaurant staff and did not hear back from them.

Mr. Thouey asked if the Commission and City Manager could forward complaints to the Prairie Trails staff so that they could be handled.

Mayor McKibban stated that many of the issues presented today had already been discussed at length with the Commission. He asked how the City would be moving forward.

City Manager Herb Llewellyn stated that the information provided was to serve as background for the recommendations of Prairie Trails staff.

Mr. Thouey stated that it is their recommendation that the restaurant be closed every day except Wednesday and Friday during which time they would be open for lunch and dinner. Banquets and catering events would be booked to fill the remainder of the days. Trails End would remain open daily as always.

Commissioner David Chapin stated that he supported the change, the City could not continue subsidizing the restaurant.

Mr. Thouey stated that the changes, if approved, would go into effect on April 1st, 2011.

Mayor McKibban stated that the Commission would take a look again in June after the second quarter had ended. He asked who would monitor the expenses.

Mr. Llewellyn stated that he would be monitoring them.

Mayor McKibban stated that if the restaurant could not make money using this plan, it would have to be closed.

The Commission agreed to follow the proposed plan.

ADJOURNMENT

Commissioner Shane Krause moved the meeting adjourned at 6:00 p.m.

Commissioner David Chapin seconded the motion.

Motion Carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on March 21, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Linda Clark, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Riley Rosales	11720 W 17 th St	Wichita, KS
Kay Turner	1500 W 1 st Ave	El Dorado, KS
Tom Storrer	Don’s Heating and Air	El Dorado, KS
James Cook	719 Fredrick	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS
Harold	BG Products Inc	El Dorado, KS
	BG Products Inc	El Dorado, KS
Galen Myers	BG Products Inc	El Dorado, KS
Kim Bell	Gilmore and Bell	Wichita, KS
Roger Cutsinger	712 W 14 th	El Dorado, KS
Linda Jolly	2100 Pico Ct	El Dorado, KS

CALL TO ORDER

Mayor McKibban called the March 21, 2011, City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Riley Rosales led the pledge of allegiance.

PERSONAL APPEARANCE

Linda Jolly, Executive Director, El Dorado Inc., presented the yearly report to the Commission.

Tom Storrer, Don’s Heating and Air, presented the Commission with concerns regarding unlicensed contractors in El Dorado. He proposed that the Commission implement fines for those contractors working without licenses or permits and fines for residents that hire these contractors. He stated that the issue is not merely an issue of losing work to the unlicensed contractors. These individuals are not providing safe, quality work to the residents of El Dorado.

Assistant City Engineer Scott Rickard stated that fines are already in existence for the contractors. He also stated that City Staff had placed ads in the El Dorado Times, on Channel 7 and on 360eldorado.com reminding citizens not to hire these contractors.

Commissioner Nick Badwey asked what the fine was.

Mr. Rickard stated he would find out and report back.

City Manager Herb Llewellyn stated that the problem was public awareness and education.

Mr. Rickard stated that licensed contractors pull a permit for their work, and that work is inspected for safety.

Mayor Tom McKibban agreed with Mr. Storrer's suggestion of requiring license numbers to be posted on vehicles.

Commissioner Badwey reminded citizens that passing an inspection was only completing the minimum requirements of the State of Kansas.

Commissioner Shane Krause added that licensed contractors carry insurance that protects home owners from worker's compensation claims.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the February 21, 2011 Special City Commission minutes, February 21, 2011 City Commission minutes and the March 7, 2011 City Commission minutes

Commissioner Shane Krause moved that the Consent Agenda, as presented, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5-0

TAXABLE INDUSTRIAL REFUNDING AND IMPROVEMENT REVENUE BONDS – B.G. PRODUCTS, INC.

BG is preparing to construct a second manufacturing facility in El Dorado. They currently have several operations in El Dorado including shipping and warehousing, tool development. They are also working to develop software operations here. When fully staffed, BG anticipates having several hundred employees in El Dorado.

On August 1, 2006, the City Commission approved resolution 2545, an intent to issue 32 million dollars in IRB's for this project. Since that time, the project has grown. The Commission is now being asked to issue, 64 million in industrial revenue bonds. These bonds are secured by the property and subsequent development and not subject to payment from the City of El Dorado.

Mayor Tom McKibban opened the public hearing.

No one came forward to comment on the IRB.

Mayor McKibban closed the public hearing.

Mayor McKibban commented that BG Products was a great partner to the City and they have brought a lot to the community.

Commissioner Shane Krause stated for public knowledge that the repayment on the bond was backed by the value of the developed property.

Mayor McKibban asked if the title had been completed for the land.

Kim Bell, Gillmore and Bell, stated that it is in process.

Mayor McKibban asked about the schedule for ground breaking.

Galen Myers, BG Products, stated that dirt work was scheduled to begin the 1st of April and construction would be completed in October of 2012. The move from Wichita

would be done in two phases to enable the implementation of a new manufacturing process.

Commissioner Nick Badwey moved that Ordinance No. G 1116, authorizing the issuance of not to exceed \$64,000,000 in industrial revenue bonds for the benefit of BG Products, Inc., authorizing the execution of documents in connection with such issuance, and approving a 100% ad valorem tax abatement for bond financed property for a period of 10 years., be adopted.

Commissioner David Chapin 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

CRISS 8TH ADDITION – FINAL PLAT

Ramon Criss is seeking approval of the final plat of the Criss 8th Addition. The property is zoned R-3 Multiple Family Dwelling District. The plat contains 21 single-family residential lots.

The Planning Commission reviewed the preliminary plat at the December 16, 2010 meeting and conditionally approved the plat with a 6-0 vote. The conditions concerned Lots 1-3 of Block 2 and sidewalks in the addition. Mr. Criss subsequently sold Lots 1-3 to Vintage Place Retirement Community and the city agreed to a sidewalk easement between Lots 8-9 of Block 1 instead of the stated sidewalk requirement in the Subdivision Regulations. It is planned this easement will connect into the Bike Path.

The final plat was approved at the February 24, 2011 Planning Commission meeting with a 6-0 vote.

Mayor Tom McKibban asked if this completes the platting of all land on the north side of 12th Street.

Matt Rehder, Planning and Zoning, stated that it did. He also stated that the way the land was platted will allow for the extension of the bike path through the Criss 8th Addition.

Commissioner Linda Clark moved that the Commission authorize the City Manager to approve the Final Plat of the Criss 8th Addition as presented.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

EL DORADO INC. HOUSING COMMITTEE WORK PLAN DISCUSSION

In late 2010, the El Dorado, Inc. Housing Committee presented a list of recommendations to the City Commission. These recommendations have since been ranked by each commissioner.

City Staff are now working to implement these recommendations, according to their overall ranking and the feedback received from the Commission.

Prior to implementation, some of the recommendations will require formal Commission action. These items will be brought back to the Commission for further discussion and approval, as necessary.

Jared Cobb, Assistant Finance Director, stated that he was available for questions regarding the ranking of items on the housing plan.

Mayor Tom McKibban asked if City Staff had developed a method for funding these projects.

City Manager Herb Llewellyn stated that the recommendation of the housing committee was to increase water rates. He stated that as each project developed, City Staff would present to the Commission and discuss funding.

Commissioner Shane Krause asked if City Staff would be proceeding with the items that did not have an associated cost.

Mr. Llewellyn stated that City Staff would proceed with the items as they were ranked by Commission. Each item would be presented to the Commission and funding options would be discussed.

Commissioner Krause asked if raising water rates was the only available funding source.

Mr. Llewellyn stated that it is the easiest method to raise funds.

SIGN DISCUSSION

Commissioner David Chapin asked who was on the committee suggesting the signs in town be changed.

Linda Jolly, Executive Director El Dorado Inc., stated that it was John Bailey, David Sundgren, Vince Haines, Stan Stewart, Ed Gard, Mark Utech, and Collin Rowell.

Commissioner Shane Krause asked what the requirements for new signs included.

Matt Rehder, Planning and Zoning, reviewed the existing sign requirements. Property owners are able to choose from three types of signs for their business.

City Manager Herb Llewellyn stated that a special use permit would be presented at the next Commission meeting for an LED billboard. The Planning Commission vote was tied, therefore it is up to City Commission to decide.

Commissioner Krause asked if there were special regulations for LED signs.

Mr. Rehder stated that they cannot flash, they cannot shine onto a residential district between eleven p.m. and seven a.m., they cannot be the same color as traffic lights, and they must have an NITS rating under 7,500 (measure of brightness).

Commissioner Krause asked if signs could be placed for off-site businesses.

Mr. Rehder stated that a business cannot have a sign on a lot that they do not own unless they have received a special use permit.

NEIGHBORHOOD REVITALIZATION PROGRAM COMMITTEE

Matt Rehder, Planning and Zoning, stated that the Neighborhood Revitalization Committee was an ad hoc, fluid committee put together for the purpose of advisement. There are no formal appointees.

NEW BUSINESS

Commissioner Badwey reminded citizens to watch for children playing outside and crossing streets since school was out for spring break.

Commissioner Linda Clark stated that the sidewalks at Rice Park looked amazing.

Mayor Tom McKibban issued a congratulations to the Forensics team at El Dorado High School for being invited to participate in a national competition.

CITY MANAGER'S REPORT

UTILITY SHUT-OFFS

Director of Public Utilities, Kurt Bookout, stated that the number of utility shut-offs had been reduced by half. City Staff are working on a plan for after hours communication with residents.

SBA CITY POLICE OFFICER STAFFING

Susan B. Allen Hospital has requested a police officer that can be available at the hospital at all times.

City Manager Herb Llewellyn stated that the hospital would pay for the officer, so the item would be a net neutral item in the budget. He stated that having an officer present at the hospital deters potential problems. It would also help keep officers available throughout El Dorado instead of taking them off the streets for hospital issues.

Mayor Tom McKibban stated that this was a common practice throughout the United States.

City Commissioners instructed staff to move forward with this plan.

VOLUNTEER FIRE FIGHTERS FIREWORKS STAND

Mr. Llewellyn stated that the volunteer fire fighters are interested in running a fireworks stand to raise money.

Commissioners agreed to allow the volunteers to run a stand with the stipulation that they follow the same rules and pay the same fees as other groups.

ENGINEERING AWARD

Mr. Llewellyn stated that the City of El Dorado was presented the award for the bridge project on North Main Street.

REAP

Mr. Llewellyn stated that the Regional Economic Area Partnership group was working on a resolution of support for affordable airfares. They are also working on a water rates survey, a database of water and wells, and an agenda for the upcoming water conference.

EXECUTIVE SESSION

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing trade secrets and non-elected personnel matters, and to reconvene the regularly scheduled meeting in the City Commission room at 9:50 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

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

Commissioner Linda Clark moved to extend Executive Session until 10:45 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0, Commissioner Shane Krause remained in the conference room.

Mayor Tom McKibban reconvened the meeting at 10:45 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 10:45 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on April 4, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Tabitha Sharp. Commissioner Linda Clark was absent.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Aurora Myers	110 S Gordy	El Dorado, KS
Wayne Rethman	1153 S Arthur	El Dorado, KS
Thelda Shelton	1140 S Arthur	El Dorado, KS
Phyllis Jackson	1733 W Towanda	El Dorado, KS
Fred Kropf	2001 Towanda	El Dorado, KS
Linda Jolly	2100 Pico Ct	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor McKibban called the April 4, 2011, City Commission meeting to order.

INVOCATION

Reverend Rick Barrett, Family Worship Center, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Aurora Myers led the pledge of allegiance.

PROCLAMATION

Aurora Myers, Coordinator of the Sunlight Child Advocacy Center, thanked the Commission for their support.

Mayor Tom McKibban read the proclamation proclaiming the City of El Dorado partners in the Prevention of Child Abuse Month for the month of April 2011.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the March 16, 2011 Special City Commission meeting minutes and the March 21, 2011 City Commission meeting minutes.

Approval of Appropriation Ordinance 03-11 in the amount of \$1,971,046.76.

Approval of the Engineer’s Fourth Pay Estimate dated March 28, 2011, on Project No. 357-SE Quadrant Sidewalk Replacement to the Contractor, Barkley Construction, in the amount of \$64,645.20.

Commissioner Nick Badwey moved that the Consent Agenda, as presented, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

AFFORDABLE AIRFARES

In 2006 the Kansas Legislature enacted House Substitute for Senate Bill 475 and established the Kansas Affordable Airfares Program (KAAP). The Kansas Legislature assigned the administration of the KAAP to the Regional Economic Area Partnership (REAP)

KAAP statutory program objectives of providing “more air flight options, more competition for air travel, and affordable air fares for Kansas” have been met successfully by providing a competitive environment for more than three-fourths of the State of Kansas in which overall fares are down 24 percent, passenger volume is up by 23 percent, and the addition of three low-fare air carriers has led to competition in 194 one-stop destinations in the U.S.

This investment from the Kansas Affordable Airfares Program and the regional partnership associated with it has saved business and other travelers flying in and out of Wichita Mid Continent Airport over \$500 million in the aggregate over this period and has been attributed to the creation of over 3,000 annual jobs on average, and a positive economic impact that returns money to the State of Kansas.

This year, twelve other REAP member jurisdictions have voted to ask the Legislature to continue their support this year.

Commissioner David Chapin stated that prior to the original passage of this program, airfare was very expensive. This program saves customers \$150 to \$200 per ticket.

Mayor Tom McKibban stated that the program makes it easier to fly to more locations.

City Manager Herb Llewellyn stated that he chose not to fly out of Wichita until this program was passed.

Commissioner Shane Krause moved that Resolution No. 2674, a resolution supporting the continuation of Kansas Affordable Airfares Program and to encourage the Kansas State Legislature to continue the program, be adopted.

Commissioner Nick Badwey seconded the motion.

Motion Carried 4-0.

STORM DRAINAGE

Assistant City Engineer Scott Rickard shared a map of Constant Creek with the Commission. He stated that Constant Creek drains the entire area west of Summit Street.

Mr. Rickard also showed the Commission a map of the flood plain. He stated that City Staff were working with the stadium developers to ensure that the design will not cause more runoff into the flood plain.

Mr. Rickard stated that City Staff were discussing developing a pond that would help with runoff. Developers would be able to use the dirt from the proposed pond as fill dirt for the stadium.

City Staff will also be working on cleaning up the American Legion property around Constant Creek and re-sloping the area to help with run off issues according to Mr. Rickard.

Mayor Tom McKibban asked about the area south of Finney.

Mr. Rickard stated that there is debris there, but for the most part it is open. He stated that there are more issues to the north.

City Manager Herb Llewellyn stated all of Constant Creek needed to be cleaned up, but that the City would need permission from land owners in the southern area because it was County land.

Mayor McKibban asked if the refinery would help with the cleanup in that area.

Mr. Llewellyn stated that City Staff would discuss it with Frontier staff.

Thelda Shelton, 1140 S Arthur, stated that she had contacted the County and they had informed her that one of the pipes in the southern area of Constant Creek was blocked with debris.

Mr. Rickard stated that it was the box culvert that was blocked.

Mr. Llewellyn stated that he and Mr. Rickard had been out to look at the area after the last Commission meeting, and most of the box culverts appear to be blocked.

Mr. Rickard stated that City Staff have considered putting fill in along the rear line of properties on Arthur and Finney in order to help keep the water in the channel.

Mayor McKibban asked if taking the turn out of the creek would help control the flooding.

Mr. Rickard stated that taking the bend out would cause more erosion in the stream and not be helpful to the situation.

Wayne Rethman, 1153 S Arthur, stated that cleaning out the northern area of the creek will cause more flow on the south side.

Mr. Llewellyn stated that City Staff will be starting on the south end and moving north.

Commissioner Shane Krause asked what City Staff had in mind to help with the runoff from the stadium if the pond would be used for the eastern side of the area.

Mr. Rickard stated that plans were still vague, but decreasing the number of outlets from the wetlands, building up the land around the wetlands to hold water longer, and pervious parking or grass parking that would keep water in the soil instead of forcing more runoff.

Commissioner David Chapin asked if City Staff had talked to the County.

Mr. Rickard stated that they had discussed some issues a few years ago, but not recently.

Commissioner Chapin asked who owned the Douglass bridge.

Mr. Rickard stated that he thought it was the County's.

Commissioner Chapin stated that it would be good to have the County involved.

Mayor McKibban stated that the bridge appeared to be acting as a dam.

Mr. Llewellyn stated that it was silted up quite a bit.

Mr. Rickard stated that one of the good things about leasing the Legion property was that City Staff had access to fix the flooding problems in that area.

Ms. Shelton asked if the City would get a petition from home owners to start the work.

Mr. Llewellyn stated that a petition was not needed. City Staff would require permission in writing from each property owner.

Ms. Shelton stated that she was not against the stadium; she wanted to make sure that proper drainage was included in the plans to prevent flooding.

Mr. Rickard stated that the stadium developers have to follow City Ordinances pertaining to drainage.

NEW BUSINESS

Commissioner Shane Krause stated that the Planning Commission needed applicants for three vacant positions.

Commissioners Nick Badwey and David Chapin and Mayor Tom McKibban reminded citizens to vote on Tuesday.

Mayor Tom McKibban issued congratulations to the WSU basketball team, the El Dorado Kiwanis group and the El Dorado High School Forensics team. He also thanked the Commission for all of their hard work and willingness to work together.

CITY MANAGER'S REPORT

REFUSE PROGRAM UPDATE

Assistant Director of Public Works, Brad Meyer, stated that the last year had shown a successful implementation of the trash cart program. He stated that there had been savings on personnel and commodities, no jobs had been lost, and the new truck had already been paid for.

Mr. Meyer stated that the Solid Waste Advisory Committee was looking for volunteers to serve so that they could move forward on recommendations for a recycling program that also utilizes carts.

Commissioner David Chapin asked how long it would be before a recycling cart was provided.

Mr. Meyer stated that with a quorum on the committee and some more planning, it would not be long before the new program could begin.

Commissioner Shane Krause asked if taxes were used to pay for the new trash program.

Mr. Meyer stated that it was paid for strictly with revenue from refuse charges.

Commissioner Krause asked if a new recycling program would save on refuse expenses.

Mr. Meyer stated that there would be up front costs, but those would be paid back quickly as they were with the refuse program.

PLANNING COMMISSION

City Manager Herb Llewellyn stated that there is a Planning Commission meeting on Thursday evening at seven p.m. at which time a public hearing on development costs will be held.

CONGRATULATIONS

Mr. Llewellyn issued congratulations to Allie McKibban on her forensics achievements.

STORM DRAINAGE CONTINUED

Fred Kropf, 2001 Towanda, asked if he could speak on the storm drainage issue.

Mayor Tom McKibban and the Commission consented.

Mr. Kropf stated that the areas under the bridges were blocked.

Scott Rickard, Assistant City Engineer, stated that a flusher truck could be used to clean them out.

Mr. Kropf asked about the statement made at the last meeting regarding the debris he had placed in the creek.

Mr. Rickard stated that it appeared that Mr. Kropf had dumped pieces of concrete onto his side of the creek.

Mr. Kropf stated that he was told it was ok if the debris was not over one foot high.

Mr. Rickard stated that the issue was that filling in the bank on the western side of the creek has caused more water to flow on the eastern properties.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing trade secrets and to reconvene the regularly scheduled meeting in the City Commission room at 8:50 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 Nick Badwey moved to adjourn the meeting at 8:50 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

April 18, 2011

The El Dorado City Commission met in regular session on April 18, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Thelda Shelton	1140 S Arthur	El Dorado, KS
Phyllis Jackson	1733 W Towanda	El Dorado, KS
Roger Tullis	1227 Ford St	El Dorado, KS
Doug Millhollin	1080 SE Kafir	El Dorado, KS
Natalie Donges	2813 SE HWY 54	El Dorado, KS
Savanna Masters	449 SE 20 th	El Dorado, KS
Skylar Morgan	449 SE 20 th	El Dorado, KS
Jennifer Masters	449 SE 20 th	El Dorado, KS
Brandon Kieffer	2949 SE Teter Rd	El Dorado, KS
Mike Wheeler	1951 Chelsea Dr	El Dorado, KS
Steve Funk	1810 Lawndale	El Dorado, KS
Marlene Rethman	1153 S Arthur	El Dorado, KS
Paul Morgan	4251 Stratford Ln	El Dorado, KS
Debra Morgan	4251 Stratford Ln	El Dorado, KS
Marlene Patty	1761 SE Bluestem Rd	El Dorado, KS
Mary Sue Whiteside	1130 W Olive	El Dorado, KS
Ricke Whiteside	2158 SE Teter Rd	El Dorado, KS
James Cook	719 Fredrick	El Dorado, KS
Patrick Wilson	1179 SE Conner Rd	El Dorado, KS
Jamie Britain	219 N Taylor	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS
John Montgomery	967 SE Spires Rd	El Dorado, KS
Darlene Montgomery	967 SE Spires Rd	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Steve Hysom	220 E 1 st	El Dorado, KS
Jared Cox	1627 N Woodridge	Wichita, KS
Dacia & Annalise Young	1751 Lakeland	El Dorado, KS
Bill Young	1751 Lakeland	El Dorado, KS
Julie St Peter	EDCF	El Dorado, KS
Davine Taylor	2515 SE 13 th	El Dorado, KS
Debra Wilson	1179 SE Conner Rd	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Jeff Masters	449 SE 20 th	El Dorado, KS

CALL TO ORDER

Mayor McKibban called the April 18, 2011, City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Commissioner Linda Clark led the pledge of allegiance.

PROCLAMATION

Mayor Tom McKibban read the proclamation proclaiming the City of El Dorado partners with the El Dorado Elks Lodge in the Prevention of Child Abuse for the month of April 2011.

PERSONAL APPEARANCE

Marci Fugarino, HR Director for the City of El Dorado presented information on the City Wellness Program. She stated that the wellness program is helping City employees make healthier life choices which in turn brings down the cost of health insurance for the City of El Dorado.

Commissioner Shane Krause asked if the City would be able to track the results.

Ms. Fugarino stated that the YMCA was providing data for the City to track results.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

Thelda Shelton, 1140 S Arthur, brought the signed forms from her neighborhood allowing the City access to their properties in order to clean up Constant Creek.

CONSENT AGENDA

Approval of the April 4, 2011 City Commission meeting minutes.

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

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

SPECIAL USE PERMIT TO ALLOW AN OFF-SITE ADVERTISING SIGN ON PROPERTY LOCATED AT 2220 W CENTRAL

City Planner Matt Rehder stated that Fireboard, Inc, is requesting a Special Use Permit to allow on off-site advertising sign on property located at 2220 W. Central. The property is currently zoned C-1 General Business District.

The proposed sign face is approximately 280 square feet (12’x 23.5’) with an LED screen. The applicant will sell advertising to businesses both in and out of El Dorado. The sign will also broadcast Amber Alerts, severe weather warnings, and other emergency messages.

At the February 24, 2011, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission voted a 3-3 tie twice concerning this issue. The first tie was to deny the application; the second tie was to approve the application. According to the regulations, a tie vote is deemed as no recommendation.

Jared Cox from Fireboard Inc. stated that their initial proposal had been modified. The original 280 square foot sign had been reduced to 200 square feet (10’ x 12’). The sign would be 22 feet high. There would be a landscaped bottom, with allowance for flooding as stated in the building code. He stated that sign was set outside of the triangle of vision set by the City.

Mr. Cox stated that he would be selling advertising to vendors in El Dorado first, but if he was unable to fill all of the available slots, he would go outside of El Dorado.

Commissioner Linda Clark stated that she would not support the sign for two reasons: first being she felt that the City needed to regulate signs; and second, the Commission should not support shopping outside of El Dorado since sales tax revenues were already down.

Commissioner Shane Krause asked if Fireboard Inc. owned the property on which they would be placing the sign.

Mr. Cox stated that they would be leasing the property.

Commissioner Nick Badwey asked what the triangle of sight was.

Assistant City Engineer Scott Rickard stated that it was the distance from the street and intersection in which the view of oncoming traffic would be blocked.

Mayor Tom McKibban asked how many communities Fireboard Inc. had a sign in.

Mr. Cox stated that they did not have any signs up yet, El Dorado would be the first.

Commissioner David Chapin stated that he understood the business side of the sign. He also stated that he had spoken to other vendors that had used the electronic signs and they felt that the amount of business gained was not worth the price of the advertisement.

Commissioner Badwey asked what direction the sign would face.

Mr. Cox stated that it would face southwest.

Mayor McKibban stated that he did not support the sign because it was distracting to drivers and did not follow the accepted housing plan for the City.

Commissioner Chapin stated that he felt he could not support the sign because advertising budgets in El Dorado are limited and Fireboard would be required to go outside of El Dorado to fill their advertising slots.

Commissioner Krause asked if the new proposed sign met the requirements in the building code.

Mr. Rehder stated that he had not seen the new plans until Mr. Cox had presented them to the Commission, but looked like they were within the regulations of the code.

Commissioner Krause asked if the brightness could be controlled.

Mr. Cox stated that it could.

Commissioner Krause stated that he did not see how the Commission could deny it because it was within the regulations.

City Manager Herb Llewellyn stated that it does not follow all regulations because the code does not currently allow offsite advertising on Central.

Commissioner Badwey asked if that had always been a regulation.

Mr. Llewellyn stated that it was allowed prior to the revision of the building code two or three years ago. He also stated that the issue in front of the Commission was not with the sign, but with the land use.

Commissioner Badwey stated that the sign would be better placed on the opposite side of the road so that people were not looking across lanes of traffic to see it.

Commissioner Linda Clark moved that Case No. 11-002-SUP requesting a Special Use Permit to allow an off-site advertising sign on property located at 2220 W. Central be denied.

Commissioner David Chapin seconded the motion.

ROLL CALL VOTE

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

APPRECIATION OF SERVICE – OUT GOING COMMISSIONER

City Manager Herb Llewellyn stated that Commissioner Linda Clark had been a champion of constituents, the citizens of El Dorado, and pets during her eight years as Commissioner. Her contributions to the City were appreciated, and she would be missed.

Mr. Llewellyn presented Commissioner Clark with a plaque and a clock as a token of appreciation.

Commissioner Clark stated that it had been wonderful working with her fellow Commissioners and with City Staff.

NEW BUSINESS

Mayor Tom McKibban, Commissioners Shane Krause, Nick Badwey and David Chapin all thanked Commissioner Linda Clark for her service to the City. They stated that her decorum, experience, attitude, love for the City of El Dorado, and calming influence would be missed.

Commissioner Clark thanked the citizens for allowing her to serve them for the past eight years. She stated that over her time as Commissioner she had seen the development of the Business Park, Main Street and the Parks of the City of El Dorado. She stated that the two most important things for Commissioners to consider were to think outside the box and to plan for the future.

ADJOURNMENT

Commissioner Linda Clark moved that the 2009-2011 Commission of the City of El Dorado adjourn sine die.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on April 18, 2011 at 8:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Thelda Shelton	1140 S Arthur	El Dorado, KS
Phyllis Jackson	1733 W Towanda	El Dorado, KS
Roger Tullis	1227 Ford St	El Dorado, KS
Doug Millhollin	1080 SE Kafir	El Dorado, KS
Natalie Donges	2813 SE HWY 54	El Dorado, KS
Savanna Masters	449 SE 20 th	El Dorado, KS
Skylar Morgan	449 SE 20 th	El Dorado, KS
Jennifer Masters	449 SE 20 th	El Dorado, KS
Brandon Kieffer	2949 SE Teter Rd	El Dorado, KS
Mike Wheeler	1951 Chelsea Dr	El Dorado, KS
Steve Funk	1810 Lawndale	El Dorado, KS
Marlene Rethman	1153 S Arthur	El Dorado, KS
Paul Morgan	4251 Stratford Ln	El Dorado, KS
Debra Morgan	4251 Stratford Ln	El Dorado, KS
Marlene Patty	1761 SE Bluestem Rd	El Dorado, KS
Mary Sue Whiteside	1130 W Olive	El Dorado, KS
Ricke Whiteside	2158 SE Teter Rd	El Dorado, KS
James Cook	719 Fredrick	El Dorado, KS
Patrick Wilson	1179 SE Conner Rd	El Dorado, KS
Jamie Britain	219 N Taylor	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS
John Montgomery	967 SE Spires Rd	El Dorado, KS
Darlene Montgomery	967 SE Spires Rd	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Steve Hysom	220 E 1 st	El Dorado, KS
Jared Cox	1627 N Woodridge	Wichita, KS
Dacia & Annalise Young	1751 Lakeland	El Dorado, KS
Julie St Peter	EDCF	El Dorado, KS
Davine Taylor	2515 SE 13 th	El Dorado, KS
Debra Wilson	1179 SE Conner Rd	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Jeff Masters	449 SE 20 th	El Dorado, KS

CALL TO ORDER

Commissioner Nick Badwey called the April 18, 2011, City Commission meeting to order.

ADMINISTRATION OF OATH TO NEWLY ELECTED OFFICIALS

City Clerk Tabitha Sharp administered the Oath of Office to the newly elected Commissioner Bill Young.

City Clerk Tabitha Sharp administered the Oath of Office to the re-elected Commissioner David Chapin.

City Clerk Tabitha Sharp administered the Oath of Office to the re-elected Mayor Tom McKibban.

SPECIAL USE PERMIT TO ALLOW A VEHICLE STORAGE YARD ON PROPERTY LOCATED AT 630 N. BROADVIEW (CASE NO. 11-003-SUP)

Matt Rehder, Planning and Zoning, stated that the applicant, KE II Partnership, is requesting a Special Use Permit to allow a vehicle storage yard on property located at 630 N. Broadview. The property is currently zoned general business.

The applicant wishes to place towed vehicles at the proposed site. The applicant indicates no junked vehicles will be stored on site.

At the March 24, 2011 Planning Commission meeting, after review of the facts in the case and information submitted at the public hearing, the Planning Commission voted 6-0 to approve the application.

City staff advised the Planning Commission of one possible condition of the permit. Currently, the site is surrounded by an opaque chain link fence. Staff recommends adding a condition requiring a buffer of some kind surrounding the property. The buffer will block the view of the cars from neighboring lots. A 6' privacy fence is an acceptable solution. The Planning Commission did not include this condition in its recommendation to approve.

Mayor Tom McKibban asked if a buffer was required on property zoned as C1.

Mr. Rehder stated that it was not.

Commissioner David Chapin asked if there was a fence around the property.

Mr. Rehder stated that there was. He also stated that the reason the Planning Commission had asked for a buffer was so the surrounding businesses did not have to look at the cars parked there.

Commissioner Chapin clarified that the lot would strictly be used for towing cars in and out; no junk vehicles would be parked there.

Mr. Rehder stated that he was correct, but that there would also be an office on the property.

Steve Funk, co-owner of the property, stated that he and his partner David Calloway would be leasing to the towing company. The company will be using the 1600 square foot building on the property as an office. They will not be allowed to store junk on the property, and will be required to comply with all City regulations. Mr. Funk stated he and his partner would be monitoring the company diligently.

Commissioner Chapin asked if the City would have the option to enforce the regulations if the company was not in compliance.

Mr. Rehder stated that the City could revoke the permit; however he didn't feel it would be necessary as the land owners would probably force compliance before the City was able to.

Commissioner Nick Badwey moved that the recommendation of the Planning Commission to approve Case No. 11-003-SUP requesting a Special Use Permit to allow a Vehicle Storage Yard on property located at 630 N. Broadview, be accepted, with the following condition: a transition buffer as stated in Article 6 of the Zoning Regulations is erected along all property lines; and that Ordinance No. G 1117 be approved.

Commissioner Shane Krause seconded the motion.

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

**SPECIAL USE PERMIT TO ALLOW AN OUTDOOR RECREATION AND ENTERTAINMENT FACILITY ON PROPERTY LOCATED AT 2149 SE 20TH.
CASE NO. 11-004-SUP**

Mr. Rehder, Planning and Zoning, stated that the applicant, Jeff Masters, is requesting a Special Use Permit to allow an outdoor recreation and entertainment facility on property located at 2149 SE 20th. The property is currently zoned Agricultural-Residential District. This application is under the purview of the city because it lays within the city's extraterritorial zoning area (ETA) established in 2010.

Mr. Rehder stated that Mr. Masters is asking for an outdoor dirt bike track and an indoor/outdoor paintball field. The dirt bike track is proposed to be located on the west side of the property and run nearly 80 acres north-south. The indoor/outdoor paintball field is located on the east side of the property.

Mr. Rehder explained to the Commission that as part of the interlocal agreement with Butler County for the ETA, the County Board of Commissioners must provide a recommendation on the application's conformance to the County Comprehensive Plan. At its March 15 meeting, the board voted 4-0 that the proposed use is not in conformance with the County Comprehensive Plan. The motion stated the proposed use would create noise and dust conditions that are not compatible with the surrounding uses. Because of this non-conformance designation, a super-majority of 6 yes votes is required by the Planning Commission for a recommendation of approval.

Mr. Rehder stated that at the March 24, 2011 Planning Commission meeting, after review of the facts in the case and information submitted at the public hearing, the Planning Commission voted 5-1 to approve the application. As stated earlier, six yes votes are required for a recommendation to approve. Therefore, the application goes to the City Commission with a recommendation to deny because it did not receive the required six yes votes.

Mr. Rehder stated that City Staff were recommending the Commission deny the permit on the basis of noise and dust.

Jeff Masters, owner of the property, stated that he felt he should have passed the Planning Commission because he had more than two thirds of the people that were present for the meeting.

Mr. Rehder reiterated that the reason Mr. Masters did not get approval from the Planning Commission was that he did not receive the six votes required by the Municipal Code.

Mr. Masters stated that he wanted to provide a place for youth to go. Included in his plans were a dirt bike track and an indoor paint ball and activity center. He had plans to expand the business in the future. Mr. Masters stated that he plans to build the track regardless of the Commission's decision, but he would like to run it as a business and needs the Commission's approval for that.

Mayor Tom McKibban stated that he had received letters and calls from residents in the area stating they did not want the business opened in that area. He also stated that he would not support the business because it would be working against the wishes of the County.

Mr. Masters stated that there were not activities for youth in the area.

Mayor McKibban stated that there ball fields, soccer fields, parks, a pool and a water park.

Mr. Masters stated that there is no property left in the area around his property that is not zoned as residential.

Commissioner Bill Young stated that he believed that the Commission had entrusted the committee that put together the Comprehensive Plan with the future of El

Dorado. He felt that we should follow their recommendations in order to continue moving forward with the development of the City.

Natalie Donges, 2813 SE HWY 54, stated that she agreed that there needed to be more for young adults in the community. She also stated that she has a business in the area of the proposed track, and that business thrived on quiet. She believed that a track was a good idea, but not in that area.

Ricke Whiteside, 2158 SE Teeter Road, stated that he lives across the road from the area Mr. Masters is proposing to build the track, and his family owns 640 acres adjacent to the area. Mr. Whiteside is opposed to the track and he has talked to several other residents in the area who are also opposed to the track.

Travis Masters, a resident at Deer Grove Park, stated that the houses of those opposed to the track are all much farther from the track. He stated that he and his friends need a place to ride their four wheelers so that they can stay off the roads.

Dawn Taylor, 2513 SE 13th, stated that she is opposed to the track because of the noise. The proposed track would be near the property line on the back of her property.

Brandon Kieffer, 2949 SE Teeter Road, stated that he supported the track. He stated that there is noise from many other properties in the area including the airport, shooting range and prison, the track would not add much more.

John Montgomery, 967 SE Spires Road, stated that he was more concerned about the ability of highway 54 to handle increase traffic.

Jennifer Masters spoke in support of the track. She stated that people were worried that people would not want to put residences next to a dirt bike track, but asked if they wouldn't be more concerned about wanting their residence next to the prison. She stated that the noise from the cattle, planes, the prison and the sale barns was already bad, the track would not add to that.

Mr. Masters stated that he was more than willing to build a structure to buffer the sound for Mr. Whiteside's property.

Debra Morgan, Bel Aire, KS, stated that she owned the property east of Mr. Whiteside. She asked who would be supervising the kids. She was worried that people already trespass on her property; the track would increase that problem. She also stated that she is accustomed to the noise in Wichita, and the noise they currently experience near the prison and airport is nothing compared to what it would be if the track was put in.

Patrick Wilson, 1179 SE Conner Road, stated that there are plenty of activities in town for young people without this track.

Commissioner David Chapin stated that while he supported the idea of the bike track and paint ball arena, he had to respect the County's decision.

Mayor McKibban stated that Mr. Masters should return to the County Commission and talk to them about the proposed land use.

Commissioner Nick Badwey motioned to table the issue until Mr. Masters had contacted the County Commission.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 1.

NEW BUSINESS

Commissioner David Chapin introduced his mother from the audience.

Commissioner Nick Badwey wished the community a Happy Easter.

Commissioner Bill Young encouraged citizens to apply for board positions.

Commissioner Shane Krause welcomed Commissioner Young.

Mayor Tom McKibban asked citizens to please put only items that belonged into the compost pile.

Commissioner Badwey stated that if it is not something you can grow, do not put it in the pile, this includes the bags that citizens use to bring their compost to the site.

Mayor McKibban also welcomed Commissioner Young.

CITY MANAGER'S REPORT

FIREWORKS LOCATION

City Manager Herb Llewellyn confirmed with the Commission that the City Fireworks show would be held at the Legion property this year.

Commissioner Nick Badwey asked if it would be by the driving range.

Mr. Llewellyn stated that it would be in the best place available.

Commissioner David Chapin stated that City Staff should check with Mr. Showalter.

Mayor Tom McKibban and the Commission agreed that the fireworks show would be held at the Legion this year.

FINANCE AWARD

Mr. Llewellyn stated that the City had received the GFOA Finance award for the 28th year in a row for excellence in financial reporting in the year 2009.

WORK SESSION

Mr. Llewellyn asked the Commission when they would be available for a work session on board appointments.

It was decided that Tuesday, April 19th, at four p.m. would work best for everyone.

TOWN HALL MEETING

Mr. Llewellyn stated that the Commission was invited to a Town Hall meeting at the local college, if interested, they should RSVP to Mary Ann Monzani.

PROPERTY SALE

Mr. Llewellyn stated that there was a potential buyer for a portion of the Industrial Park property, but the proposed use did not comply with the original plan. The buyer wished to build a chapel that would be used for church services on Sundays and as a chapel the rest of the week.

Mayor Tom McKibban asked if the property would be tax exempt under the church.

Mr. Llewellyn stated that it would be.

Mayor McKibban stated that he wished to continue with the original plan of selling the property to businesses that would be on the tax rolls.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 9:40 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

April 19, 2011

The El Dorado City Commission met in special session on April 19, 2011, at 4:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, and City Clerk Tabitha Sharp.

VISITORS

Mary Ann Monzani

220 E. 1st

El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the April 19, 2011 Special City Commission meeting to order.

BOARD/COMMISSION REAPPOINTMENTS AND NEW APPLICANTS

BOARD OF APPEALS

Commissioner Bill Young asked if there was a conflict of interest in appointing Sharon Wilkinson to the Board of Appeals and Wade Wilkinson to the Planning Commission.

City Manager Herb Llewellyn stated that there wasn't a conflict unless one of the Wilkinson properties was presented, at which time she would disclose her relationship and excuse herself from the discussion and vote.

Commissioner Young selected Sharon Wilkinson as the replacement for Robbie Pollard on the Board of Appeals.

Mr. Llewellyn stated that the Commission may want to look at term limits so that willing applicants may remain in their positions given the lack of interest in serving on a board.

Mayor Tom McKibban agreed that John Grange was a valuable asset to the Board of Appeals because of his connections throughout the state.

It was agreed that term limits for boards would be discussed in a future Commission meeting so that the conversation could be heard by a larger portion of the public.

EL DORADO SPECIAL CITY COMMISSION MEETING

April 19, 2011

Commissioner David Chapin asked if the City could advertise board openings on Channel 7, 360eldorado and at the airport.

Mr. Llewellyn stated that it could be done.

ZONING APPEALS

Mayor McKibban suggested that Matt Grange be contacted to fill the open position on the Board of Zoning Appeals.

CTC

Commissioner Young suggested that Jerry Mandarino fill the position open for a private citizen on the CTC.

Mayor McKibban suggested the new manager for the Coutt's museum be called to fill the position vacated by Connie Walton.

EL DORADO INC.

Commissioner Young presented an application from Tom Young for the El Dorado Inc. board.

LIBRARY BOARD

Jayne Grange submitted an application for one of the open library board positions.

It was suggested that Susan Zieman be reappointed to continue her service on the library board.

PLANNING COMMISSION

Commissioners suggested that a motion be made to appoint Fred Britain and Wade Wilkinson to the Planning Commission effective immediately so that the Planning Commission could meet the following week as scheduled.

A third application was received from Scott Leason for the Planning Commission.

Commissioner Nick Badwey volunteered to call Mr. Leason to get more information on his qualifications for the position.

EL DORADO SPECIAL CITY COMMISSION MEETING

April 19, 2011

Commissioner Bill Young moved to appoint Fred Britain and Wade Wilkinson to the Planning Commission Board.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

REAP

Commissioner Shane Krause asked if one of the other Commissioners had more time to serve on the REAP water committee.

Commissioner Young agreed to attend as the elected official for the water committee.

RECREATION ADVISORY COMMITTEE

Commissioner Krause agreed to be the representative from City Commission for the recreation committee.

Mayor McKibban and Commissioner Young suggested that the committee be expanded to involve more people.

Commissioner Badwey suggested that it be expanded by four members if there were individuals interested in serving.

Consent to expand the committee by four members was given by the Commission.

RECYCLE

Commissioner Young stated that Kendra Wilkinson might be interested in serving on the recycle committee, he would contact her.

TREE BOARD

Bill Johnson and Anthony Heilman's applications were accepted for the two open positions on the tree board.

YOUTH COMMISSION

EL DORADO SPECIAL CITY COMMISSION MEETING

April 19, 2011

Commissioner David Chapin stated that the list of Youth Commission members needed to be updated.

Mr. Llewellyn stated that City Staff would contact Jim Gardner.

ADJOURNMENT

Commissioner David Chapin moved the meeting adjourned at 5:00 p.m.

Commissioner Bill Young seconded the motion.

Motion Carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

May 3, 2011

The El Dorado City Commission met in regular session on May 3, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, City Attorney James Murfin and City Clerk Tabitha Sharp. Commissioner David Chapin and Assistant City Engineer Scott Rickard were absent.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Jim Gardner	930 Fairway Ct	El Dorado, KS
Ryan Murry	1920 Jamaica St	El Dorado, KS
Mike Lemke	1720 Rado	El Dorado, KS
Chandler Bolen	511 W Central	El Dorado, KS
Sarah Jones	102 S Arthur	El Dorado, KS
Taylor Briscoe	705 Maplewood Dr	El Dorado, KS
Isetta Plante	16 West Ct	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Phil Wickwire	341 Village Rd	El Dorado, KS
Tony Plant	16 West Ct	El Dorado, KS
Chris Locke	1919 Chelsea	El Dorado, KS
Sam McVay	141 N Emporia	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the May 3, 2011, City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Youth Commission members Taylor Briscoe and Chandler Bolen led the pledge of allegiance.

PERSONAL APPEARANCE

YOUTH COMMISSION

Taylor Briscoe read a request from the El Dorado Youth Commission asking to waive the requirement of residency in El Dorado for members of the Youth Commission.

Mayor Tom McKibban asked for a rationale for the change.

EL DORADO CITY COMMISSION MEETING

May 3, 2011

Ms. Briscoe stated that many students at El Dorado High School wanted to serve, but because they lived outside the City limits, they were unable to.

Mayor McKibban agreed, and stated that the purpose of the Youth Commission was not only to bring ideas to the City Commission, but to teach students to lead.

Commissioner Bill Young agreed with the Mayor, he stated that anytime volunteers were available, the City should encourage them to participate.

Commissioner Nick Badwey moved that the bylaws for the El Dorado Youth Commission be amended to include “or attend El Dorado High School”, following “within the city limits of El Dorado.”

Commissioner Young seconded the motion.

Motion carried 4 – 0.

MISSION EL DORADO, INC.

Mike Lemke, 1720 Rado, asked the Commission to participate in their annual repair weekend by waiving building and permit fees for the small projects they participate in. Mission El Dorado’s purpose is to assist people with repairs to their homes that they might not otherwise be able to afford or have the skills to attend to.

The Commission agreed that this was a good project and there was a consensus to waive building permit and fee requirements.

ENERGY MANAGEMENT PRACTICES

Sara Jones, Energy Manager, presented the Commission with an update on energy management practices in the City of El Dorado.

PROCLAMATION

Phil Wickwire, Elks Lodge 1407, stated that Friday, May 6, 2011 would be Kids Night Out sponsored by the Elks Lodge.

Mayor Tom McKibban read the proclamation announcing the week of May 2 through May 8, 2011 El Dorado Elks Lodge National Youth Week.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

Isetta Plante, 16 West Ct, stated that she had run over a concrete bumper behind Gizmo’s, and wanted the City to consider assisting with the damages.

Tabitha Sharp, City Clerk, stated that she or the City's insurance company would contact Ms. Plante regarding the accident.

CONSENT AGENDA

Approval of the April 18, 2011 City Commission minutes, the April 18b, 2011 City Commission minutes, and the April 19, 2011 Special City Commission minutes.

Approval of Appropriation Ordinance 04-11 in the amount of \$1,547,045.76

Approval of the Engineer's Third & Final Pay Estimate dated April 25, 2011, on Project No. 347-North Main Sidewalk (12th to Post) to the Contractor, Bryant & Bryant Construction, in the amount of \$1,950.00.

Approval of the Engineer's Fifth & Final Pay Estimate dated April 25, 2011, on Project No. 357-SE Quadrant Sidewalk Replacement to the Contractor, Barkley Construction, in the amount of \$5,394.04.

Commissioner Shane Krause stated that Jeff Masters' name needed to be added to the attendance list, the second section of the April 18th minutes needed to be added to the Consent Agenda, and in the City Manager's report, the property should be referred to as Industrial Park, not American Legion property.

Commissioner Nick Badwey moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

BOARD RE-APPOINTMENTS AND BOARD NEW MEMBER APPOINTMENTS

At the April 19, 2011 Special City Commission meeting, the Commission reviewed memberships that are up for re-appointment as well as new member appointments to various City Boards.

AIRPORT ADVISORY BOARD

Commissioner Shane Krause moved to re-appoint Pat Doane, to the Airport Advisory Board for a term set to expire April 1, 2014.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

BOARD OF APPEALS/CODE REVIEW

Commissioner Bill Young moved to re-appoint Dave Stewart to the Board of Appeals/Code Review Board for a term set to expire May 1, 2015.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0.

BOARD OF ZONING APPEALS

Commissioner Nick Badwey moved to re-appoint Eddie Dean Jr. to the Board of Zoning Appeals for a term set to expire April 1, 2014.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

CONVENTION & TOURISM COMMITTEE

Commissioner Shane Krause moved to appoint Steve Reynolds, Jim Gardner and Kim Smith to the Convention & Tourism Committee for terms set to expire May 1, 2013.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0.

EL DORADO INC.

Commissioner Bill Young moved to re-appoint Greg Joyce to El Dorado Inc. for a term set to expire May 1, 2015.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

LIBRARY BOARD

Commissioner Nick Badwey moved to re-appoint Susan Zieman to the Library Board for a term set to expire May 1, 2015.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

PLANNING COMMISSION

Commissioner Shane Krause moved to re-appoint Dan Hill to the Planning Commission for a term set to expire May 1, 2014.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

Commissioner Nick Badwey moved to appoint Scott Leason to the Planning Commission for a term set to expire May 1, 2013.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

RECYCLING & SOLID WASTE ADVISORY COMMITTEE

Commissioner Shane Krause moved to appoint Vivian McGowin, Ladislado Hernandez, Kathie Monroe, Debra LaForge and Kendra Wilkinson to the Recycling & Solid Waste Advisory Committee for terms set to expire May 1, 2014.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

TREE BOARD

Commissioner Bill Young moved to re-appoint Betty Kirpatrick to the Tree Board for a term set to expire May 1, 2014.

Commissioner Nick Badwey seconded the motion.

BOARD OF APPEALS/CODE REVIEW

Commissioner Nick Badwey moved newly appoint Sharon Wilkinson to the Board of Appeals/Code Review Board for a term set to expire May 1, 2015.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

CONVENTION & TOURISM COMMITTEE

Commissioner Shane Krause moved to newly appoint Jerry Mandarino to the Convention & Tourism Committee for a term set to expire May 1, 2013.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

EL DORADO INC.

Commissioner Bill Young moved to newly appoint Tom Young to El Dorado Inc. for a term set to expire May 1, 2015.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

LIBRARY BOARD

Commissioner Nick Badwey moved to newly appoint Jayme Grange to the Library Board for a term set to expire May 1, 2015.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

TREE BOARD

Commissioner Shane Krause moved to newly appoint Anthony Heilman and Bill Johnson to the Tree Board for terms set to expire May 1, 2014.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

ORDINANCE TO AMEND ORDINANCE G-1030 ADOPTING THE 2006 INTERNATIONAL BUILDING CODE TO REMOVE BOARD OF APPEALS/CODE REVIEW MEMBER TERM LIMITS

At the April 19, 2011 Special City Commission meeting, the Commission discussed the removal of member term limits for various City committees, commissions and boards to better align term limitation requirements with that of the City Commission.

Commissioner Bill Young stated that the Commission had found it difficult to find volunteers to fill all positions. Removing term limits would prevent the Commission from being required to remove people who were willing to serve on a board.

Commissioner Nick Badwey moved that Ordinance G-1118, an ordinance amending the adoption of the 2006 International Building Code to remove Board of Appeals/Code Review member term limits, be adopted.

Commissioner Shane Krause seconded the motion.

ROLL CALL

Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Absent
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes

RESOLUTION TO AMEND RESOLUTION NO. 1696 ESTABLISHING A RECREATION ADVISORY COMMITTEE

At the April 19, 2011 Special City Commission meeting, the Commission discussed the current membership on the Recreation Advisory Committee. The Commission discussed and agreed to increase the maximum number of members established by Resolution No. 1696. This amendment would increase the maximum membership from the current five member committee to nine. This increase in membership would allow greater input on the recommendations currently made by this advisory committee.

Mayor Tom McKibban stated that the increase in members would provide for a broader age range of members.

Commissioner Bill Young stated that it was important to get more people involved in the City, and increasing the number of citizens on this board would help.

Commissioner Shane Krause moved that Resolution 2675, a resolution amending the establishment of the Recreation Advisory Committee to increase the maximum number of committee members, be adopted.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

SALES TAX ADVISORY COMMITTEE RECOMMENDATIONS

Ryan Murry, Chairperson of the Sales Tax Advisory Committee, stated that the total sales tax revenue for 2011 is estimated at \$2,300,000, and the amount of 2011

uncommitted sales tax revenue available is \$167,674. Due to the decline in the collection of sales tax, and the suggestion by City Staff to the Committee that one Mil be left as a cushion, the Sales Tax Advisory Committee has decided not to spend the money in the Uncommitted Sales Tax Fund.

Mr. Murry stated that it did appear that the collections were up in 2011 compared to 2010.

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing.

No one came forward to speak.

Mayor McKibban closed the public hearing.

SUGGESTED MOTION

Commissioner Nick Badwey moved to accept for consideration the Sales Tax Advisory Committee's recommendations on the use of uncommitted sales tax for 2012.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

APPOINTMENT OF A VICE MAYOR

Mayor Tom McKibban stated that 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. Previous Vice-Mayors were Dave Chapin (2009 – 2010 and 2010 – 2011), Steve Reynolds (2008-2009), and Linda Clark (2007 – 2008).

Commissioner Nick Badwey moved to appoint Commissioner Shane Krause as Vice-Mayor for a one-year term.

Mayor Tom McKibban seconded the motion.

Motion carried 4 – 0.

NEW BUSINESS

Commissioner Krause stated that it had been a good weekend for the Nation with the elimination of the threat of Osama Bin Laden. He also stated that it was unfortunate that people were celebrating death.

Commissioner Bill Young thanked those citizens that had applied to serve on boards and committees, and encouraged others to do the same.

Commissioner Nick Badwey stated that the Arena Committee has developed a mission statement and a timeline for their work.

Commissioner Badwey also stated that he has been approached by several citizens who wished to name the field at MacDonald Stadium after Coach Brad Long. Coach Long is a life-long citizen of El Dorado. He was a starter the majority of his high school career, and came back from college to teach and coach baseball and El Dorado High School. He has served as coach at El Dorado High School for 41 years, longer than any other person at the school.

Commissioner Badwey asked what steps were necessary to name the field after Coach Long.

Mayor Tom McKibban asked if it had to be presented to the Parks and Recreation Board first.

City Manager Herb Llewellyn stated that it should go to the Recreation Board, Kevin Wishart, Recreation Superintendent had polled members of the board and the vote was 3 – 2 in favor of renaming the field.

Mayor McKibban asked if the Recreation Board could provide a formal report for the next Commission meeting.

Brad Meyer, Assistant Public Works Director, stated that they could.

Chris Locke, 1919 Chelsea, one of the citizens in support of naming the field after Coach Long stated that they would like to try and have the ceremony during the game on the following Monday because it was his last home game.

Mayor McKibban stated that the Commission needed to review the policy, particularly the section that stipulates that the naming of a property at hand must be named after a deceased individual.

Mr. Locke stated that the group of people suggesting the field be named after Coach Long would be raising money for a sign, so there would be no cost to the City.

Mayor McKibban asked if staff knew why there were two negative votes from the Recreation Board.

Mr. Meyer stated that he only knew what the vote was, not the reason behind them.

Commissioner Nick Badwey moved the playing field at MacDonald Stadium be named after Coach Brad Long.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

Mayor McKibban asked that a work session be set up to discuss the naming policy.

Mr. Locke stated he would be in touch with the Commission so that they could attend the naming ceremony.

Mayor McKibban stated that he agreed with Commissioner Krause, while it was good that the Nation is no longer threatened by Osama Bin Laden, he did not feel it was appropriate to be celebrating the death of a human being.

Mayor McKibban thanked Commissioner Young for bringing applications in for the various boards and committees.

Mayor McKibban reiterated that citizens should not use the compost site for a dump site, only natural materials should be dumped there. The City could lose the privilege if people continue to dump other materials. He also reminded citizens to call the police if they found someone dumping at the compost site illegally.

CITY MANAGER'S REPORT

CHARACTER COUNTS

City Manager Herb Llewellyn stated that City Staff would hang the signs in the Commission room for Character Counts if the Commission was agreeable. The signs encourage participation in the Character Counts program.

Mr. Llewellyn stated that Commissioner Mike Wheeler from the County called, they did not change their decision regarding the land use for Jeff Masters' land. There is a possibility he might return to the County Commission with some alterations to his current proposal, they will let us know when he does.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing trade secrets and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 9:05 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

Mayor Tom McKibban reconvened the meeting at 9:00 p.m.

Commissioner Nick Badwey requested an additional thirty minutes for executive session.

Commissioner Shane Krause seconded the motion.

Motion carried 3 – 0. Commissioner Bill Young remained in the conference room.

Mayor Tom McKibban reconvened the meeting at 9:30 p.m.

Commissioner Bill Young moved that an advisory committee be formed for Prairie Trails.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0.

City Manager Herb Llewellyn stated that citizens could come into City Hall or go to the City's website to sign up for the committee.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 9:35 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

May 10, 2011

The El Dorado City Commission met in special session on May 10, 2011, at 4:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Robert Lane	810 Troon	El Dorado, KS
Tim Lane	806 Rim Rock	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Chris Tuohey	Kemper Sports	Newton, KS
Bill Moorberg	Prairie Trails	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the May 10, 2011 Special City Commission meeting to order.

DISCUSSION OF PRAIRIE TRAILS GOLF AND DINING

Herb Llewellyn, City Manager, stated that the City had received a letter from Chris Tuohey regarding Kemper Sports Management’s suggestions for how to proceed with operations this year. He stated that these suggestions were more drastic that the City wished to move forward with.

Mayor Tom McKibban stated that he believed that the golf course had been mismanaged. He stated that the e-mail list had not been going out as was promised and the website was not being updated. He also stated that Kemper had been given an open budget with which to work the last year, and yet still things were not taken care of properly.

Mayor McKibban stated that he has received several comments from customers unhappy with the golf course and with the restaurant. He asked Kemper staff what was happening.

Chris Tuohey, Kemper Sports Management, stated that the Prairie Trails staff was working hard, but they were working with a limited budget, time and other resources.

Mayor McKibban asked how they could do better if they didn’t communicate with their customers such as they used to with the website and e-mail lists.

Bill Moorberg, General Manager at Prairie Trails, stated that he e-mailed approximately 150 members each week.

Commissioner Nick Badwey asked what the City could do to help the golf course.

Mr. Tuohey stated that the City would need to fund the accounts or Kemper would need to follow the guidelines outlined in their letter.

Commissioner Badwey asked if the changes in the restaurant helped it to break even.

Mr. Tuohey stated that the restaurant actually made money in the month of April.

Commissioner Badwey stated that he thought of the golf course as an amenity much like the parks and the pool, making money there was not important to him.

City Manager Llewellyn stated that the Commission had to decide what the golf course was worth to them as an amenity.

Mayor McKibban stated that he knew it was going to be awhile before Prairie Trails made money, but he wanted to know how it had come to the loss the City was currently taking.

Mr. Tuohey stated that he believed Kemper had a grip on the food and beverage situation, now they needed to put more efforts into the golf course.

Mayor McKibban stated that the Commission would have been more prepared for the loss if Kemper would have given them a budget that reflected this in the beginning.

Mr. Tuohey stated that Kemper did not have an accurate history to base their budget on last year.

Commissioner Badwey asked what the net loss would be if they continued to operate at the current levels.

Mr. Tuohey stated that it would probably be around \$270,000, but he would like to provide the Commission with a proper cash flow and accrual forecast.

Commissioner Shane Krause stated that it appeared the new restaurant hours were a success.

Commissioner Bill Young stated that he did not believe the new restaurant hours could be termed a success when Prairie Trails was losing future customers because they were not open regularly.

Commissioner Krause agreed and revised his previous statement to say that it appeared that the new restaurant hours had been a success monetarily.

Commissioner Krause asked if the issues on the golf course are related to needing staff and equipment.

Mr. Moorberg stated that the golf course equipment was very old and in need of replacement.

Commissioner Young asked if the \$270,000 loss included the \$96,000 management fee for Kemper.

Mr. Tuohey stated that it did.

Mayor McKibban asked how the Commission could justify this expense for only 150 members. He stated that the Commission could not repeat past mistakes.

Commissioner Badwey stated that he was not opposed to spending \$250,000 per year for the golf course.

Mayor McKibban stated that he was concerned that the City did not budget for the larger loss.

Commissioner Krause asked why the golf course was deteriorating. He stated that the location of the restaurant did not lend itself to making money. He was willing to spend money on the course, but did not want to subsidize the restaurant.

Mr. Tuohey stated that he would get recommendations from his golf course superintendent at Sand Creek for the course at Prairie Trails.

Commissioner Young stated that he agreed that the course is an amenity, but he was trying to reconcile the value of the management company.

Mr. Tuohey stated that management fees cover the cost of accounting services, project plans, local support, and provide competitive pricing with equipment and food and beverage costs.

Mayor McKibban asked if the management fees would be reduced with the reduction in hours of the restaurant.

Mr. Tuohey stated that they would not because it was not Kemper's plan that the restaurant would lose money.

Mayor McKibban stated that he believed they did the right thing by providing golf in El Dorado, but he was not happy with the management. He asked how they planned to get more members when they were not making their current members happy. He also wanted to know why the City had to ask for financials each month.

Commissioner Young asked how Kemper was providing a benefit to the City.

Commissioner David Chapin stated that it needed to be run like a business. He stated that he agreed that success was not shutting down the restaurant because it is not growing the business.

Commissioner Chapin also stated that while we needed to look to the future of Prairie Trails, we need to understand what happened in the past to better plan for the future. He could not accept a loss of \$250,000.

Mr. Tuohey stated that Prairie Trails had improved \$100,000 over the last year.

Commissioner Badwey stated that the Commission shouldn't charge Kemper with the impossible.

Commissioner Chapin stated that he takes more complaints about Prairie Trails than any other issue in the City.

City Manager Llewellyn stated that there are many complaints about spending a lot of money on Prairie Trails for a small number of people.

Commissioner Badwey stated that is just part of City government, no citizen uses every amenity that they pay for e.g. the pool or the airport.

Commissioner Krause stated he would like to see the forecast of what it would take to make Prairie Trails better.

Mayor McKibban stated that is why they will now have an advisory committee.

City Manager Llewellyn stated that the Commission needed to come to a consensus once Kemper brought them more information. He stated that they have surpassed their

operating and maintenance budget and that City Staff will not release more money to them without the approval of the Commission.

Commissioner Badwey stated that he definitely did not want to follow the options in the letter from Kemper.

Mayor McKibban stated that if they closed the Pro Shop, they would lose golfers.

There was a consensus amongst the Commission that they would not be following the recommendations listed in the letter from Kemper.

Mayor McKibban stated that he would be expecting to see the budget for next year, recommendations for the golf course, and both the accrual and cash flow numbers for this year at the next meeting.

Commissioner Young had to leave to attend another obligation.

ADJOURNMENT

Commissioner Shane Krause moved the meeting adjourned at 5:35 p.m.

Commissioner Nick Badwey seconded the motion.

Motion Carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

May 11, 2011

The El Dorado City Commission met in special session on May 11, 2011, at 4:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp. Commissioner David Chapin was absent.

VISITORS

Bob Hendricks	1801 W Central	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Ken Nakaten	220 E 1 st	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the May 11, 2011 Special City Commission meeting to order.

DISCUSSION OF CAPITAL IMPROVEMENT PLAN

Assistant City Engineer Scott Rickard, Public Utilities Director Kurt Bookout, Recreation Superintendent Kevin Wishart, and Fire Chief Ken Nakaten presented their 2012 – 2017 Capital Improvement Plan items.

BOARD APPOINTMENTS

The Commission discussed applications they had received for City Boards and Committees.

RECREATION BOARD

Commissioner Bill Young stated that he thought Kevin Jacobs, Russ McCaig, Brad Gregg and Jason Holmes would work well on the recreation board because they all had children and served as coaches.

There was consensus amongst the Commission.

CONVENTION AND TOURISM COMMITTEE

Commission also reached a consensus on the applications of Tyler Gladfelter Assistant General Manager of the Holiday Inn, Rod Seel Director of the Coutts Museum, and Jordan Southern of the Super 8 Motel for the Convention and Tourism Committee.

PRAIRIE TRAILS COMMITTEE

City Manger Herb Llewellyn asked if the Commission had decided how many people should serve on the Committee.

Mayor Tom McKibban stated that a large number would make decision making difficult.

Commissioner Shane Krause stated that he did not want to stifle interest in serving on boards and committees.

Commissioner Bill Young stated that if the committee was larger, they could form sub committees.

The applications of Linda Clark, Sally Young, Stan Stewart, Tim Lane, Dan Young, Tracy Clites, Dusty Davis, Jeff Stewart, and John Rawlings were chosen for the committee.

EXECUTIVE SESSION

Commissioner Shane Krause moved to recess into an Executive Session for the purpose of discussing legal matters, and to reconvene the regularly scheduled meeting in the City Commission room at 6:30 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

Mayor Tom McKibban reconvened the meeting at 6:30 p.m.

Mayor McKibban stated that as an addition to the earlier discussion on the Prairie Trails Committee, Commissioner Bill Young would be serving as the ex officio for that committee.

Commissioner Nick Badwey moved that as the Kansas Court of Appeals has recently ruled that the lease by the City of El Dorado of the American Legion property does not qualify for exemption from property tax, the City has agreed to pay the unpaid taxes due to date accrued during the pendency of actions before the Court of Tax Appeals and Kansas Court of Appeals on behalf of the American Legion.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

ADJOURNMENT

Commissioner Bill Young moved the meeting adjourned at 6:40 p.m.

Commissioner Nick Badwey seconded the motion.

Motion Carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

May 16, 2011

The El Dorado City Commission met in regular session on May 16, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, City Attorney James Murfin, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Jeff Masters	449 SE 20 th	El Dorado, KS
Sarah Masters	1 SE 10 th	El Dorado, KS
Bill Kkoeblen	1770 Country Club Rd #2	El Dorado, KS
Kristi Jacobs	1975 S Topeka	El Dorado, KS
Jim Gardner	930 Fairway Ct	El Dorado, KS
Alex pennington	2320 Gentry Lane	El Dorado, KS
Katie Goebel	2125 Pico Ct	El Dorado, KS
Chandler Bolen	511 W Central	El Dorado, KS
Taylor Briscoe	705 Maplewood Dr	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Rick and Trina Whiteside	2158 SE Tutor Rd	El Dorado, KS
Mary Whiteside	1130 W Olive	El Dorado, KS
Darlene Montgomery	961 SE Spires Rd	El Dorado, KS
Marsha and David Dekkes	895 SE 20 th	El Dorado, KS
Dawne Taylor	2515 SE 13 th Terrace	El Dorado, KS
Patrick Wilson	1179 SE Conner	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS
Trevor Landreth	1115 S Summit	El Dorado, KS
Kevin Pickrell	704 Maplewood	El Dorado, KS
John Templin	515 N West	Leon, KS
Keith West	1820 W 3 rd	El Dorado, KS
Marlene Avery	219 Hillcrest	El Dorado, KS
Deb Wilson	1179 SE Conner	El Dorado, KS
Anthony Heilman	6366 NE 10 th	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the May 16, 2011, City Commission meeting to order.

INVOCATION

Reverend Keith West opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Youth Commission members led the pledge of allegiance.

PERSONAL APPEARANCE

YOUTH COMMISSION

Alex Pennington of the El Dorado Youth Commission presented the City Commission with their annual report.

LIBRARY BOARD

Kristi Jacobs, Bradford Memorial Library Director, and Bill Kloeblen, President of the Library Board, presented the City Commission with the library’s annual report.

MUNICIPAL BAND

Trevor Landreth, President of the El Dorado Municipal Band, presented the City Commission with their 2011 performance schedule.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the May 3, 2011 City Commission minutes.

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

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

BOARD RE-APPOINTMENTS AND BOARD NEW MEMBER APPOINTMENTS

At the May 11, 2011 Special City Commission meeting, the Commission reviewed memberships that are up for re-appointment as well as new member appointments to various City Boards.

Commissioner Nick Badwey move to approve Mayor McKibban’s re-appointment of John Grange to the Board of Appeals/Code Review Board for a term set to expire May 1, 2013.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

Commissioner Bill Young moved to newly appoint Russ McCaig, Kevin Jacobs, Jason Holmes and Brad Gregg to the Recreation Advisory Committee for terms set to expire May 1, 2013 and Rod Seel, Jordan Southern and Tyler Gladfelter to the Convention and Tourism Committee for terms set to expire May 1, 2013.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban asked about the new advisory committee for Prairie Trails.

City Manager Herb Llewellyn stated that there would be another work session to wrap up details for that committee.

Commissioner Bill Young stated that they might want to look at other applications that were received over the past week as well.

SPECIAL USE PERMIT TO ALLOW AN OUTDOOR RECREATION AND ENTERTAINMENT FACILITY ON PROPERTY LOCATED AT 2149 SE 20TH

The applicant, Jeff Masters, is requesting a Special Use Permit to allow an outdoor recreation and entertainment facility on property located at 2149 SE 20th. The property is currently zoned Agricultural-Residential District. This application is under the purview of

the city because it lays within the city's extraterritorial zoning area (ETA) established in 2010.

Mr. Masters is asking for an outdoor dirt bike track and an indoor/outdoor paintball field. The dirt back track is proposed to be located on the west side of the property and run nearly 80 acres north-south. The indoor/outdoor paintball field is located on the east side of the property. Please see the attached site plan.

As part of the interlocal agreement with Butler County for the ETA, the County Board of Commissioners must provide a recommendation on the application's conformance to the County Comprehensive Plan. At its March 15 meeting, the board voted 4-0 that the proposed use is not in conformance with the County Comprehensive Plan. The motion stated the proposed use would create noise and dust conditions that are not compatible with the surrounding uses. Because of this non-conformance designation, a super-majority of 6 yes votes is required by the Planning Commission for a recommendation of approval.

At the March 24, 2011 Planning Commission meeting, after review of the facts in the case and information submitted at the public hearing, the Planning Commission voted 5-1 to approve the application. As stated earlier, six yes votes are required for a recommendation to approve. Therefore, the application goes to the City Commission with a recommendation to deny because it did not receive the required six yes votes.

Matt Rehder, Planning and Zoning, stated that Mr. Masters had attended the County Commission meeting as suggested by City Commission and they did not change their recommendation. They did state that if Mr. Masters provided a plan for utilities and a paved road, they would re-visit the issue.

Mayor Tom McKibban asked Mr. Masters if he had any new information to provide the Commission.

Jeff Masters stated that he had spoken to the Rural Water District, and they stated that he could get water from the line that currently runs behind the prison. He also stated that the Keefer family has given him permission to pave a road through their property.

Mayor McKibban stated that the City had received a letter from the Rural Water District stating that they would not be providing any new water service.

Mayor McKibban reiterated that he would not vote against the County's ruling.

Commissioner Shane Krause moved that the recommendation of the Planning Commission to deny Case No. 11-004-SUP requesting a Special Use Permit to allow an outdoor recreation and entertainment facility limited to a dirt bike track and an indoor/outdoor paintball field on property located at 2149 Southeast 20th, be accepted.

Commissioner Bill Young seconded the motion.

Mr. Masters stated that he did not believe the County Commission had denied his application.

Mayor McKibban explained that the County Commission has voted to deny it until Mr. Masters completes the tasks they requested of him. He again stated that he will not vote against the County Commission.

Mr. Masters stated that he had heard Commissioner Shane Krause had discussed the recreation center at the hospital.

Commissioner Krause clarified that he stated that the idea was not a bad one, but it was not a good fit on the land that Mr. Masters owned because of interference with other residents.

Motion carried 5 – 0.

SUBDIVISION AMENDMENTS

Matt Rehder, Planning and Zoning, stated that at the March 7 regular meeting, the City Commission directed the Planning Commission to conduct a public hearing to discuss possible amendments to the Article 8 of the subdivision regulations. This article states the city’s policy concerning development costs. The Planning Commission conducted the public hearing on April 28. The Planning Commission is recommending the following:

1. costs of the water distribution system and storm drainage become city-at-large expenses;
2. sewer to read as previous language;
3. sidewalks to be “recommended” and not “required”;
4. Item G: Street Trees to be completely removed.

City staff recommends the current language for the water distribution system and storm drainage be amended to make those costs city-at-large. The actual change to the language will be one phrase in each item. Staff recommends the rest of Article 8 remain as is.

Commissioner Bill Young asked what the standards were in other cities.

Mr. Rehder stated that most cities make developers pay for everything. The City of El Dorado has not made the developers pay for water and storm sewer in the last four years.

Commissioner Young asked if the City had paid in the past.

Mr. Rehder stated that they did until 2007 when the Commission passed the developer to pay for water. In January 2010, the Commission passed an ordinance stating that the developer would pay for everything.

Commissioner David Chapin asked about street intersections.

Mayor McKibban stated that the City had always been the one to pay for streets.

Commissioner Nick Badwey moved to accept the Planning Commission’s recommendation on Article 8 of the Subdivision Regulations to state the costs of the water distribution system and storm drainage become a city-at-large expense and the Ordinance G-1119 be approved.

Commissioner Bill Young seconded the motion.

Position No. 4	Commissioner David Chapin	Y
	Mayor Tom McKibban	Y
Position No. 1	Commissioner Shane Krause	Y
Position No. 2	Commissioner Bill Young	Y
Position No. 3	Commissioner Nick Badwey	Y

NEW BUSINESS

Commissioner David Chapin stated that he wanted to thank the Youth Commission for another great year, and is looking forward to a new year.

Commissioner Nick Badwey stated that he traveled to see his daughter and Kate Bird, another local girl, graduate with their Masters’ Degrees.

Commissioner Bill Young stated that is was good to see the Youth Commission so involved, and again wanted to thank those people serving on boards and committees. Those people help a great deal because the Commission lacks the time and resources to keep track of every function of the City.

Commissioner Shane Krause stated that he participated in the Governor's Golf and Fishing Classic over the weekend. He stated that some citizens had reported to the Commission that the golf course was in bad shape, but he found it in pretty decent shape.

Commissioner Krause stated that they raised money for the State Parks.

Mayor Tom McKibban congratulated the graduates of Butler Community College and El Dorado High School.

Mayor McKibban also congratulated the Butler Community College women's softball and track teams.

Mayor McKibban also congratulated Chandler Bolen and other students involved in Forensics on their achievements.

CITY MANAGER'S REPORT

BOARDS AND COMMISSIONS

City Manager Herb Llewellyn stated that there was still an opening on the Airport Advisory Board, Board of Zoning Appeals, and the Recycling and Solid Waste Advisory Committees.

WIND TURBINE

Director of Public Utilities Kurt Bookout gave an update to the Commission on the progress of the wind turbine.

Mr. Bookout stated that there were several scenarios available to the City regarding the wind turbine. The best option would be for the City to use the federal grant for \$250,000 and the 40% forgiveness from the State of Kansas. The City would have a 6 year payback on the remaining loan amount if Westar agrees to net metering.

Mayor Tom McKibban asked how we would finance the project.

Mr. Bookout stated that it would be financed through G. O. Bonds.

Mr. Bookout also stated that the KCC is still optimistic that Westar will follow through with their offer on net metering.

Commissioner Bill Young asked what this would do to our current electric bill.

Mr. Bookout stated that fuel charges will continue to raise the energy bill in the future. The wind turbine will reduce the energy bill considerably. The savings on the energy bill will allow us to spend money repairing the sewer system without raising water bills.

Mayor McKibban asked if the current agreement with Westar was in writing.

Mr. Bookout stated that it was.

Mayor McKibban asked for City Staff to provide him with the cost of the loan over the 20 years so that he could better understand the bottom line.

Mr. Bookout stated that it helped to look at the do nothing scenario. If the City does nothing, we will spend four and a half million over the next twenty years. The loan for the wind turbine is two million. If the wind turbine lasts longer than six years, then the City has made money.

Mayor McKibban asked why more cities were not doing this if it is a good deal.

City Manager Llewellyn stated that not everyone had the option of the grant and the forty percent forgiveness.

Commissioner David Chapin stated that he would like to see a breakdown of what would be paid out and what the City would save. He wanted to see this information with and without the turbine.

Mr. Bookout stated that he would send them the information at the end of the week.

EXECUTIVE SESSION

Commissioner Shane Krause moved to recess into an Executive Session for the purpose of discussing legal matters, and to reconvene the regularly scheduled meeting in the City Commission room at 9:20 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban reconvened the meeting at 9:20 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 9:21 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on June 6, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, City Attorney James Murfin, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Mark Otto		Valley Center, KS
John Hurst	720 W Ash	El Dorado, KS
Ginger Hurst	720 W Ash	El Dorado, KS
Teresa Henderson	6370 NW 40 th	El Dorado, KS
Rachel Mondt	2025 S Glendale	Wichita, KS
Nijah Fudge	405 S Arthur	El Dorado, KS
Vince Haines	300 N Star	El Dorado, KS
David Stewart	101 S Star	El Dorado, KS
Greg Joyce	1005 Rimrock	El Dorado, KS
Jackie Vietti	1235 Glenview	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Edith Waugh	1502 N Topeka	El Dorado, KS
Steve Pershall	1502 N Topeka	El Dorado, KS
Adam Waterson		Wichita, KS
Phil Barager		Wichita, KS
Julie Clements	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the June 6, 2011, City Commission meeting to order.

INVOCATION

Ginger Hurst opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Steve Pershall led the pledge of allegiance.

PERSONAL APPEARANCE

ANNUAL TORNADO MEMORIAL SERVICE

Steve Pershall and Kurt Bookout of the El Dorado Rotary Club presented the Commission with a brief history of the tornado memorial. Mr. Pershall stated that the annual service for the El Dorado Tornado Memorial would be Friday, June 10, 2011.

CHAPEL DEVELOPMENT

Ginger Hurst asked the Commission to consider donating some land on the northwest side of El Dorado for the development of a Chapel.

Mayor Tom McKibban stated that the land in that area was marked for industrial development, and asked City Staff to assist Ms. Hurst in locating another place.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

Phil Barager and Adam Waterson of Oneoak Energy presented the Commission with information on their company.

Mayor Tom McKibban stated that the bid process was carried out by City Staff, and the Commission did not participate in those processes.

CONSENT AGENDA

Approval of the May 10, 2011 Special City Commission minutes, May 11, 2011 Special City Commission minutes and the May 16, 2011 City Commission minutes.

Approval of Appropriation Ordinance 05-11 in the amount of \$1,373,131.27.

Commissioner Shane Krause moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

FINANCIAL OBLIGATIONS UNDER THE EDUCATIONAL FACILITIES AUTHORITY OF BUTLER COUNTY COOPERATION AGREEMENT

City Manager Herb Llewellyn provided the Commission with background information. On July 20th, 2010, the City of El Dorado entered into a cooperation agreement with Butler Community College and the Unified School District 490 relating to the establishment of the Educational Facilities Authority of Butler County. This Authority was established to provide a mechanism to oversee and facilitate the construction of improvements for all parties. The first project is a football stadium / track and field complex. In the future they may also acquire, lease, develop, improve, renovate and repair/operate other educational and athletic facilities as the Authority deems necessary or desirable.

At this time, Unified School District 490 has declared that they do not have the capacity to fund their one-third share of the stadium. They do intend to seek support for an extension of their current capital mill levy. That cannot be finalized until this fall. The Authority asked Butler Community College and the City of El Dorado to guarantee USD490's contribution until they know if they have money for their one-third. As a result, both the City of El Dorado and Butler Community College are now asked to guarantee the entire financial obligation for the development of the stadium. In the event that they are unable to or until USD490 solidities funding, Butler Community College has agreed to guarantee their half of USD490's financial obligation. Should the City agree to guarantee the remaining portion, its share of the school district's obligation would currently raise the City's contribution level to \$4,500,000 on a \$9,000,000 project.

Mayor Tom McKibban asked if the City had committed to the three million dollars.

City Manager Llewellyn stated that the City had committed to the three million in the context of being in for a third of the project and the project being nine million.

Commissioner Nick Badwey stated that he understood from previous discussions that the infrastructure that the City had agreed to pay for was not going to exceed three million.

Mayor McKibban asked what the City had paid for so far.

City Manager Llewellyn stated that the City had paid the \$80,000 portion of the design invoice. That has been the only official action the City has taken besides joining the committee.

Commissioner Badwey asked if there was a definite amount for the project yet.

Commissioner Shane Krause stated that he understood that the project had reached ten point six million and after design fees he expected it to be over eleven million.

Commissioner Badwey asked if that would raise our share to five point five million.

City Manager Llewellyn stated that if the authority were to approve that cost and the City Commission committed to USD 490's portion, it would be in the amount of five point five million.

Mayor McKibban stated that he would have a hard time justifying to the taxpayers more than the three million they had already agreed to.

Commissioner Badwey stated that he was not willing to make the City responsible for more than three million.

Commissioner Bill Young stated that he did not want to agree to a number without a definite cost from the EFABC.

Dr. Jackie Vietti, President of Butler County Community College, stated that the Board of Trustees had made the decision to fund half of the school district's costs up to three million dollars until the district could garner more money.

Commissioner Young asked if that was based on the nine million dollar estimate.

Dr. Vietti stated that is the intent of the Board of Trustees.

Commissioner Krause stated that the committee was still working on a definite number.

Commissioner Badwey asked if the City planned to contribute the infrastructure and stadium parking as their portion of the costs.

City Manager Llewellyn stated that originally that was the plan, however he believed that the Commission had decided it would be better to contribute the money.

Mayor McKibban stated that he had thought that City Staff had enough work without adding the stadium project.

City Manager Llewellyn stated that was true and that it would be easier for one contractor to perform the work on the stadium.

Commissioner David Chapin asked if this project would raise taxes.

City Manager Llewellyn stated that the City could contribute the three million without raising taxes, but we would not be able to take on the school district's portion without raising taxes.

Commissioner Chapin stated that the Committee had done a good job of raising money for the stadium project, the money raised so far has not come from the City, it is private money.

Mayor McKibban asked if there was a motion to move forward with the City's monetary commitment.

Commissioner Badwey moved that the City of El Dorado commit an amount not to exceed three million dollars to the Sports Authority for the purpose of building a football stadium.

Commissioner Young seconded the motion.

Motion carried 5 – 0.

WIND TURBINE PROJECT

Kurt Bookout, Director of Public Utilities, presented the Commission with a breakdown on the cost of the wind turbine project. He stated that on May 23rd, 2011, staff met with the KCC in Topeka. We met with Michael Wegner, Chief of Energy Operations and Tom Stratton, Chief Counsel for the KCC. The purpose of the meeting was to better understand the KCC staff's position on our wind turbine project and receive any advice on moving this project forward. Michael and Tom had reviewed Westar's 4/19/11 "Term Sheet" (formal written offer) and while it was not the net metering offer we were initially seeking, their interpretation of the agreement was favorable for the City's wind turbine project. We have since asked Jennifer Gunby with GBA to meet with Michael Wegner for concurrence and to run new ROI analysis utilizing the KCC's interpretation of Westar's formal offer. Jennifer met with Michael Wegner, she was 100% in concurrence with his interpretation of the formal offer.

Mayor Tom McKibban asked Mr. Bookout to explain the forty percent forgiveness loan.

Mr. Bookout stated that the State of Kansas receives money from the federal government to loan out for water and wastewater improvements. If the project being performed is categorically "green", the City is eligible for forty percent forgiveness through the program.

Mayor McKibban asked when the forty percent would be taken off.

Mr. Bookout stated that it would be forgiven when the project was complete. The forty percent would reduce the payments on the amortization schedule.

Mayor McKibban asked if the funding would be through G.O. bonds.

Mr. Bookout stated that they would be through the State Revolving Loan Fund.

Mayor McKibban asked what the monthly payments would be.

Mr. Bookout stated that they would be \$6,655 per month or \$79,860 per year. The City would see an immediate positive cash flow. The City spent \$168,779 on electricity in 2010, the difference is \$88,919.

Mayor McKibban asked what percent of electricity needs this would take care of.

Mr. Bookout stated that he would have to get that information for the Commission.

Commissioner Badwey stated that if the City did nothing, they would spend three point five million over the next twenty years.

Mayor McKibban stated he was looking at the next three to five years.

Commissioner Shane Krause stated that it generates energy even when the City is not using it.

Mayor McKibban stated that it was his understanding that the turbine would be turning thirty-five percent of the time and the rest of the time the City would pay six cents per kilowatt.

Mr. Bookout stated that was correct and we would also receive two point nine cents per kilowatt for the energy we sold back.

City Manager Herb Llewellyn stated that the KCC stated that under this agreement, the City would have a payback in six years as opposed to ten to twelve years.

Mayor McKibban asked if the monthly payment would be \$6,655 for twenty years.

Mr. Bookout stated it was. Insurance would be \$3,000 to \$5,000 per year and maintenance was \$1,500 each year.

Mayor McKibban asked what would happen if it broke.

Mr. Bookout stated that was why there would be a maintenance agreement.

City Manager Llewellyn stated that part of the selection of Nordic was that they had a proven track record.

Commissioner David Chapin asked about the monthly expenses.

Mr. Bookout stated that the monthly payment, insurance and maintenance agreement would be the expenses. He stated that there was a big difference between the cost of the turbine and the cost to the City if they did nothing.

Commissioner Chapin stated he was worried about the gray areas, he would like to know how much electricity would be bought each month and how much would be produced.

Commissioner Badwey stated that he put his faith in the consultant and the interpretation of the KCC.

Mayor McKibban asked who the consultant was.

Mr. Bookout stated that it was George Butler and Associates.

Mayor McKibban asked if they made money off of recommending wind turbines.

City Manager Llewellyn stated that their company worked on many different civic projects.

Commissioner Krause moved that the City should sign the deposit agreement with Nordic and send a 97.5% refundable deposit of \$690,000.

Commissioner Badwey seconded the motion.

Mayor McKibban asked about the net metering agreement.

Jim Murfin, City Attorney, stated that the KCC interpretation has addressed the majority of the issues the City had positively. He stated that the concession made was that the refundable portion of the deposit was 97.5%.

Mayor McKibban asked if the City would only be risking \$17,500.

Mr. Bookout stated that he was correct.

Mayor McKibban asked if there was a chance of losing the forty percent loan forgiveness.

Mr. Bookout stated that the project is already on the intended use plan for the year and if we use the State Revolving Loan Fund, we will get the forgiveness. We are agreeing to begin the three month loan process.

Mayor McKibban stated that he did not believe it was definite if the loan process was so extensive.

Mr. Murfin stated that we're agreeing to make a good faith effort to make the project happen which is why we are on the intended use plan.

Mayor McKibban asked if the project is not feasible, the City will receive all but the \$17,500 back.

Mr. Murfin stated that he was correct.

Commissioner Chapin asked if the switching gear and box between Westar and the turbine were included.

Mr. Bookout stated that the City was paying for it, and it would be included in the price.

Commissioner Krause stated that he trusted the consultants and City Staff, there was still work to do, but they should move forward.

Mayor McKibban asked if the 2.9 cents per kilowatt was agreed on.

Mr. Bookout stated that the City had it in writing, they were currently clarifying that that rate will increase based on their rate.

Mayor McKibban stated that he asked a lot of questions because we were the first city with a wind turbine contract.

Commissioner Chapin stated that he was asking questions because it was a big project and the City needed answers to those questions. He hoped that the project would have a great ending.

Mr. Bookout stated that staff would continue to provide updates.

Mayor McKibban asked about the wind turbine meeting maximum wind capacities.

Mr. Bookout stated that when the turbine hits maximum capacity, there are automatic braking mechanisms.

Commissioner Chapin asked when the turbine would reach one megawatt.

Mr. Bookout stated that it reached one megawatt at twenty miles per hour.

NEW BUSINESS

Commissioner Nick Badwey encouraged people to keep an eye on pets and the elderly in the heat.

Commissioner Bill Young stated that he appreciated the information City Staff were providing.

Commissioner Shane Krause stated that he attended the employee appreciation luncheon and met some new employees.

Commissioner Krause stated that he had attended the recreation advisory board meeting and had learned many new things about the recreation program including information about the pool, baseball leagues, youth employment and total participation. He stated that the board was looking at the contract with the YMCA.

Mayor Tom McKibban stated that he would like to see the recreation board revisit the comprehensive plan.

City Manager Herb Llewellyn stated that Kevin Wishart and Matt Rehder would meet with the board and then present to the Commission.

Commissioner Krause stated that the recreation board had been presented with a request to name the tennis courts after Sam Benter.

Mayor McKibban stated that the Commission needed to revisit the issue after they had addressed the naming policy.

Commissioner Nick Badwey stated that he had attended the arena board meeting and that the Commission should be able to see some economic impact numbers and an artist rendering soon.

Mayor McKibban stated that there would be a work session about Prairie Trails at four on Tuesday, June 7, 2011.

Mayor McKibban repeated Commissioner Badwey's warning about the heat and thanked Mr. Bookout for the work he has done on the wind turbine project.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn introduced new intern Nijah Fudge.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing non-elected personnel matters, and to reconvene the regularly scheduled meeting in the City Commission room at 9:30 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban reconvened the meeting at 9:30 p.m.

Commissioner Badwey moved that they recess for an additional twenty minutes for executive session.

Commissioner Shane Krause seconded the motion.

Motion carried 3 – 0.

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

Commissioner Nick Badwey moved to award the City Manager a two percent salary increase effective June 1, 2011.

Commissioner Young seconded the motion.

Motion carried 5 – 0.

ADJOURNMENT

Commissioner Shane Krause moved to adjourn the meeting at 10:05 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

June 7, 2011

The El Dorado City Commission met in special session on June 7, 2011, at 4:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Chris Tuohey	Kemper Sports	Newton, KS
Bill Moorberg	Prairie Trails	El Dorado, KS
Keith Hanley	Kemper Sports	Denton, TX
Nijah Fudge	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the June 7, 2011 Special City Commission meeting to order.

DISCUSSION OF PRAIRIE TRAILS GOLF AND DINING

Herb Llewellyn, City Manager, stated that Prairie Trails had a budget of \$270,090 for the year 2011. \$154,467 of this budget was for Capital Outlay and \$115,623 was for contractual services. He stated that Kemper has used all of the \$115,623 and is requesting the use of \$154,467 for operations.

Commissioner Shane Krause asked what items would require capital outlay money.

Commissioner Nick Badwey asked about the equipment that Prairie Trails needed.

Christ Tuohey, Kemper Sports, stated that greens mowers would be a good use of the capital outlay money. He also stated that they would like to renovate the restaurant as well.

City Manager Llewellyn stated that in order to keep Prairie Trails open, it would be necessary to use the capital outlay budget. The Commission could increase the capital outlay budget for next year.

Mayor McKibban asked why they would remodel the restaurant when it was only open for two days each week.

Mr. Tuohey stated that they would like to use it for banquets.

Mayor McKibban stated that he thought it would be wise to shut down the restaurant to save money and not compete with taxpayers.

Keith Hanley, Kemper Sports, stated that the suggestion for the restaurant was to draw more people in, it is not currently as important as the mowers.

Commissioner Badwey asked what would happen if a mower breaks this year and there is no money in the Capital Outlay budget.

City Manager Llewellyn stated that there was contingency money in the general fund.

EL DORADO SPECIAL CITY COMMISSION MEETING

June 7, 2011

Commissioner Krause moved that the money be transferred from the capital outlay budget to the operations budget.

Commissioner Badwey seconded the motion.

Commissioner David Chapin asked if they would be cutting expenditures.

Mr. Tuohey stated that he understood from the previous Commission meeting that the Kemper suggestions to cut the budget would endanger operations more.

Commissioner Bill Young asked if there were other options for cutting spending. He stated that foregoing maintenance now would cost more in the future.

City Manager Llewellyn stated that any expenses for maintenance outside of the budget would come to the Commission.

Commissioner Krause called the question.

Mayor McKibban asked if there was more discussion.

Motion carried 4 – 1.

PRAIRIE TRAILS ADVISORY COMMITTEE

Mayor Tom McKibban asked if the Commission wished to change any of the current suggested members of the committee with the new applications.

Consensus amongst the Commission was to leave the committee as it was.

Commissioner Shane Krause recommended that four of the members serve a one year term and five members serve a two year term.

Mayor McKibban suggested that names be drawn to decide which members would serve the different terms.

Commissioner Krause asked how Kemper would work with the committee.

Chris Tuohey, Kemper Sports, stated that the committee would meet with the General Manager and outline action steps.

Keith Hanley, Kemper Sports, stated they would work gather information from other committees at their other golf courses in order to offer suggestions to the Prairie Trails Committee.

Commissioner Krause asked who the staff advisor would be.

City Manager Herb Llewellyn stated that it would be the general manager.

Mayor McKibban stated that the committee could develop their own bylaws.

Bill Moorberg, Kemper Sports, asked if the golf course superintendent should be involved.

Commissioner Krause stated that he should.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into executive session for the purpose of discussing legal matters and to reconvene the regularly scheduled Commission meeting at 5:15 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

ADJOURNMENT

Commissioner Shane Krause moved the meeting adjourned at 5:15 p.m.

Commissioner Nick Badwey seconded the motion.

Motion Carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on June 20, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, City Attorney James Murfin, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Levi Kepler	610 E 8 th	El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the June 20, 2011, City Commission meeting to order.

INVOCATION

Levi Kepler, New Life Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Levi Kepler led the pledge of allegiance.

PERSONAL APPEARANCE

There were no personal appearances.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the June 6, 2011 City Commission minutes and the June 7, 2011 Special City Commission minutes.

Commissioner Bill Young moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

BOARD RE-APPOINTMENTS AND NEW APPOINTMENTS

At the May 11, 2011 Special City Commission meeting, the Commission reviewed applications for the new advisory board for Prairie Trails Golf & Dining. A nine-member advisory board was created with four members having one year terms and five members having two year terms. The Commission also reviewed applications for the Youth Commission.

Commissioner Shane Krause moved to approve re-appointments of Victoria Gricol, Megan Morris, Heather Riddle, Chandler Bolen, Alex Pennington and Taylor Briscoe to the El Dorado Youth Commission for terms set to expire June 30, 2012.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Commissioner Bill Young moved to newly appoint Brooke Ryan, Jacob Meyer and Allison Bieberle to the El Dorado Youth Commission for terms set to expire June 30, 2012. In addition, that Linda Clark, Sally Young, Stan Stewart and Tim Lane be newly appointed to the Prairie Trails Advisory Board for terms set to expire June 1, 2012 and Dan Young, Tracy Clites, Dusty Davis, Jeff Stewart and John Rawlings be appointed to the Prairie Trails Advisory Board for terms set to expire June 1, 2013.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

APPLICATION TO REZONE PROPERTY FROM R-1 RESIDENTIAL-LOW DENSITY DISTRICT TO C-1 GENERAL BUSINESS DISTRICT

Matt Rehder, Planning and Zoning, stated that the Educational Facilities Authority of Butler County (EFABC), is requesting property located at 420 S. Haverhill Road, be rezoned from R-1 Residential-Low Density District to C-1 General Business District. The applicant wishes to place a football stadium with surrounding track on site, contingent upon approval of this request and a special use request for the stadium development. The rezoning would accommodate larger parking and traffic needs.

Mr. Rehder stated that at the May 20, 2011 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 application by a vote of 5-0.

Commissioner Shane Krause moved that the recommendation of the Planning Commission to approve Case No. 11-001-REZ requesting a rezoning of property located at 420 S. Haverhill Road, be accepted and that Ordinance No. G 1120 be approved

Commissioner Nick Badwey seconded the motion.

Position No. 2	Commissioner Bill Young	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

SPECIAL USE PERMIT TO ALLOW A SPORTS STADIUM ON PROPERTY LOCATED AT 420 S HAVERHILL

Matt Rehder, Planning and Zoning, stated that the Educational Facilities Authority of Butler County (EFABC) is requesting a Special Use Permit to allow a football stadium with on site track facilities on property located at 420 S. Haverhill Road. He stated that the proposed stadium has a seating capacity of 4,500 with 508 on-site parking spaces. The EFABC was granted a variance by the Board of Zoning Appeals to use existing parking at the Butler campus to fulfill the required parking on site.

Mr. Rehder stated that the Planning Commission recommends approval of the SUP on the condition that a safe avenue for pedestrian transportation is provided. Ideas for a safe avenue for pedestrian transportation discussed at the meeting include a sidewalk running the length of Haverhill on the east side of the road or a crosswalk at the center entrance to the stadium, connecting the sidewalks on the west side of Haverhill to the stadium.

Commissioner Bill Young moved that the recommendation of the Planning Commission to approve Case No. 11-005-SUP requesting a Special Use Permit to allow a sports stadium on property located at 420 S. Haverhill be accepted, with the stated condition, and that Ordinance No. G 1121 be approved.

Commissioner Shane Krause seconded the motion.

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 Bill Young	Yes

SETTING A HEARING DATE FOR PROJECT NO. 210 – PAVING OF BOYER AND 6TH

Assistant City Engineer Scott Rickard stated that Project No. 210, the paving of Boyer and 6th has been completed.

Mr. Rickard asked that a hearing date be set for July 5, 2011 at 7:00 p.m.

City Manager Herb Llewellyn asked Mr. Rickard to explain the public hearing.

Mr. Rickard stated that if the public hearing was approved, letters would be sent to residents informing them of the assessment cost. He stated that if the Commission approved the assessments after the public hearing, residents would be able to pay the assessment in full until the end of August at which time the County would add the assessment onto the property taxes.

Commissioner Nick Badwey moved to set the public hearing for 7:00 p.m. on July 5, 2011, to be held for the purpose of considering the proposed assessments of the cost of Project No. 310, and further direct individual mailings to each owner liable for the special assessments.

Commissioner David Chapin seconded the motion.

Commissioner Chapin added that he had been contacted by a resident who was very happy with the new street. He also requested more police presence in that area in order to catch trucks off route.

City Manager Herb Llewellyn stated that he would direct the police department to do so.

Motion carried 5 – 0.

SETTING A HEARING DATE FOR PROJECT NO. 352-2010 RESIDENTIAL SIDEWALKS

Assistant City Engineer Scott Rickard stated that Project No. 352, the voluntary sidewalk replacement, has been completed. He asked that a hearing date be set for July 5, 2011 at 7:00 p.m.

Commissioner David Chapin moved to set the public hearing for 7:00 p.m. on July 5, 2011, to be held for the purpose of considering the proposed assessments of the cost of Project No. 352, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

SETTING A HEARING DATE FOR PROJECT NO. 357 SE QUADRANT MANDATORY SIDEWALKS

Assistant City Engineer Scott Rickard stated that Project No. 357, the mandatory sidewalk repair project has been completed. He stated that the final cost of the project was higher because more residents had requested additional improvements.

City Manager Herb Llewellyn asked Mr. Rickard to explain the City At Large cost.

Mr. Rickard stated that the high cost for the City was due to the repair of sidewalk ramps and curbs in order to be compliant with ADA standards.

Commissioner David Chapin moved to set the public hearing for 7:00 p.m. on July 5, 2011, to be held for the purpose of considering the proposed assessments of the cost of Project No. 357, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

INTERSECTION OF VINE AND CENTRAL – PROJECT NO. 333

Assistant City Engineer Scott Rickard stated that in November, 2009 the City Commission authorized Resolution 2648 for the Improvements of the Intersection of Vine and Central. Since that time staff has sought funding from KDOT for a portion of the Improvements. In January of 2011 the City exchanged its federal fund allotment for State funds on the improvements. Bids were received and the low bidder was above the Engineer's Estimate's. Staff feels the bid from Cornejo is acceptable. The amount of Cornejo's bid is under the authorized amount of Resolution 2648.

Mayor Tom McKibban stated that this was the first bid in awhile that had been above the Engineer's estimates, he asked if this was a sign of economic recovery.

Mr. Rickard stated that the higher bid was due to the increased cost of asphalt. He stated that asphalt prices were being affected by oil supplies.

Mayor McKibban asked when the project would begin.

Mr. Rickard stated that it would be completed by November 30, 2011.

Commissioner David Chapin asked what the state would be contributing.

Mr. Rickard stated that they would be contributing \$164,513.62 and that City staff would be responsible for the project.

Commissioner Shane Krause moved that as Cornejo & Sons has submitted the lowest and best bid for Project No. 333 Vine & Central Intersection Improvements, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper insurance and bonds.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

WALNUT RIVER IRB'S

City Manager Herb Llewellyn stated that the City of El Dorado, Kansas issued Multifamily Housing Industrial Revenue Bonds to provide financial assistance to Walnut River Residences, L.C., Walnut River Residences II, L.C., and Walnut River Residences III, L.C. Walnut River Residences have arranged to refinance the referenced Bonds with conventional financing and would like to exercise their option to purchase the bond financed projects. The transcripts indicate that the 1995 Bonds are owned by John Hancock Mutual Life Insurance Company, the 2001 Bonds are owned by Walnut River Residences II, L.C., and the 2002 Bonds are owned by Community National Bank. It is our understanding that in all cases, the Bondholders have consented to the optional redemption of the Bonds.

Mayor Tom McKibban asked when the property would be returned to the tax rolls.

City Manager Llewellyn stated that this would place the property back on the tax rolls after the bond was paid.

Commissioner Nick Badwey moved that Resolution 2676, a resolution authorizing the sale and conveyance of certain property by the City of El Dorado, Kansas to Walnut River Residences, L.C., Walnut River Residences II, L.C., and Walnut River Residences III, L.C., be adopted

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner David Chapin wished everyone a happy last day of spring.

Commissioner Bill Young wished everyone a happy belated Father’s Day.

Commissioner Young also stated that he had received some compliments on the removal of limbs after the storm.

Commissioner Young asked if City Staff would be able to find more money for the stadium project.

Mayor Tom McKibban asked when the cross members for 1st and Main would be in.

City Manager Herb Llewellyn said he would ask City Staff and report back.

Mayor McKibban stated that it was difficult to see around the parked cars at that intersection.

Mayor McKibban thanked USD 490 for their support of the Forensics team. His daughter made it to the quarterfinals.

CITY MANAGER’S REPORT

City Manager Herb Llewellyn reminded Commissioners that there was a budget work session at 4:00 p.m. on Tuesday, June 21, 2011.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 7:30 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

June 21, 2011

The El Dorado City Commission met in special session on June 21, 2011, at 4:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Ken Nakaten	220 E 1 st	El Dorado, KS
Keith West	220 E 1 st	El Dorado, KS
Linda Jolly	220 E 1 st	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the June 7, 2011 Special City Commission meeting to order.

AIRPORT ADVISORY BOARD

Commissioners reviewed the airport board application from Bob Doile. The recommendation for his placement on the board will be on the next regularly scheduled Commission Agenda.

NAMING POLICY

Commissioner Shane Krause recommended that the phrase “in memory of a deceased person” be removed.

Commissioner Nick Badwey stated that the first paragraph should be changed to “in their honor.”

Mayor Tom McKibban asked if there should be limits on the naming policy. He also asked if something could be renamed after another person.

City Manager Herb Llewellyn stated that it was a possibility, and that the ultimate decision would be left to the Commissioners.

Commissioner Bill Young stated that the Commission had to be conscious of the decision they were making to name something after a person.

Commissioner Krause asked if the parks and recreation advisory board should be taken out of the process since the policy applies to all City property.

Commissioner Young stated the recreation board should be involved in naming areas they were responsible for.

Mayor McKibban suggested it should go to the department that is responsible for the area being discussed before it comes to the Commission.

Commissioner Krause asked if there was consensus to remove the requirement that a person be deceased from the naming policy.

Commissioners agreed on that change.

Commissioner David Chapin asked if there would be a renaming clause.

City Manager Llewellyn stated that he thought it would have to be considered on a case by case basis.

Mayor McKibban stated that he was not against making the current changes because it supported some of their recent decisions, but the policy would need to be further examined.

Changes to the policy include: the policy name will be changed to Naming Parks and Public Facilities, the word memory will be replaced with honor in the first paragraph, the phrase in memory of a deceased person will be removed from the second point, and the second sentence will be removed from the third item.

DISCUSSION 2012 BUDGET

Finance Director Tammy Schaffer and Assistant to the Finance Director Jared Cobb presented the 2012 preliminary budget for the general fund. Assistant City Engineer Scott Rickard, Fire Chief Ken Nakaten, Recreation Superintendant Kevin Wishart, and Keith West of the El Dorado Municipal Band presented changes to their respective departmental budgets.

City Manager Herb Llewellyn stated that budgets for Public Works, Police and outside departments would be presented at a future work session.

ADJOURNMENT

Commissioner Shane Krause moved the meeting adjourned at 6:27 p.m.

Commissioner Bill Young seconded the motion.

Motion Carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

July 5, 2011

The El Dorado City Commission met in regular session on July 5, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young (left at approximately 7:45 p.m.), Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, City Attorney James Murfin, Assistant City Engineer Scott Rickard (left at approximately 8:15 p.m.) and City Clerk Tabitha Sharp.

VISITORS

Martha Brooks	1945 Country Club Rd	El Dorado, KS
Dianne Malcom	639 Norris Dr	El Dorado, KS
Laurence Smith	647 Norris Dr	El Dorado, KS
Charlotte Knox	651 Marmaton Rd	El Dorado, KS
Julie Anderson	635 Marmaton Rd	El Dorado, KS
Art Anderson	635 Marmaton Rd	El Dorado, KS
Josh Humig	627 S Star	El Dorado, KS
Thelda Shelton	1140 S Arthur	El Dorado, KS
Phyllis Jackson	1733 W Towanda	El Dorado, KS
Kathy Walter	505 S Walnut Valley Dr	El Dorado, KS
John Throckmorton	648 Village Rd	El Dorado, KS
Brian Johnson	1345 Glenview	El Dorado, KS
Xue-Ying Chen	440 Meadowlark	El Dorado, KS
Steve Gardner	2941 W 4 th	El Dorado, KS
Eric Wilken	403 S Star	El Dorado, KS
Juanita Shaw	617 S Denver	El Dorado, KS
Teresa Fioretto	521 S Denver	El Dorado, KS
Brian Reynolds	400 Meadowlark	El Dorado, KS
Dustin Martin	725 S Topeka	El Dorado, KS
Iris Laurence	805 Reveille Lane	El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Mabel Thurmon	719 W Ash	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Mary Martha Good		El Dorado, KS
Kathy Walter	540 Sunflower	El Dorado, KS
Scott Humig		

CALL TO ORDER

Mayor Tom McKibban called the July 5, 2011, City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Children from Chalk Your Mark to the Park led the pledge of allegiance.

PERSONAL APPEARANCE

Mary Martha Good and Cody Gray thanked the Commission and the City for their support of Chalk Your Mark to the Park, a clean-up program for local parks.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing legal matters, and to reconvene the regularly scheduled meeting in the City Commission Room at 7:20 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

Thelda Shelton, 1140 S Arthur, commented that the fireworks show at the American Legion was very good.

Ms. Shelton asked about the progress at Constant Creek.

Herb Llewellyn, City Manager, stated that City Staff had done some cleaning and reshaping on the south end.

Assistant City Engineer Scott Rickard stated that after work was finished in Rice Park, crews would move north to finish the clean-up.

Ms. Shelton asked about the pond located on the Skelly School construction site.

Mr. Rickard stated that it was a detention basin that would be dry the majority of the time, landscaping would be done around it as construction progressed, but it should be surrounded by fence during construction.

Commissioner Nick Badwey stated that there would only be water in them during heavy rains.

Ms. Shelton stated that they were already holding water.

Mr. Rickard stated that City Staff would check the construction site to ensure they were properly enclosed.

Art Anderson, 635 Marmaton, stated that the trucks on 6th and Boyer were becoming a problem.

Mayor Tom McKibban stated that at the last meeting the Commission had asked to increase patrols of the area.

Mr. Llewellyn stated that he had passed the instructions on to the police department.

Mayor McKibban asked Mr. Anderson if there was a certain time of day that the trucks were in the area.

Mr. Anderson stated that they were there in the morning and around noon.

Commissioner Badwey asked if the City could place a no trucks sign.

Mr. Llewellyn stated that City Staff would take care of it.

Mr. Rickard stated that there was already a no trucks sign on Central and Boyer, and he would check the other side.

CONSENT AGENDA

Approval of the June 20, 2011 City Commission minutes and the June 21, 2011 Special City Commission minutes.

Commissioner Bill Young moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

NEW BOARD APPOINTMENT

At the June 21, 2011 Special City Commission meeting, the Commission reviewed a new member application for the Airport Advisory Board. The Commission agreed that the applicant, Bob Doile, would be appointed to the Airport Advisory Board at the next regular meeting of the City Commission.

Commissioner Nick Badwey moved to newly appoint Bob Doile to the Airport Advisory Board for a term set to expire April 1, 2012.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

PUBLIC HEARING FOR PROJECT NUMBERS 310, 352, AND 357

Assistant City Engineer Scott Rickard stated that project number 310 the paving of 6th and Boyer, projects numbered 352 and 357, the residential sidewalk programs had been completed. A public hearing is now necessary to complete the assessment process.

Mayor Tom McKibban opened the public hearing.

Martha Brooks, 1945 Country Club Road, stated that she was speaking for her aunt who lives on Norris. She asked what the project they were being charged for was.

Mr. Rickard stated that it was her portion of the 6th and Boyer project.

Mrs. Brooks asked when the project was approved.

Mr. Rickard stated that the Commission had approved the project three years ago at which time information was sent to all residents.

Mrs. Good asked what the interest rate was.

Mr. Rickard stated that the City would not know for sure until it went to bond, but it was typically around four percent.

Mrs. Good stated that her aunt would not be able to afford the assessment and asked why the residents were being held responsible for the cost.

Mr. Rickard stated that the assessment was a long standing City policy. He stated that the assessment did not have to be paid at one time, residents could pay it on their taxes over a period of twenty years.

Commissioner Nick Badwey stated that the assessment should have shown up on the title search when they bought the house.

Mrs. Good stated that she would go back to the title company.

Brian Reynolds, 400 Meadowlark, asked why the property owners in his subdivision were responsible.

Mr. Rickard stated that it was part of the agreement with the developer 3 Amigos. The information should have been provided when they bought the property.

Mr. Reynolds asked why the charge was different for lots of the same size.

Mr. Rickard stated that the charge depended on how the benefit district lines were drawn.

Mr. Reynolds asked why the charge has not been on his taxes prior to this.

Mr. Rickard stated that the project had not been started prior to last year.

Kathy Walter, 540 Sunflower and Director of Flinthills Services, stated that they were concerned because the cost would have to be passed along to their low income residents because they were a non-profit entity. She stated that their assessment was larger because the homes they build are intended to be group homes that are more cost effective. She asked if there will be special assessments added to their other properties.

City Manager Herb Llewellyn stated that two of their new homes were on unimproved streets and could be subject to specials if those residents requested improvements from the City.

Commissioner Badwey stated that they would be notified if improvements had been requested and have the opportunity to petition out of the project.

Ms. Walter asked when the opportunity to petition out of this project had been given.

Mr. Llewellyn stated that it was given three years ago when the project was approved.

Commissioner Shane Krause stated that they would not have been able to petition out of the project because of the agreement with the developer.

Mr. Llewellyn stated that the cost of the project for those residents would not have been as high if not for the deal with the developer. He also stated that anything to do with the property was recorded with the register of deeds.

Mr. Rickard stated that the previous property is required to disclose any assessments to the buyer at the time of the sale.

Josh Humig, 627 S Star, stated that the proposed estimate he received was significantly different than the final assessment for sidewalks. He stated that the final assessment was much higher than the original.

Mr. Rickard stated that he had discussed the issue with Mr. Humig during the break and would be contacting him in the morning after he further researched the property assessment.

Mabel Thurmon, 719 W Ash, asked if there should be an assessment for sidewalks if she had not had any replaced.

Mr. Rickard stated he would contact her in the morning as well.

Art Anderson, 635 Marmaton, asked where the state money for the 6th and Boyer project was applied.

Mr. Rickard stated that originally the project was \$3 million, after the state money, the project cost was decreased by approximately \$700,000. The City and the benefit district split the stimulus equally.

Mr. Anderson asked who decided how the money was distributed.

Mr. Llewellyn stated that all of the money is distributed in Topeka.

Mr. Anderson asked if there was a policy stating where the money went.

Mr. Llewellyn stated that it was in the contract with the state.

Mr. Rickard stated that the City had already been audited twice for the project.

Mrs. Brooks asked what part of the grant money went to homeowners.

Mr. Rickard stated that the amount was taken off of the cost of the project before assessments were divided, so it was split equally between the City and benefit district.

Commissioner Krause asked if a resident wanted to improve any street in El Dorado if they would be assessed the specials.

Mr. Rickard stated that it was policy.

Commissioner Krause asked how the City at Large portion was decided.

Mr. Rickard stated that City at Large expenses were upgrades such as making the road wider.

Teresa Fioretto, 521 S Denver, stated that the intersection of Denver and Atchison was in disrepair and asked if she would be receiving another assessment for that.

Mr. Rickard stated that the City paid for regular street maintenance. If the project involved curb and gutter, that would be split fifty-fifty with the property owners.

Ms. Fioertto asked when she would be notified of the assessment.

Mr. Rickard stated that it was slated for the CIP in two or three years.

Eric Wilken, 403 S Star, asked how the City arrived at the amount charged for sidewalks.

Mr. Rickard stated that it was the square footage of sidewalk replaced multiplied by \$4.25.

Mr. Llewellyn stated that removal and ramps were charged to the City at Large.

Laurence Smith, 647 Norris, asked if cost had already been decided for the 6th and Boyer project.

Mr. Rickard stated that the Commission would spread the assessments after the public hearing if approved.

Mr. Smith stated that he would have to move because he could not afford the property taxes.

Mayor McKibban closed the public hearing.

Commissioner Nick Badwey moved that Ordinance No. S-1317, 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 numbers 2610, 2658 and 2663 of the city; and providing for the collection of such special assessments.

Commissioner David Chapin seconded the motion.

Position No. 2	Commissioner Bill Young	Absent
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

FIFTH AMENDMENT TO THE LOAN AGREEMENT FOR THE “STONE ROAD LIFT STATION”

Mr. Bookout stated that the amendment was primarily a bookkeeping item. The State establishes and records the forgivable portion of the loan with the approval of the amendment. The Stone Road Lift Station was rehabilitated in 2010, replacing pumps and motors with more energy efficient variable frequency drive equipment and also adding a “Flex Rake” to remove trash and debris originating from the County Jail and Correctional Facility. Funding for this project was provided by the State Revolving Loan Fund by amending the original loan for the wastewater treatment facility. This Fifth Amendment approves the total amount of the loan for \$11,613,472 and allows for principal forgiveness in the amount of \$301,494.00.

Mayor Tom McKibban asked what the eleven million was for.

Mr. Bookout stated that it was the total cost of the waste water treatment project, the El Dorado Wetlands and Water Reclamation Facility and the Stone Road Lift Station. The State allowed the City to add to the original loan as opposed to starting the project over. The amortization schedule will be adjusted after the amount of loan forgiveness is taken off.

Commissioner Shane Krause moved that Ordinance S 1318, an ordinance authorizing the execution of a fifth amendment to the loan agreement between the City of El Dorado, KS and the State of Kansas be approved.

Commissioner Nick Badwey seconded the motion.

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Bill Young	Absent
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

PROPOSED CHANGES TO THE CITY NAMING POLICY

Mayor Tom McKibban stated that the Commission had reviewed the naming policy at a work session and after these changes were approved, the policy would be reviewed by the Recreation Board.

Commissioner Shane Krause stated that the primary change was to change the requirement that a person be deceased in order for a park or public facility to be named after them.

Commissioner David Chapin asked why the policy would be going back to the Recreation Board.

Mayor McKibban stated that the Recreation Board would recommend further changes, but if the policy was approved as is, it would get the Commission through the immediate requests.

Commissioner Nick Badwey moved that the City of El Dorado’s Naming Policy be amended as proposed.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner David Chapin stated that the fireworks display put on by the City was well received.

Commissioner Nick Badwey also stated that he had heard good things about the display and that it was easy to see from that location.

Commissioner Shane Krause stated that the display was good and asked how parking was.

City Manager Herb Llewellyn stated that there was parking at the Legion, but he had heard that many people had been able to watch from home or businesses in the area.

Commissioner Krause asked how the City could progress with the repair of Towanda Ave.

Mr. Llewellyn stated that City Staff were trying to arrange with residents to bring the project to Commission.

Commissioner Krause asked what the time table for the project was.

Mayor Tom McKibban stated that he thought the problem was that of property owners being against the improvements.

Mr. Llewellyn stated that he thought Assistant City Engineer Scott Rickard was working with those property owners.

Mayor McKibban stated that a retired police officer with the City of El Dorado had passed away earlier in the week as well as the family members of a few other employees. He stated that those families were in his thoughts and prayers.

Mayor McKibban also stated that he was happy to report that there were no deaths over the holiday at El Dorado Lake.

Mayor McKibban asked if there were any fires as a result of fireworks over the holiday weekend.

Mr. Llewellyn stated that he was not sure but he would ask the Fire Chief.

ADJOURNMENT

Commissioner Shane Krause moved to adjourn the meeting at 8:45 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

July 13, 2011

The El Dorado City Commission met in special session on July 13, 2011, at 4:30 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Jessica Seibel	El Dorado Times	El Dorado, KS
Jayne Grange	503 N Taylor	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Ken Nakaten	220 E 1 st	El Dorado, KS
Keith West	220 E 1 st	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Vicky Bell	823 E 12 th	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Sue Austin	220 E 1 st	El Dorado, KS
Clint Robinson	11401 Lamar Ave	Overland Park, KS
Dick Kaufman	8400 Ward Parkway	Kansas City, MO
Sheila Shockey		Overland Park, KS
John Bailey	220 E 1 st	El Dorado, KS
Kristi Jacobs	1275 S Topeka	El Dorado, KS
Emma Miller		El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Lindsay Baines	El Dorado Main Street	El Dorado, KS
Bill Koeblen	1770 Country Club Rd #2	El Dorado, KS
Steve Funk	El Dorado Inc	El Dorado, KS
Josh Shaw	City of Augusta	Augusta, KS
David Sundgren	El Dorado Main Street	El Dorado, KS
Kristi Williams	City of Augusta	Augusta, KS
Bill Keefer	City of Augusta	Augusta, KS

CALL TO ORDER

Mayor Tom McKibban called the July 13, 2011 Special City Commission meeting to order.

AUGUSTA WATER RATES

Public Utilities Director Kurt Bookout introduced Augusta City Manager Bill Keefer and City of Augusta Mayor, Kristi Williams. He stated that they were attending today’s meeting to ask for a temporary modification of their current water sales contract.

Mr. Bookout stated that Augusta currently buys water from the City of El Dorado with a take or pay agreement. If they do not use five hundred seventy-five million gallons of water a year, they still must pay for that amount. In the instance where the City of Augusta exceeds that amount, their take or pay agreement is reset and they must pay for another five hundred seventy-five million gallons of water. Due to their current draught conditions and the work they are doing on the lakes in Augusta, they are asking to exceed the set limit without resetting their take or pay agreement.

Augusta City Manager Bill Keefer stated that it would be possibly a year before repairs were done to the lakes in Augusta, and their City does not have the water storage

EL DORADO SPECIAL CITY COMMISSION MEETING

July 13, 2011

available to keep the City functioning for longer than a day or two without buying extra water from the City of El Dorado.

Mayor Tom McKibban asked if the City of Augusta was including the City of Mulvane in their calculations.

Mr. Keefer stated that they were and that both cities had implemented conservation policies.

The Commission agreed to put the motion on the next regular agenda for approval.

DISCUSSION 2012 BUDGET

Public Works Director Brad Meyer reviewed the budgets for the Airport, Major Streets, Cemetery, Stormwater, Refuse, Public Works, Forestry and Parks with the Commission.

Main Street Director Lindsay Baines and board member David Sundgren requested the Commission raise the Main Street budget to \$40,000. Ms. Baines stated that there had been budget cuts in numerous areas, and it was difficult for them to cover all costs.

Mayor Tom McKibban asked about the agreement that was made with the Main Street Organization.

City Manager Herb Llewellyn stated that the sentiment among the Commission when Main Street was started was that funding would be decreased each year as private benefactors began to support the organization more fully.

Mr. Sundgren stated that through fund raising efforts, they had managed to still do the majority of their work, but the organization needed help funding the director's salary.

Mayor McKibban stated that he did not believe Main Street could be successful without funding from the City, however the Commission had asked all organizations and departments to cut their budgets this year in light of the current economy.

Director of El Dorado Inc. Linda Jolly and President of El Dorado Inc. Steve Funk presented the budget for El Dorado Inc, 360eldorado and the Convention and Visitors Bureau. El Dorado Inc. was able to cut their budget some due to the use of more internet marketing as opposed to printing brochures.

Commissioner Shane Krause asked if El Dorado Inc. had included the Legion property in their development plans.

Ms. Jolly stated that they had begun a dialog with Legion members.

Library Director Kristi Williams and Board President Bill Kloeblen presented the library budget. They stated that after examining the budget over the past year they had been able to move money from areas that didn't require as much funding into the library services account.

City Manager Llewellyn stated that the City currently has a Charter Ordinance that caps the library funding at four mils. Their current demand for services equals four and a half mils. The City Commission needs to take action to revoke the Charter Ordinance or enforce it.

Commission Nick Badwey asked how the Charter Ordinance could be revoked.

EL DORADO SPECIAL CITY COMMISSION MEETING

July 13, 2011

City Manager Llewellyn stated that it would take a vote in a regular Commission meeting.

Commissioner Badwey stated that he wanted to revoke the Charter Ordinance.

Mayor McKibban stated that the library would lose some state funding if they were capped at four mils. The library is currently seeing an increase in patronage due to the bad economy and the loss of funding would hurt their ability to provide services.

Commissioner Shane Krause stated that the library was an important amenity and that the Charter Ordinance should be revoked.

Commissioner Bill Young asked if the Charter Ordinance should be changed instead of revoked.

City Manager Llewellyn stated that they could revoke the Charter Ordinance temporarily and develop a new one over the next year so that they were not hurried to do it before the budget was to be passed.

REVIEW OF MOU FOR THE FIRE SCIENCE LEARNING CENTER

This item was postponed until the City Manager has further discussed the issue with the college.

REVIEW OF CONTRACT WITH BLACK AND VEATCH – FEASIBILITY STUDY FOR ADDITIONAL WATER SALES

City Manager Herb Llewellyn stated that the purpose of the feasibility study was to ensure City Staff and Commission that the City is able to sell water to other entities. He stated that the study was going to cost more than originally anticipated, so Black and Veatch was present to explain the project and the costs before moving forward.

John Bailey, engineering consultant for the City of El Dorado, stated that it was important to understand if the water is there to sell and to determine if the City could surmount all obstacles to delivering the water in a responsible matter. The potential sale of water could bring millions of dollars to the City of El Dorado in the future, so it is important to understand all aspects before moving forward.

Mayor Tom McKibban stated that many of the responses he had received from the citizens of El Dorado revolved around protecting the asset we have in the lake.

Clint Robinson, Community Affairs at Black and Veatch, stated that Black and Veatch has a lot of experience with government and water systems. He introduced his colleagues Dick Kaufman, the project director, and Sheila Shockey, public relations.

Dick Kaufman stated that the study would be done in two phases. The first phase would determine the yield of the lake. The second phase would look at water treatment requirements and delivery options. The second phase will also include Ms. Shockey's assistance with all stake holders and a business plan to use for moving forward with the sale of water.

Commissioner Nick Badwey asked if both phases were included in the \$250,000.

Mr. Kaufman stated that they were.

Mayor McKibban asked if the plan would include suggestions on selling treated versus untreated water.

Mr. Kaufman stated that the plan would probably be to sell treated water, but that both options would be examined.

Mayor McKibban stated that he thought it would cost only \$30 to 40,000, not \$250,000.

Mr. Kaufman stated that it was an extensive study. He also stated that if the first phase of the study did not yield positive results, the second phase would not be completed and it would cost the City less money.

Commissioner Shane Krause asked if the public relations component would be in the first phase.

Mr. Kaufman stated that the first phase was technical and would simply measure if the lake would yield enough water to sell. The second phase would have the emotional component and include other stakeholders.

Commissioner Krause asked if there was a maximum amount for the contract.

Mr. Robinson stated that they would be able to do that.

City Manager Llewellyn stated that he would prepare a resolution for the next meeting authorizing the City Manager to sign a contract with Black and Veatch. Part of that contract would include a report to the Commission before the second phase is begun.

Mayor McKibban asked how long the study would take.

Mr. Kaufman stated that it would take two months.

ADJOURNMENT

Commissioner Shane Krause moved the meeting adjourned at 6:45 p.m.

Commissioner Nick Badwey seconded the motion.

Motion Carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

July 18, 2011

The El Dorado City Commission met in regular session on July 18, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, City Attorney James Murfin, Assistant City Engineer Scott Rickard (arrived at 8:00 p.m.) and City Clerk Tabitha Sharp.

VISITORS

James Cook	719 Fredrick Dr	El Dorado, KS
Matt and Kristi Jacobs	1275 S Topeka	El Dorado, KS
Bob Doile	1007 McCollum	El Dorado, KS
Linda Jolly	El Dorado, Inc.	El Dorado, KS
Caleb Marsh	314 Eunice	El Dorado, KS
Roger Cutsinger	205 S Main	El Dorado, KS
Galen Mears	6047 NW Kiowa Rd	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the July 18, 2011, City Commission meeting to order.

INVOCATION

Director of Public Utilities, Kurt Bookout, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PERSONAL APPEARANCE

Lindsay Baines presented the Commission with an update on the HOPE VI grant. The NOFA was recently released, however there were significant changes. There is now only one grant available for \$500,000. The grant is due by August 22, 2011 and the developers chosen by the City are proceeding as previously planned.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the July 5, 2011 City Commission minutes.

Approval of Appropriation Ordinance 06-11 in the amount of \$1,897,025.14.

Approval of the CMB License for the 2011 Frontier Western Days Celebration.

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

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

SPECIAL USE PERMIT TO ALLOW FOR THE EXPANSION OF A MANUFACTURING, PROCESSING OPERATION ON PROPERTY LOCATED AT 629 N INDUSTRIAL RD

Matt Rehder, Planning and Zoning, stated that Mears Fertilizer is requesting a special use permit to allow for the expansion of current operations at 629 N. Industrial Road. Mears Fertilizer mixes finished materials on site and ships a finished product off site. No refining of materials is conducted on site.

Mr. Rehder stated that the Butler County Board of Commissioners reviewed this matter at its June 14 meeting and deemed it in conformance with the County comprehensive plan by a vote of 4-0.

Mr Rehder also stated that at the June 23, 2011 Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval the Special Use Permit by a vote of 5-0. The applicant requests the following condition be placed on the permit: To allow the following manufacturing uses, to the full extent such uses would be allowed in the I-2 zoning district: (a) fertilizer production and (b) chemical plants; provided said uses shall be in compliance with all I-2 zoning restrictions and all Federal and State regulations governing said uses. The permit will run with the land.

Mayor Tom McKibban asked if Mr. Mears was ok with the permit.

Galen Mears, 6047 NW Kiowa Rd, stated that he was ok with the permit as stated.

Commissioner Shane Krause asked why the additional language was added to the Special Use Permit.

Mr. Rehder stated that Mr. Mears only wants those activities listed in the Permit to take place on that land, so he asked that the Planning Commission put them in writing.

Commissioner Nick Badwey moved that the recommendation of the Planning Commission to approve Case No. 11-006-SUP requesting a Special Use Permit to allow for the expansion of a manufacturing, processing operation on property located at 629 North Industrial Road be accepted, with the stated condition, and that Ordinance No.G-1122 be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL VOTE

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

CITY OF AUGUSTA WATER RATES

Mayor McKibban stated that at the July 13th, 2011 Special City Commission meeting, staff presented information concerning the take-or-pay contract with the City of Augusta. Augusta’s Mayor, Kristi Williams and City Manager, Bill Keefer, requested to exceed their 575 MG contractual amount without affecting their future take-or-pay.

Mayor McKibban asked if other communities could charge more than what they pay the City of El Dorado for water.

City Manager Herb Llewellyn stated that other cities could charge what they wanted.

Commissioner Shane Krause asked if more detail could be provided for the public.

City Manager Llewellyn stated that the City of Augusta is currently experiencing very low lake levels in their City Lake and Santa Fe Lake. They also have federally mandated repair work to be done on the Augusta City Lake Dam. They expect this work to occur over the next year, during which time they will be solely dependent upon the City of El Dorado for water. The take or pay agreement would be reset due to their higher need for water.

Mayor McKibban stated that he had understood that they only had approximately six weeks of water left in their lake. He asked if the El Dorado Lake was down.

Public Utilities Director Kurt Bookout stated that the lake was down one and a quarter feet.

City Manager Llewellyn stated that Augusta has a pump running approximately 2.4 million gallons a day, and they will not be using more because they are afraid the pipe will break.

Commissioner Shane Krause stated that Augusta and Mulvane had instituted water conservation methods.

Commissioner Bill Young moved that the City Manager work with the City of Augusta during this time of water shortage to allow the City of Augusta to exceed their contractual amount of 575 MG without affecting their future take-or-pay contract.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

AGREEMENT WITH BLACK AND VEATCH CORPORATION – FEASIBILITY STUDY FOR ADDITIONAL WATER SALES

Director of Public Utilities Kurt Bookout stated that at the July 13th, 2011 Special City Commission meeting, the Commission discussed entering into an agreement with Black & Veatch Corporation. The purpose of the agreement would be to allow Black & Veatch to conduct a study to assess the feasibility and impacts related to the sale of additional water from El Dorado Lake.

Mr. Bookout stated that the consultant will confirm the model and then look at all other pieces (infrastructure, transmission lines, effect on water level, etc...).

Mayor Tom McKibban asked if it was necessary to spend the additional \$175,000 on the study if the first portion would answer the questions that the City of Wichita has posed.

Mr. Bookout stated that it was necessary in order to understand what we have to sell and how much we can sell it for in order to be competitive with other water sellers.

City Manager Herb Llewellyn stated that the City of Wichita knows how much they can produce and what the price point will be. If we don't do this study, we cannot answer all of Wichita's questions. He stated that if the first portion of the study comes back with negative results, we will not proceed with the second portion.

Mr. Bookout stated that the contract has been separated into two phases, and the consultant must have written confirmation before beginning the second phase.

Mayor McKibban asked if the Regional Economic Area Partnership was willing to pay for a portion of the study.

City Manager Llewellyn stated that he would talk to them about it after approval from the Commission.

Mayor McKibban asked if City Staff have talked to the State of Kansas Water Office about paying for the study.

Mr. Bookout stated that City Staff have discussed it with the State Water Office. The money that Wichita is receiving is to protect a regional water supply. He stated that it is more difficult to get that money now that budgets are becoming smaller, but it might be possible to ask for money as the project proceeds.

City Manager Llewellyn stated that Mr. Bookout is actively engaged in water authority meetings, and both of them attend water authority meetings. City Staff have already requested assistance through these avenues, and will do so again.

Commissioner Nick Badwey asked for the timeline for the first phase.

Mr. Bookout stated that it was one to one and a half months.

Commissioner Bill Young confirmed that the contract separated the first and second phases.

Mr. Bookout stated that Black and Veatch would return to the Commission after the first phase had been completed to gain approval to move on with phase two.

Commissioner Shane Krause asked about the public relations consultant and her involvement in the project.

Mr. Bookout stated that she would be part of the second phase of the contract.

Commissioner Shane Krause moved that the City Manager enter into an agreement with Black and Veatch Corporation to study the feasibility and impacts of selling additional water from El Dorado Lake.

Commissioner Nick Badwey seconded the motion.

Commissioner David Chapin asked if it should be looked at after budget.

Mr. Bookout stated that this money did not come from the general fund, but from the water fund, and was part of the 2011 budget year.

Commissioner Chapin thought it possible to use the money for budgets that were going to be somewhat tight in the following year.

Motion carried 5 – 0.

MEMORANDUM OF UNDERSTANDING FOR THE FIRE SCIENCE LEARNING CENTER

City Manager Herb Llewellyn stated that at the July 13, 2011 Special City Commission meeting, the Commission reviewed the proposed MOU between the City of El Dorado and Butler Community College, in reference to the partnership between the fire department and the BCC Fire Science program. This proposed MOU refers to financing data which is currently not available, as well as stipulations requiring further discussions.

City Manager Llewellyn stated that the City would not know the amount of money necessary until the project goes to bonds. He also stated that the contract stated that either party could leave the project at any time. Agreeing to the contract as it is puts the City at risk.

Commissioner Nick Badwey made a motion to instruct City staff to work with BCC to create an MOU that clarifies the items in question.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

AMENDMENT TO CHARTER ORDINANCE NO. 9 OF THE CITY OF EL DORADO MUNICIPAL CODE

This item was tabled until City Staff could obtain further information on repealing a Charter Ordinance.

City Attorney Jim Murfin stated that as part of his research on the Charter Ordinance, he found that the original State Statute has been repealed, so the best mechanism appears to be repealing the current Charter Ordinance and drafting a new Ordinance for the next meeting. Mr. Murfin stated that he would supply the new Ordinance at the next meeting.

City Manager Herb Llewellyn stated that the Library is currently requesting approximately 4.55 mils for their 2012 budget. The Charter Ordinance caps the Library budget at 4 mils.

Mayor Tom McKibban stated that if the Commission were to keep the Library at 4 mils, they would not only lose that money, but some state funding as well. He stated that during the recent economic downturn, the Library sees more use especially in the computer lab where people utilize the internet to look for jobs.

Commissioner David Chapin asked if City Staff could send the Commission a survey of surrounding cities' Library policies.

Mayor Tom McKibban was interested in seeing how many libraries receive County funding.

City Manager Llewellyn stated that the report that City Staff put together shows the mil levy and the assessed valuation.

DISCUSSION OF RENTAL PLANE PURCHASE

Director of Public Works Brad Meyer stated that in 2008 the City completed an airport master plan and a business plan. Many of the items on this plan have been completed, and this new plan would help with providing services such as flight instruction, a charter plane and airplane rental.

Caleb Marsh, the Airport Manager, stated that he has made contact with a person that had a plane for sale, but the Municipal Airport is not ready to commit to the purchase. Staff went to the owner and has negotiated a reasonable hourly lease agreement. This kind of a lease agreement will allow the city to test the water for this market to see if indeed this service will be beneficial to the users of the airport with little to no risk to the city.

Mr. Marsh stated that this proposal would bring new blood to the Airport, allow pilots without planes to fly and students time to learn.

Mr. Marsh stated that the owner is willing to rent a Beechcraft Sport plane to the City for \$50 per hour with a minimum of 25 hours per month. He is willing to do a month to month lease which would take much of the risk away from the City. The owner of the plane will also cover the maintenance and insurance.

Mr. Marsh said that the City would rent the plane for \$100 per hour (price includes fuel) and customers will rent blocks of time. Renting the plane would create more pilots in the area and would increase the customer base at the airport. He stated that a competitively priced rental program would allow for the City to get customers from the City of Benton who have expressed interest in flying out of the El Dorado Municipal Airport.

Mayor Tom McKibban asked if the City of Benton owned the planes at their airport.

Mr. Marsh stated that they do not own their planes, airports such as Coffey County have three planes.

Mayor McKibban asked if we were guaranteeing the owner of the plane twenty-five hours.

Mr. Marsh stated that it was true.

Commissioner David Chapin asked why the plane owner was not trying to do it himself.

Mr. Marsh said that the owner wants to sell the plane and is hoping that this will help him with the sale of the plane.

Mr. Meyer stated that according to the information given to the Commission, thus far 23 of the 25 hours per month are already spoken for. That does not include the customers that would come to El Dorado's airport from Benton.

Mayor McKibban asked how much hangar rental costs.

Mr. Marsh stated that is depended on the hangar, a multi storage hangar is \$60 per month and a private is \$140 per month.

Mayor McKibban stated that he had received complaints about not having enough hangar space, and this plane would take up more space.

Mr. Meyer stated that there is space, mainly individual hangars that are full.

Commissioner Shane Krause asked if this plane had to be stored in a hangar.

Mr. Marsh said that it would probably be kept on the tarmac due to its increased use.

Commissioner Nick Badwey stated that building the customer base at the airport would entice a fixed base operator to come to the Municipal Airport.

Mayor McKibban asked if cost for rental would go up if fuel prices went up.

Mr. Marsh stated that they had not gotten that far into logistics yet, but yes, that would be part of the deal.

Mr. Meyer stated that not all of the logistics were worked out; City Staff brought the idea to the Commission as part of the business plan approved by the Commission in order to find out if they should move forward with this idea.

Commissioner Badwey stated that he would like to try the idea because it was a low risk inexpensive way to test the advisory board's plan. He asked what the vote on the advisory committee was.

Mr. Meyer stated that the vote was unanimous to move forward with the plan.

Commissioner Bill Young asked when the business plan was completed.

Matt Rehder, planning and zoning, stated that the business plan was part of the master plan.

Commissioner Chapin stated that the business plan did not direct the City to be the actual owner of the plane. He stated that the option of leasing was better than a purchase.

Commissioner Chapin asked if there was an agreement for how the regular maintenance would affect the rental of the plane.

Mr. Marsh stated that Staff would look into clarifying that if we were to enter into a contract with the owner of the plane.

Commissioner Chapin stated that he would like to experiment with this plan for two months and if it is not working than the City can withdrawal.

Commissioner Young stated that he thought this agreement gave the City the ability to offer service on a trial basis with low exposure. He stated that if the details were worked out, he would support it.

Mayor McKibban asked if the owner would be using the plane.

Mr. Marsh said that he would not be using it.

Mayor McKibban stated that he would like to set a number of months to try the project and then bring it back to the Commission.

City Manager Llewellyn stated that this would just be approval to work out logistics and line up customers. If the contract has issues, the advisory board will need to scrap this plan and come back with something new.

Bob Doile, 1007 McCollum, stated that he would like to see the project move forward so that he could fly more. He stated that currently there is a lot of competition for flying time at the Benton Airport.

Commissioner Chapin stated that City Staff should get the contract together and come back to the Commission with a completed agreement.

Commissioner Krause asked how much the airport costs the City and why the City runs an airport.

City Manager Llewellyn stated that it costs half a mil to run the airport.

Mr. Meyer stated that it provides a service much like the pool and library.

Mr. Marsh stated that the airport is important for emergency medical issues and for big businesses such as Frontier, Pioneer and Kroger who fly executives in to El Dorado on a regular basis.

Mayor McKibban stated that he was concerned about competing with other businesses.

Commissioner Krause stated that the Civic Center, the golf course, and the pool all compete with private business.

NEW BUSINESS

Commissioner Shane Krause reminded citizens to take care of their pets in the heat.

Commissioner Nick Badwey stated that he hoped the Veterans at the celebration over the weekend had a good time. He also stated to check on pets and elderly in the heat.

Commissioner David Chapin congratulated City Staff on the street signals working well across town.

Mayor Tom McKibban asked when the signal would be placed at 1st and Main.

Public Works Director Brad Meyer stated that City Staff were waiting on Valmont to finish the mast arms.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:55 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

July 27, 2011

The El Dorado City Commission met in special session on July 27, 2011, at 4:30 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young (arrived at 4:45 p.m.), Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Nijah Fudge	220 E 1 st	El Dorado, KS
Linda Jolly	220 E 1 st	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the July 27, 2011 Special City Commission meeting to order.

DISCUSSION 2012 BUDGET

Assistant to the Finance Director, Jared Cobb stated that the 2012 Budget was reduced by approximately 4 mills in order to make up the extra 2 mills that was mistakenly charged to the citizens in 2011. This budget will still ensure that the same level of service will be provided to the citizens as has been in the past year.

Mr. Cobb also stated that the City will use sales tax money to assist in reducing property taxes.

Mr. Cobb provided the Commission with a list of items City Departments cut from the 2012 budget in order to reduce the mill levy as asked.

The City Commission discussed the proposed 2012 budget for City Departments.

The City Commission discussed the proposed 2012 budget for outside agencies.

Mayor Tom McKibban stated that he was not in favor of increasing the Main Street Organization’s budget.

Commissioner Shane Krause asked if it was possible to meet in the middle.

Commissioner Bill Young stated that he thought it was possible to meet in the middle and to encourage them to do more fund raising.

Mayor McKibban and Commissioner David Chapin stated that they would not vote for an increase over the previous Main St budget of \$25,000.

Commissioners Krause, Young, and Nick Badwey stated that they would agree to an increase to \$30,000.

The City Commission discussed the 2012 budget for Prairie Trails.

City Manager Herb Llewellyn stated that the Prairie Trails Committee will bring suggestions to the Commission on Monday regarding the budget for Prairie Trails Golf and Dining.

EL DORADO SPECIAL CITY COMMISSION MEETING

July 27, 2011

The City Commission discussed where the \$3 million for the stadium project would come from.

Mayor McKibban suggested that City Staff ask bond council for advice on how to fund the project. He also suggested City Staff ask if the City should give all of the money to the stadium committee up front or if they should make payments to the committee as construction commences.

Commissioner Shane Krause asked if City Staff would place the Commissioner's salaries on the next agenda.

City Manager Llewellyn stated that he would.

ADJOURNMENT

Commissioner Bill Young moved the meeting adjourned at 7:10 p.m.

Commissioner Shane Krause seconded the motion.

Motion Carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on August 1, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney James Murfin, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Broderick Bean	629 N Summit	El Dorado, KS
Linda Clark	1112 Rim Rock Rd	El Dorado, KS
Kristi Jacobs	1275 S Topeka	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Ralph Nelson	718 W Pine	El Dorado, KS
Naomi Flint	1502 Lowe	El Dorado, KS
Thelda Shelton	1140 S Arthur	El Dorado, KS
Phillis Jackson	1733 W Towanda	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the August 1, 2011, City Commission meeting to order.

INVOCATION

Reverend Mike Maguire opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Reverend Mike Maguire led the Pledge of Allegiance.

PERSONAL APPEARANCE

Broderick Bean, Chairman of the Frontier Western Days Celebration presented information on the upcoming festival to the Commission.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the July 13, 2011 Special City Commission and the July 18, 2011 City Commission minutes.

Approval of Appropriation Ordinance 07-11 in the amount of \$1,233,074.53.

Commissioner Bill Young moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

PROJECT NO. 366 - 2011 SALES TAX RESURFACING

Scott Rickard, Assistant City Engineer, stated that bids were received for the resurfacing project. APAC Kansas was the low bid, coming in under the Engineer's Estimates.

Commissioner David Chapin asked what streets would be included.

Mr. Rickard stated that it would be 3rd Street from Washington to Orchard, Alleghany from 3rd to 6th, Taylor from 5th to 6th, and Frazier from 3rd to 4th.

Commissioner Nick Badwey moved that s APAC Kansas has submitted the lowest and best bid for project no. 366 of \$284,846.12 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 Shane Krause seconded the motion.

Motion carried 5 – 0.

CITY COMMISSION SALARIES

City Manager Herb Llewellyn stated that at the last work session, Commissioner had asked for information on raising the salaries of the El Dorado City Commission.

Commissioner Shane Krause stated that he felt the Commission deserved more compensation for their time spent working for the City.

Commissioner Bill Young stated that he would like to hear what the rest of the Commission and the public have to say about the issue.

Commissioner Nick Badwey stated that he was in favor of a change.

Commissioner David Chapin asked how the change would work in terms of 1099's and other tax information, what amount it would be, and when it would take effect.

City Manager Llewellyn stated that the way the City's ordinance was written, the Commission was able to change their salaries at any time and the other items could be discussed.

Mayor Tom McKibban stated that he was against an increase for the following reasons: the Commissioners knew what they were getting into when they ran for office, Commissioners do this work to make a difference, not for the pay, other cities are split half making more than the City of El Dorado and half making less, finally he stated that the Commission should watch what they spend since they have asked others to cut costs.

Mayor McKibban stated that he felt it was disrespectful to raise salaries while still in office and to do so without public input.

Commissioner Badwey asked if the Commission should hold a public hearing.

Mayor McKibban suggested a survey.

Commissioner Krause stated that he was not opposed to a public vote.

Mayor McKibban asked the City Manager if he had ever worked for a city where a Commission was able to raise their own salary.

City Manager Llewellyn stated that he had not.

Commissioner Badwey asked if there needed to be an election.

City Manager Llewellyn stated that there did not need to be an election.

Commissioner Badwey stated that he felt the increase should go into effect after the next election.

Commissioner Chapin stated that the increase should be to no more than \$25 per month.

Commissioner Krause stated that he felt they should be increased to \$50 per meeting.

Commissioner Young stated that the question should be put out to the public.

Commissioner Chapin agreed that the change should go into effect after the election.

The Commission agreed that the question should be taken to the public.

City Manager Llewellyn stated that City Staff would develop a survey and bring the results back to the Commission before the end of the year when the salary ordinance is presented.

Commissioner Krause asked if Staff could include a question on the time frame and type of fireworks allowed in the City limits.

City Manager Llewellyn stated that they could.

PUBLIC COMMENTS

Mayor McKibban re-opened the floor for public comments.

Thelda Shelton, 1140 S Arthur, asked if the Commission and City Manager would walk through Constant Creek with her and view the ponds at Skelly School with her.

Mayor McKibban closed the public comment session.

PRAIRIE TRAILS ADVISORY BOARD BYLAWS

Commissioner Bill Young stated that the Prairie Trails Advisory Board has established a set of bylaws and a direction to follow.

City Manager Herb Llewellyn stated that they have made a few changes; two members may be from outside of El Dorado City limits, and the terms will be three years for each member.

Commissioner Young stated that they felt it would create continuity on the board with three year terms.

Commissioner Nick Badwey asked if three people would be up for reappointment each year.

Commissioner Young stated that he was correct.

Mayor Tom McKibban asked if there would be term limits.

Commissioner Young stated that there would not be.

Commissioner Nick Badwey confirmed that the officers would have term limits.

Commissioner Young stated that there would be in order to maintain an internal structure.

Mayor McKibban asked if they would review the budget.

City Manager Llewellyn stated that they would and then the Commission would approve it.

Commissioner Nick Badwey moved that the proposed by-laws for the Prairie Trails Advisory Board be approved as presented.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

AMENDMENT TO CHARTER ORDINANCE NO. 9 OF THE CITY OF EL DORADO MUNICIPAL CODE

City Manager Herb Llewellyn stated that during the review of the budget, it became apparent that Bradford Memorial Library had requested more money than the 4 mills allowed per Charter Ordinance No. 9. He stated that it was necessary to either enforce the ordinance or amend it.

Mayor Tom McKibban asked how many mills they had requested.

City Manager Llewellyn stated that they requested 4.55 mills.

Mayor McKibban stated that the new ordinance allows the Commission to cap the amount of money that can be requested by the Library and still provide for them.

Commissioner Shane Krause confirmed that the cap did not mean that the Library would receive an amount equal to the cap.

City Manager Llewellyn stated that he was correct.

Commissioner Shane Krause moved to cap the number of mills for Bradford Memorial Library at five mills.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

Commissioner Nick Badwey moved that Charter Ordinance No. 20, a Charter Ordinance that amends Charter Ordinance No. 9 of the City of El Dorado Municipal Code be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL VOTE

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

STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2011

The 2011 Kansas legislative session provides for certain changes in the Standard Traffic Ordinance for Kansas Cities, Edition 2011. This action incorporates certain legislative changes effective July 1, 2011. The City Commission approves these actions annually.

Commissioner Shane Krause asked why the Commission did this each year.

City Manager Herb Llewellyn stated that each year the State changes laws that affect cities and those laws are compiled and put out by the League of Kansas Municipalities. Cities must adopt the new laws.

Commissioner David Chapin asked if the ordinance included the new law on motorcycles and stop lights with sensors.

City Attorney Jim Murfin stated that it did.

City Manager Llewellyn stated that he would check with the Chief of Police on this portion of the STO.

Commissioner Shane Krause moved that Ordinance No. G – 1123, 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 2011”, be passed and approved.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

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 Bill Young	Yes

UNIFORM PUBLIC OFFENSE CODE, EDITION 2011B

The 2011 Kansas legislative session provides for certain changes in the Uniform Public Offense Code, Edition 2011. This action incorporates certain legislative changes effective July 1, 2011. The City Commission approves these actions annually.

City Manager Herb Llewellyn stated that this was the same process as the STO.

Commissioner Bill Young moved that Ordinance No. G-1124, 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 2011, be passed and approved.

Commissioner Shane Krause seconded the motion.

ROLL CALL VOTE

Position No. 2	Commissioner Bill Young	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

NEW BUSINESS

Commissioner Nick Badwey invited citizens to attend the Frontier Western Celebration and reminded them to check on elderly neighbors and pets in the heat.

Commissioner Bill Young thanked individuals serving on committees for helping the Commission to make informed decisions.

Commissioner Shane Krause stated that he had received questions about the ditch between Hillside and Oil Hill. He asked if it was on the clean-up schedule for City Staff.

Assistant City Engineer Scott Rickard stated that public works crews would be getting to it soon.

Mayor Tom McKibban asked where the trash was coming from.

Mr. Rickard stated that they would investigate.

Commissioner David Chapin was concerned about the trees in the area.

Mr. Rickard stated that the majority of the trees would remain because they are holding the ditch together.

Commissioner Krause asked if there were plans for the development of the Legion property.

City Manager Herb Llewellyn stated that there had been discussion between the entities.

Mayor McKibban stated that the 4-H auction would be held indoors due to the head index.

Mayor McKibban asked about the progress of the HOPE VI grant.

City Clerk Tabitha Sharp stated that there had been some miscommunication because the grant writer had been sending e-mails to the wrong address.

Ms. Sharp contacted the grant writer and is compiling the information he needed.

Mayor McKibban stated that the City was fully supporting the HOPE VI application.

Mayor McKibban asked if there was new information on the bull riding arena.

Commissioner Badwey stated that he believed the drawings would be available at their next meeting.

Mayor McKibban asked about the ball diamonds located in the area they wish to build the arena in.

City Manager Llewellyn stated that City Staff have discussed it, the recreation committee will be engaging the arena committee, and nothing has been approved.

Commissioner Krause asked about other possible locations.

City Manager Llewellyn stated that City Staff are making suggestions.

Mayor McKibban asked about the softball diamonds at the lake.

Mr. Rickard stated that they are finalizing the design.

Mayor McKibban asked if City Staff had checked on the signs at the Turnpike entrance on the west side of El Dorado.

Mr. Rickard stated that the signs are present, City Staff are discussing possible solutions with the State.

CITY MANAGER'S REPORT

WATER QUALITY

City Manager Herb Llewellyn stated that despite the heat problems, water quality and supply at the El Dorado Lake is not a problem. The City set all time sales records in the month of July.

MEARS ORDINANCE

City Manager Llewellyn stated that there was a mistake in the SUP Ordinance passed at the last meeting. He stated that it should have read Mears Fertilizer Inc., not Galen Mears.

Commissioner Nick Badwey moved to approve Ordinance No. G-1125, an Ordinance amending No. G-1122, replacing “Galen Mears” with “Mears Fertilizer Inc”.

Commissioner Shane Krause seconded the motion.

ROLL CALL VOTE

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

WORK SESSION

City Manager Llewellyn stated that a work session was needed to discuss the auditor’s findings. The administrative assistant will check the Commission’s schedules and set the date.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing trade secrets and to reconvene the regularly scheduled meeting in the City Commission room at 8:55 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 8:55 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

August 15, 2011

The El Dorado City Commission met in regular session on August 15, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney James Murfin, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Gary and Phyllis Van Buskirk	1825 Hazlett	El Dorado, KS
Brad Meyer	222 E 2 nd	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Tom Boren	128 N Vine	El Dorado, KS
John Thompson	128 N Vine	El Dorado, KS
John Throckmorton	3200 E 45 th St	Wichita, KS
James Powell	323 W Carr	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Wade Wilkinson	1016 S Denver	El Dorado, KS
Mark Sommerville	515 W Locust	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the August 15, 2011, City Commission meeting to order.

INVOCATION

Chaplain Mark Sommerville opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Julie Clements of the El Dorado Times led the Pledge of Allegiance.

PERSONAL APPEARANCE

Gary and Phyllis Van Buskirk of the Gold Wing Road Riders stated that their organization would be holding a convention August 25 – 28. Events included a light parade on Friday night and mock motorcycle accident on Saturday.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

James Powell, 323 W Carr, asked if the Commission had considered suggesting the rodeo arena be placed near the new football stadium.

Commissioner Nick Badwey stated that he would bring it up at the next arena meeting.

Mr. Powell stated that he thought the City needed a marketing plan.

CONSENT AGENDA

Approval of the July 27, 2011 Special City Commission and the August 1, 2011 City Commission minutes.

Commissioner Bill Young moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

ADOPTION OF THE 2012 CITY BUDGET

Commissioner Bill Young opened the discussion by saying he was concerned with the amount of money budgeted for Prairie Trails. He stated that the current line item needed to be dropped to \$180,000, a reduction of \$107,000.

Mayor Tom McKibban agreed with Commissioner Young. He stated that after reading recommendations from the Prairie Trails advisory committee, he felt it was more fiscally responsible. If necessary, the Commission could amend the budget at a later date.

Commissioner David Chapin stated that the business should not set out to lose money.

There was a consensus among the Commission to reduce the Prairie Trails budget by \$107,000.

Mayor McKibban opened the public hearing.

James Powell, 323 W Carr, asked if the recreation department could run Prairie Trails instead of paying a management company to do so. He also asked if there was a portion of the budget to extend the bike path to the college.

City Manager Herb Llewellyn stated that work on the bike path would have to be performed internally due to budget cuts on assistance programs within the state and federal governments. Previously the City had received grant money to assist with this project.

Mayor McKibban stated that the next portion of the bike path to be completed would be expensive because it would loop outside of the City in one area.

Scott Rickard, Assistant City Engineer, stated that the cost of the next portion of the bike path was two million dollars.

Mr. Powell asked if it would help if citizens raised money for the project.

City Manager Llewellyn stated that it would absolutely help.

Mayor McKibban closed the public hearing.

Mayor McKibban asked for the new total budget amount.

City Manager Llewellyn stated that it was \$27,596,563.

Commissioner Nick Badwey moved that Ordinance No. S – 1319, to approve the 2012 Operating Budget and Capital Improvement Plan in the total amount of \$27,596,563, providing for an estimated mill levy of 44.971 mills and to certify the same to the County Clerk.

Commissioner Bill Young seconded the motion.

Mayor McKibban asked if this would decrease the mill levy more.

City Manager Llewellyn stated that it would just allow the City not to pull down fund balances as much.

Mayor McKibban asked about the difference between the 11 and 4 million.

Finance Director Tammy Schaffer stated that a few figures were left on the Statement of Indebtedness, thus the figures sent to the paper were incorrect. The mistake was corrected in the budget after the publication.

Mayor McKibban asked if the stadium funding was part of the budget yet.

City Manager Llewellyn stated that the Commission had asked for the stadium to be funded in the current year, so city staff would amend the budget at the end of 2011.

ROLL CALL VOTE

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

PROJECT NO. 368-2011 REHABILITATION OF TAXIWAY A & B

Assistant City Engineer Scott Rickard stated that Wildcat Construction was the lowest bid for the Taxiway project at \$231,929.69, which was under the Engineer’s estimate. At this time city staff are asking the Commission to award the contract to the lowest bidder contingent on FAA approval and to also authorize the City Manager to sign the FAA agreement upon receipt.

Mayor Tom McKibban asked if Wildcat Construction had worked in the City before.

Mr. Rickard stated that they hadn’t since his employment began with the City, but they were a large highway contractor in Wichita.

Commissioner David Chapin stated that they did work on Kellogg.

City Manager Herb Llewellyn asked if the FAA’s current funding issues would affect this contract.

Mr. Rickard stated that staff had included that this approval be contingent on the funding from the federal government. He stated that it was important to get approval for the City Manager to sign off on paperwork so that it could be turned in quickly once federal funding was approved and our funding would not be given to another city.

Mayor McKibban asked why there was a large difference between the estimated amount and the bid.

Director of Public Works Brad Meyer stated that the \$314,000 was a preliminary amount provided to the FAA by the engineering firm.

Commissioner David Chapin stated that he was happy that the City was doing this work because at the end of this project, the federal government would have paid for the majority of repairs to the airport.

Commissioner Shane Krause moved that that as Wildcat Construction has submitted the lowest and best bid for project no. 386 of \$231,929.69 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, contingent of FAA approval, In addition the authorize the City Manager to sign a grant agreement with the FAA upon receipt.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

REPEALING AND AMENDING SECTION 10.08.070 OF THE EL DORADO MUNICIPAL CODE

Assistant City Engineer Scott Rickard stated that due to the construction of the new bridge on 9th Avenue, there was no longer a weight limit needed.

Commissioner David Chapin asked what the weight limit was.

Mr. Rickard said it was associated with axles, but that it was 80,000 for a semi.

Mayor Tom McKibban asked if the attached CMV fine schedule was part of the ordinance.

Jim Murfin, City Attorney, stated that it was there for reference until final approval was received by Judge White and the ordinance is adopted by the Commission. The ordinance will allow officers to enforce codes for vehicles which have not been previously enforced. He stated that Officer Thompson has completed the training which allows him to apply these changes.

Commissioner Nick Badwey moved to approve Ordinance G- 1126 which repeals Section 10.08.070 of the El Dorado Municipal Code restricting vehicle weight limits on the 9th Avenue Bridge and amends Section 10.08.070 by adoption of Commercial Vehicle Safety Regulations.

Commissioner David Chapin seconded the motion.

ROLL CALL VOTE

Position No. 2	Commissioner Bill Young	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 PROGRAMS STIMULUS PLAN EXPIRATION

Assistant City Engineer Scott Rickard stated that the NRP would expire on September 1, and staff are seeking direction from the Commission for extension or expiration of the plan.

Mr. Rickard stated that the plan has brought some new homes to the community, 25 during the first year, and 7 to date this year.

Mayor Tom McKibban asked if the plan had been beneficial to builders.

Wade Wilkinson, 1016 S Denver, stated that it has helped during a time when the economy is not conducive to home building.

Mayor McKibban asked if it was better to keep the program at a one year extension.

City Manager Herb Llewellyn stated that it was better to maintain the one year extension in order to be consistent with the rest of the county.

Commissioner Bill Young asked if the program was a valuable marketing tool.

Mr. Wilkinson stated that the market was so small for new home building that without the NRP, he believed most people would buy existing homes.

Commissioner David Chapin stated he had heard there would be a three or four year recovery from current economic conditions.

Mr. Wilkinson stated that he had heard bank repos would bottom out in 2013 and there would be an upswing of building in 2014.

Commissioner Chapin stated that he was in favor of the one year extension.

Mayor McKibban stated that he was in favor of the extension especially with the influx of BG employees into the community.

Commissioner David Chapin moved to extend the Neighborhood Revitalization Program stimulus plan for a period beginning September 1, 2011 to September 1, 2012.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner Shane Krause stated that school was beginning this week and urged citizens to watch out for children crossing streets.

Commissioner Krause stated that he had received a request from a citizen regarding implementation of a curfew.

City Manager Herb Llewellyn stated that he had spoken with City Attorney Jim Murfin who confirmed that the Supreme Court had found that as a general rule, blanket curfews were unconstitutional.

City Attorney Jim Murfin stated that even strictly written ordinances on curfews for specific problems have been declared unconstitutional.

Police Chief Tom Boren stated that he has worked in communities where curfews have been enacted, but often adults with help children circumvent the policy.

Chief Boren felt that current numbers did not support a curfew, and often problems could not be pinned to teenagers alone.

Commissioner Bill Young reiterated that children would be out and about with the start of school, and to please watch for them in the mornings and afternoons as they went to and from school.

Commissioner Young also thanked City Staff and the Commission for their assistance in his first budget process.

Commissioner Nick Badwey asked about the status of the generator.

City Manager Llewellyn stated that the generator was online, but staff were waiting for the VFD's to be delivered.

Commissioner David Chapin asked if staff were considering flowers for West Central Avenue that would look nice all year long.

City Manager Llewellyn stated that the day lilies on the east side will eventually crowd out the weeds and fill the median. He stated that the plants on the opposite side were unable to take the heat and died. The medians on the north and south sides have flowers that are blooming, but they are not carpet-like. Staff are considering placing monkey grass that will crowd out weeds and will only be approximately four inches tall.

Mayor Tom McKibban asked about the labor costs associated with the medians.

Public Works Director Brad Meyer stated that they were testing chemicals to keep out the weeds and to prevent additional labor costs. He also stated that Kaw Valley Greenhouse had said the day lilies were a good choice because they required little to no maintenance. He asked that the Commission bear with staff as they figure out the best option for combating the heat and conditions in those medians.

Commissioner Chapin stated that he understood the problems with the heat, but he did not want to be irresponsible with the citizens' money by throwing more money and man power at the problem instead of cementing the medians.

City Manager Llewellyn stated that the expectation of the current plants is that there will be little or no maintenance costs.

Commissioner Chapin asked if we had been cleaning out the creek at Central and Haverhill.

Mr. Meyer stated that we were.

Commissioner Chapin asked if the small roadway would remain there.

Mr. Meyer stated that it was just for clean-up purposes.

Commissioner Chapin stated that it will be nice to see it all cleaned up. He also stated that the work done by the City next to the refinery looked good.

Mr. Meyer stated that the work had been done at Ms. Shelton's request.

Commissioner Chapin stated that City Staff were doing a good job, he wanted to make sure the citizens knew that the Commission was communicating their requests.

Mayor McKibban asked about the progress on the softball diamonds at the lake.

Mr. Meyer stated that the plans were done, and staff are waiting for the discussion to be completed on moving the boys' fields.

Assistant City Engineer Scott Rickard stated that the new fields would be a mirror image of the existing fields. If the boys' fields are moved out to the lake, then additional accommodations for parking, etc... will need to be made.

Mr. Meyer stated that the majority of dirt work is done in the fall of each year.

City Manager Llewellyn stated that weather permitting, the fields would be finished in late fall or early spring.

Mr. Rickard stated that lighting would take the most time.

Mayor McKibban asked if the fencing would be movable.

City Manager Llewellyn stated that there was only one permanent fence there.

Mayor McKibban asked about the progress of the North Main water park.

Mr. Meyer stated that it was slated for this year's budget. The storage tank has been placed in the ground, the pumps and setup have arrived, and the pad for the building has been poured. He stated that the project was taking additional time because repairs in other areas of town due to the heat have prevented the water crews from being able to run the line.

Mayor McKibban asked about the progress of the lights at 1st and Main.

Mr. Rickard stated that he had contacted KDOT, and they were requiring a traffic study in order to put the lights back. He stated that in a previous study, the intersection did not meet traffic and pedestrian warrants required to place lights there.

Mayor McKibban stated that he believed it was a dangerous corner and that business owners had contacted him with their concerns.

Mr. Rickard stated that the City had suggested less parking, but businesses downtown had rejected that idea. He stated that according to statistics, the intersection had seen fewer accidents since the removal of the lights than when the lights had been in place.

City Manager Llewellyn stated that staff were following a state process, and the findings would be presented to the Commission.

Mayor McKibban asked why this information was not presented when the question was originally posed.

Mr. Rickard stated that he had called and talked to KDOT after the discussion began, and this was the information they had provided.

Mayor McKibban asked who was responsible for fixing the alley off of Main Street.

Mr. Meyer stated that staff would discuss it and find out who was responsible.

Mayor McKibban asked if the arena committee had met with the recreation advisory board.

City Manager Llewellyn stated that the meeting was on Wednesday.

Mayor McKibban asked about the progress of the HOPE VI grant.

City Clerk Tabitha Sharp stated that the grant writer had all of the information and that it would be turned in before the deadline.

Mayor McKibban asked if the recreation advisory board had discussed their long range plan yet.

City Manager Llewellyn stated that he would have to ask Kevin Wishart, recreation superintendent, about their progress.

Mayor McKibban stated that he had spoken to a golfer at Prairie Trails regarding a couple that had chosen to stay at El Dorado Lake when their trip to Oklahoma was ruined by draught. He stated that they had enjoyed themselves so much that they stayed for four days.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing legal matters and trade secrets and to reconvene the regularly scheduled meeting in the City Commission room at 9:00 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban reconvened the meeting at 9:00 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 9:00 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

August 29, 2011

The El Dorado City Commission met in special session on August 29, 2011, at 4:30 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, and City Clerk Tabitha Sharp. Absent Commissioner David Chapin, City Attorney Jim Murfin, and Assistant City Engineer Scott Rickard.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Karen Linn	Berberich Trahan and Co.	Topeka, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the July 27, 2011 Special City Commission meeting to order.

OVERVIEW OF CITY OF EL DORADO 2010 AUDIT

Karen Linn, Berberich Trahan and Co., presented the findings from the 2010 City of El Dorado audit. She stated that they were able to issue unqualified opinions on the City financial statements which are the highest opinions that can be issued to a set of financial statements.

Ms. Linn stated that findings included: the need for the lake debt to be properly accounted for in the City’s financials, a need for segregation of duties in the cash collection areas, journal entries were not made due to the fact that auditors had done those for the City in the past, and all federal awards must be compiled so that all federal funding could be adequately tracked.

Mayor Tom McKibban asked if their firm had reviewed previous audits.

Ms. Linn stated that last year’s report did not include any findings, so there was nothing to follow up on.

Mayor McKibban asked why the City’s assets had dropped significantly.

Ms. Linn stated that it was due mostly to the way the lake debt was booked.

Mayor McKibban asked if the auditors would follow up on the recommendations.

Ms. Linn stated that they would be followed up on in the audit for 2011.

Commissioner Nick Badwey asked how the City was rated overall.

Ms. Linn stated that some improvements needed to be made with processes, but with experience on the part of both the city staff and the auditors, it will be better.

City Manager Herb Llewellyn stated that he agreed with Ms. Linn, with more experience on the part of city staff, the audit would be smoother in future years.

Finance Director Tammy Schaffer stated that city staff were already implementing processes to fix these issues.

Commissioner Shane Krause asked if these were things that could be repaired without additional spending.

Ms. Schaffer stated that no additional spending was needed.

Mayor McKibban asked if there were any impediments in the auditing process.

Ms. Linn stated that there were not.

Mayor McKibban asked why they had not reviewed Prairie Trails' financials.

Ms. Linn stated that it was because Prairie Trails was run by an independent management company.

UTILITY SERVICE LINE WARRANTY PROGRAM

Kurt Bookout, Director of Public Utilities, stated that a company had presented the City with an insurance program for water and sewer lines. The cost to residents is \$4.50 per month for each line.

Mr. Bookout stated that often times when there is a problem with the lines, citizens do not realize that they are responsible for those lines. Many of the lines in the City of El Dorado are older and expensive to repair.

Mr. Bookout stated that this insurance program was different from others as it was endorsed by the National League of Cities.

Commissioner Nick Badwey asked if citizens could cancel at any time.

Mr. Bookout stated that they could.

Commissioner Shane Krause asked if they would replace the lines if there was no existing problem.

City Manager Herb Llewellyn stated that he was not sure. He stated that they expected some citizens to sign up simply to get their lines fixed and then cancel the program.

Commissioner Nick Badwey asked if there was a cap.

Mr. Bookout stated that it was high enough that it would cover street cuts as well as line repair.

Mayor Tom McKibban asked what the pros and cons were.

City Manager Llewellyn stated that one of the pros was that the City could possibly make some money off of this. One of the cons was that they would use the Mayor and Commissioners names as endorsements for their product.

Mayor McKibban asked if they used local contractors.

Mr. Bookout stated that they did, and many plumbers liked working with them.

EL DORADO SPECIAL CITY COMMISSION MEETING

August 29, 2011

Commissioner Bill Young stated that he would like to make sure that they will use local contractors before agreeing to anything.

Mayor McKibban asked Mr. Bookout to check the references for the company.

Mr. Bookout stated that he would do that.

ADJOURNMENT

Commissioner Bill Young moved the meeting adjourned at 5:09 p.m.

Commissioner Shane Krause seconded the motion.

Motion Carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on September 6, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, City Attorney James Murfin, Assistant City Engineer Scott Rickard. City Clerk Tabitha Sharp was absent.

VISITORS

Jeff Masters	1958 Jamaica	El Dorado, KS
Tony Yaghjian	216 W Central	El Dorado, KS
Dion Avello		Derby, KS
Jeff Longwell		Wichita, KS
Dane Baxa	Wichita State University	Wichita, KS
Joe Yager	Wichita State University	Wichita, KS
Thelda Shelton	1140 S Arthur	El Dorado, KS
Naomi Flint	1502 Lowe	El Dorado, KS
Kathy Martin	1789 SW Boyer	El Dorado, KS
Cathy Cullen	627 ½ S Star	El Dorado, KS
Kirbie Shearburn	206 S Arthur	El Dorado, KS
Jacob Meyer	2012 Chelsea Dr	El Dorado, KS
Brad Meyer	222 E Second	El Dorado, KS
Tom Boren	128 N Vine	El Dorado, KS
Sharon Waugh	301 S Star	El Dorado, KS
Rodney Luehrs	1735 Candace Ln	El Dorado, KS
Charles Haarhr	1615 Troon North	El Dorado, KS
Kurt Bookout	2520 Kacy Ct	El Dorado, KS
Marion Nichols	521 W 4 th	El Dorado, KS
Sue Givens	1525 Country Club Rd	El Dorado, KS
Kristi Jacobs	Bradford Memorial Library	El Dorado, KS
Fred Kropf	2001 W Towanda	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the September 6, 2011, City Commission meeting to order.

INVOCATION

Reverend Wade Graber, First Baptist Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Grandview Elementary’s third grade class led the pledge of allegiance.

PERSONAL APPEARANCE

Dion Avello, Mayor of Derby, and Dane Baxa presented the Regional Economic Area Partnership three year strategic plan.

PUBLIC COMMENTS

Mayor McKibban opened the floor for public comments.

Thelda Shelton, 1140 S Arthur, asked who authorized the contractor to cut the curb on Towanda.

Assistant City Engineer Scott Rickard stated that he did that so they were able to get equipment in and out of the construction site.

Ms. Shelton asked if there would be more curb cut that would allow water to run down the street.

Mr. Rickard stated that as it has been presented to the City, there will be no additional run off on to Towanda.

Ms. Shelton asked how they were going to control traffic during construction.

Mr. Rickard stated that the school has planned out the traffic situation to prevent as much congestion as possible.

Fred Kropf, 2001 W Towanda, asked about the trucks coming down Towanda.

Mr. Rickard stated that he would call the concrete company to reiterate the route they should be taking.

Public Works Director Brad Meyer announced that there would be an air show at the municipal airport over the weekend.

CONSENT AGENDA

Consider approval of the August 15, 2011 City Commission minutes and the August 29, 2011 Special City Commission minutes.

Appropriation Ordinance 08-11 in the amount of \$2,588,047.19

Commissioner Bill Young moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

ALL AMERICAN CITY AWARD CAMPAIGN

Nijah Fudge, Administrative Intern, presented information on the All American City Award. She stated that this year the focus is on cities collaborating to increase grade level reading by improving three areas: 1) School Readiness, 2) Summer Learning, and 3) School Attendance. The focus is on children aged Kindergarten through 3rd grade.

Ms. Fudge stated that it is shown that children who leave the third grade without having achieved an adequate reading level do not do well in school after that point.

Mayor Tom McKibban asked if Oil Hill Elementary School had been contacted.

Ms. Fudge stated that they had.

Commissioner Shane Krause moved that the Mayor sign the Letter of Commitment to begin the All American City Award Campaign.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

LEAGUE OF KANSAS MUNICIPALITIES VOTING DELEGATE REGISTRATION

City Manager Herb Llewellyn stated that the City is entitled to three voting delegates and three alternate delegates during the League of Kansas Municipalities Conference.

Commissioner Nick Badwey moved to appoint Mayor Tom McKibban, Commissioner Bill Young, and Commissioner Shane Krause to be named voting delegates

at the annual business meeting of the Kansas League of Municipalities and that Kurt Bookout, Herb Llewellyn, and Nijah Fudge be named alternates.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

RECEIVE THE PETITION ON PROJECT NO. 372 SANITARY SEWER SERVING 501 S HAVERHILL

Assistant City Engineer Scott Rickard stated that the property owner at 501 S Haverhill has requested connection to the City sanitary sewer system. He stated that the petition had been signed and received by the City Clerk.

Commissioner David Chapin asked if the property owner was aware of the cost.

Mr. Rickard stated that they were.

Commissioner David Chapin moved that Resolution No. 2677, a resolution determining the advisability of the making of certain internal improvements in the El Dorado, Kansas; 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. 372).

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

AUTHORIZATION FOR FUNDING APPLICATION – WATER RECLAMATION FACILITY WIND TURBINE PROJECT

Director of Public Utilities Kurt Bookout stated that the City of El Dorado is applying for a loan from the Kansas Department of Health and Environment under the Kansas Water Pollution Control Revolving Fund Act (K.S.A. 1988 Supp. 65-3321 through 65-3329). The approximately two million dollar loan will be used for the El Dorado Water Reclamation Facility Wind Turbine Project and under the EPA’s ARRA guidelines the project is categorically “green” and therefore eligible for 40% loan forgiveness. City staff are asking that the Commission authorize staff to execute and file the loan application.

Commissioner Shane Krause moved that Resolution No. 2678, a resolution authorizing Herb E. Llewellyn Jr., Kurt Bookout and Tammy Shaffer to execute and file application on behalf of the City of El Dorado with the Kansas Department of Health and Environment for a loan to aid in the construction of the El Dorado Water Reclamation Facility Wind Turbine Project.

Mayor Tom McKibban asked when the project would begin.

Mr. Bookout stated that he thought it would start in the spring.

Mayor McKibban asked if this was allowed for in the budget recently passed.

City Manager Herb Llewellyn stated that these payments did not begin until 2013.

Mr. Bookout stated that the payments being made on the SRLF currently would not increase in 2013, they would come out of a different fund.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

FORMAL EXTENSION OF THE NEIGHBORHOOD REVITALIZATION PROGRAM STIMULUS PLAN

Assistant City Engineer Scott Rickard stated that City Staff were asking to extend the city-wide stimulus plan for residential development. All other relevant agencies have voted to approve except USD 490 whose meeting has not yet taken place.

Commissioner David Chapin asked what would happen if USD 490 did not approve the program.

Mr. Rickard stated that the property owners would not receive a rebate on the USD 490 portion of their taxes.

Commissioner Bill Young moved to consider approval of the Mayor's signing Resolution No. 2679, a Resolution extending the city-wide Neighborhood Revitalization Program for a period to end September 1, 2012, and the Interlocal Agreement with all taxing entities within the city limits.

Commissioner Shane Krause seconded the motion.

Commissioner Chapin stated that he hoped the economy would be in better condition next year so that the rebate program would not be necessary.

Motion carried 5 – 0.

CURFEW DISCUSSION

Mayor Tom McKibban stated that after research on the topic, he believed that there should be a curfew for children in the City of El Dorado.

Commissioner Bill Young stated that he agreed, it was something that needed to be looked at and drafted.

Commissioner David Chapin stated that he has asked the Youth Commission to get input from the High School. He also stated that he was in support of the curfew.

Commissioner Nick Badwey asked about the age limit.

Mayor McKibban stated that we should be consistent with other local communities, but he thought that under age 18 was a good benchmark.

Police Chief Tom Boren stated that he had looked at Hutchinson, Olathe, Wichita and Lawrence ordinances. He found that some cities had separated the youth with curfews for younger children and a curfew for older teens. He also stated that it would be important to look at specifying who the children could and could not be out late with, e.g. older brothers and sisters.

Mayor McKibban asked what the City of Newton had in their ordinance.

Commissioner Young stated that the City of Newton's ordinance stated that children had to be accompanied by an adult relative 21 years of age or older.

Mayor McKibban asked how they would handle students at the high school versus children out and about.

Chief Boren stated that it would have to be something that the Commission directed. Some of it would have to be common sense on the part of the officers.

City Attorney Jim Murfin stated that it was important to understand what the Commission wanted to include in the ordinance so that they City would not be pursued by the ACLU. He stated that it might involve undertaking a study in order to prove that the problems the ordinance addresses are legitimate.

Mayor McKibban asked if other local towns have run into issues with their ordinance.

Mr. Murfin stated that he did not know.

Mayor McKibban stated that staff should look into that. He stated that the Commission should not hide in fear that while they were trying to do something that was right that someone might sue them.

City Manager Herb Llewellyn stated that he was not opposed to curfews, unfortunately the Constitution of the United States considers curfews unconstitutional. That being said, he did not believe that it would be a problem in El Dorado. City Manager Llewellyn stated that he wanted to make sure the Commission was aware of the possibility of a conflict with the Ordinance and the U.S. Constitution.

Mayor McKibban stated that he wanted City Staff to look at local ordinances and copy what those areas do.

Chief Boren stated that it was important to thoroughly investigate reasons for curfews. He also stated that his biggest concern was that there would be no accountability with the parents of the children.

Mayor McKibban stated that he saw it as a public safety issue, not a punitive issue. The purpose was to protect children, not punish them.

Chief Boren stated that if there was no accountability, he was not sure how they would enforce it.

Mayor McKibban asked if a task force would be useful, including individuals from the school district.

Commissioner Badwey stated that he was most interested in what the Youth Commission had to say.

Commissioner Chapin stated that he was looking more at the extreme cases of children out at two in the morning.

Chief Boren stated that officers were currently watching for those children and taking them home.

Commissioner Young stated that we needed to look at other towns and see what they do. He said he didn't think that other towns most likely did not have an ordinance without accountability.

Chief Boren stated that the ordinances he looked at started out with fines of \$10.

Commissioner Shane Krause stated that he felt that children out in the middle of the night put themselves in danger. He did not want to be sued for doing nothing when they knew there was a problem.

Mayor McKibban asked what the next step would be.

Commissioner Young stated that we needed information from other cities and from Chief Boren.

Chief Boren stated that they would provide information and allow the Commission to direct the issue from there.

NEW BUSINESS

Commissioner David Chapin introduced Jacob Meyer of the El Dorado Youth Commission.

Commissioner Chapin stated that the clean-up of the creek on West Central looked good. He suggested that in order for the medians to look as good as the creek area that the City put in planters on the medians and cement around them. He stated that he had heard concerns from citizens regarding the safety of workers on the medians. The planters would allow for less upkeep and therefore decreased labor costs.

Mayor Tom McKibban stated that he thought a planter would be a good idea.

Commissioner Shane Krause stated that he was in support of concrete over the entire median.

Commissioner Chapin stated that he thought that plants looked nice in the planters.

Commissioner Bill Young stated that he liked the plants as well.

Mayor McKibban asked City Staff to look at options for those.

Commissioner Nick Badwey asked about the status house that burnt down on Olive.

City Manager Herb Llewellyn stated that the house was in bankruptcy, so it has been difficult to contact anyone.

Commissioner Krause stated that he was a supporter of all City staff and hoped that his comments were not mistaken as disparaging towards City Staff or the City of El Dorado.

Mayor McKibban asked how thick the concrete on the bike path on North Main was.

Public Works Director Brad Meyer stated that it was six inches.

Mayor McKibban asked why the driveway was not divided in half during construction so that the individual could get out of the driveway while work was being done.

Mr. Meyer stated that he and Mr. Rickard had been in contact with the individual and he is ok with how the work is being done.

Mayor McKibban asked when the work would begin at the new softball diamonds.

Mr. Meyer stated that City Staff were finishing two dirt projects at Mac Stadium and one other area in the City, work would begin on the softball diamonds when that was finished in a few weeks.

Mayor McKibban stated that he understood that City Staff did work to save money, but was concerned that City Staff did not have time to complete all of the projects in a timely manner.

City Manager Llewellyn stated that sales tax projects had to be done within certain financial parameters and those parameters were often less than what we could hire an outside contractor for.

Mayor McKibban asked how the costs were achieved.

Mr. Meyer stated that the engineer would estimate the cost of the work. He stated that an example was the spray park. There are not vendors in the City of El Dorado that are able to build a spray park. The estimate for the project from an outside company was

\$165,000. City Staff are able to complete the project for significantly less. He stated that it would take time, but could save twenty to thirty thousand dollars. He felt that Commission would prefer that City Staff save as much money as possible.

Mayor McKibban stated that we should do more projects if money is saved by City Staff doing those projects.

Mayor McKibban stated that he had concerns from citizens that the City is competing with local contractors. He stated that with the permission of the Commission, he would like to have a task force that allowed citizens to communicate these concerns.

Commissioner Krause stated that he thought it was important to get specific concerns from the citizens. He stated that he had specifically received a complaint about the roll off program.

Mr. Meyer stated that the City of El Dorado is a closed City for trash collection, but we have not restricted the roll off program for other businesses. He stated that they encourage citizens to use providers located in El Dorado as opposed to those from out of town.

Mayor McKibban stated that he thought it was important that a task force be in place to hear the concerns and to find out if the City was competing with other businesses.

Mayor McKibban asked for a stadium update.

City Manager Llewellyn stated that the committee would be meeting this week to continue planning. Design work was still in progress and would possibly be done in October. There will be a ground breaking towards the end of October.

Commissioner Chapin stated that he was approached by a teacher at WSU that would like to come over and discuss the wind turbine and wastewater plant.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that there would be a work session on the following Wednesday with El Dorado Inc.

City Manager Llewellyn stated that the sales tax information the Mayor had requested was available, but as it was late, he felt that it might be better presented at a work session or another meeting.

Mayor McKibban noted that a citizen had entered the room and reopened the public comment section.

Jeff Masters, stated that he heard the discussion about concrete work and wanted to offer his services as a contractor.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 9:27 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

EL DORADO SPECIAL CITY COMMISSION MEETING

September 14, 2011

The El Dorado City Commission met in special session on September 14, 2011, at 4:30 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, and City Clerk Tabitha Sharp. Absent, City Attorney Jim Murfin, and Assistant City Engineer Scott Rickard.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Linda Jolly	El Dorado Inc	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the September 14, 2011 Special City Commission meeting to order.

PRESENTATION ON CVB IMPACT MODEL

Linda Jolly, Director of El Dorado Inc., stated that the Convention and Visitors’ Bureau had begun using an impact model provided by Wichita State University approximately two years ago.

Ms. Jolly stated that the impact model showed how much money each visitor brought to the City versus how much the City spent on each visitor in terms of actual dollars or in-kind services.

Ms. Jolly stated that it is the hope of the CVB and City Staff that once an adequate amount of data had been received, they could work on putting a list of events together that would receive assistance from the City with the approval of the Commission.

Ms. Jolly stated that use of the Civic Center was declining due to the church building their own place and the addition of the Welcome Center at the college. She stated that it was important to market the Civic Center and El Dorado to large groups in order to increase sales tax collections.

ADJOURNMENT

Commissioner Bill Young moved the meeting adjourned at 5:09 p.m.

Commissioner David Chapin seconded the motion.

Motion Carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on September 19, 2011 at 7:00 pm in the Commission Room with the following present: Vice Mayor Shane Krause, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk, Tabitha Sharp. Mayor Tom McKibban, City Manager Herb Llewellyn, and City Attorney James Murfin were absent.

VISITORS

James Powell	3223 W Carr	El Dorado, KS
Tony Yaghjian	216 W Central	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
Richard and Lora Goehring	1015 Rim Rock	El Dorado, KS
Erica Hill	1710 Payton Circle	El Dorado, KS
Shawn Dean	2110 Prairie View	El Dorado, KS
Iris Lawrence	805 Reveille Lane	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Kurt Bookout	2520 Kacy Court	El Dorado, KS
Brad Meyer	2012 Chelsea Dr	El Dorado, KS
Jacob Meyer	2012 Chelsea Dr	El Dorado, KS
Alex Pennington	2320 Gentry Lane	El Dorado, KS

CALL TO ORDER

Vice Mayor Shane Krause called the September 19, 2011, City Commission meeting to order.

INVOCATION

Vice Mayor Shane Krause opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Grandview Elementary’s third grade class led the pledge of allegiance.

PUBLIC COMMENTS

Vice Mayor Shane Krause opened the floor for public comments.

James Powell, 323 W Carr, asked that motor vehicle operators be cognizant of bicyclists on the roadways.

Mr. Powell also encouraged other citizens to come to Commission and be involved in City government.

CONSENT AGENDA

Consider approval of the September 6, 2011 City Commission minutes.

Commissioner Nick Badwey moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

RECEIVE THE PETITION ON PROJECT NO. 373 – EXTENSION OF WALNUT VALLEY DRIVE

Assistant City Engineer Scott Rickard stated that the City had received a petition from Flinthills Services to extend Walnut Valley Drive. He stated that the costs of the

extension would be added to the property tax, and the City at Large would pay for the extra width of the road and storm drainage.

Commissioner David Chapin asked how far the extension would go.

Mr. Rickard stated that it would go approximately 300 feet to their second driveway.

Commissioner Chapin asked if the road would dead end at that point.

Mr. Rickard stated that it would be a barricaded dead end.

Commissioner Bill Young confirmed that this extension would allow Flinthills Services full access to their property.

Mr. Rickard stated that it would.

Commissioner Nick Badwey moved that Resolution No. 2680, a resolution determining the advisability of the making of certain internal improvements in El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (extension of Walnut Valley Dr./Project No. 373).

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

RENAMING THE WATERWORKS TENNIS COURTS TO SAM BINTER TENNIS COURTS

Kevin Wishart, Superintendent of Recreation, stated that members of the tennis community and the Butler County Tennis Association have requested that the City owned tennis facility be named for long-time tennis supporter, Sam Binter. He stated that Mr. Binter has served as a coach for Butler Community College, El Dorado High School, and as a volunteer instructor for the El Dorado Recreation Department.

Mr. Wishart stated that the request had been brought to the Recreation Board and was unanimously approved.

Commissioner Nick Badwey stated that the honor was richly deserved.

Commissioner Nick Badwey moved to change the name of the Waterworks Tennis Courts to Sam Binter Tennis Courts.

Commissioner Bill Young seconded the motion.

Vice Mayor Shane Krause stated that when someone in our community has been so dedicated and volunteered so much time to a sport, this is a great thing to do and he is happy to support it.

Motion carried 4 – 0.

PUBLIC HEARING – KDHE REVOLVING LOAN FUND – EL DORADO WETLANDS AND WATER RECLAMATION FACILITY WIND TURBINE PROJECT

Vice Mayor Shane Krause opened the Public Hearing.

James Powell, 323 W Carr, asked if someone could please explain the purpose of the loan.

Kurt Bookout, Director of Public Utilities, stated that the City of El Dorado is constructing a wind turbine at the wastewater treatment plant located south of the city. The City Commission has approved the funding mechanism through the Kansas Department of Health and Environment Revolving Loan Fund. This date was set to hold a public hearing regarding authorizing a proposed loan in the amount of \$2,000,000 to be taken by the City from the Kansas Department of Health and Environment under the Kansas Water Pollution Control Revolving Fund Act (K.S.A. 1988 Supp. 65-3321 through 65-3329). The City has submitted a preliminary application to KDHE for the loan which has been selected for ARRA stimulus money for “Green” improvements. These improvements are eligible for 40% loan forgiveness under the provision that the project is categorically “green”. Additionally, the City has secured a \$250,000 grant from the Department of Energy (DOE) to assist in funding this project.

Vice Mayor Krause stated that the loan is one of the reasons the Commission decided to proceed with the project.

Vice Mayor Krause closed the public hearing.

NEW BUSINESS

Commissioner Bill Young thanked James Powell for his earlier statement and reiterated that it is important that citizens are involved in their government. He stated that it was important to him to know what citizens think.

Commissioner Nick Badwey stated that there would be a blessing of the animals Sunday, October 2nd at the Trinity Episcopal Church.

Commissioner David Chapin asked if the forty percent forgiveness is guaranteed for the KDHE loan.

Kurt Bookout, Director of Public Utilities, stated that the City was in the intended use plan for KDHE, and as long as the application is approved, the forty percent forgiveness will be given to us. He stated that it would be approximately two weeks before the City was given a definite answer.

Commissioner Chapin asked if the City had received an amount on the switch gear.

Mr. Bookout stated that it was included in the cost. He also stated that an agreement had been reached with Westar, they will provide the infrastructure to reach the highway for one dollar.

Commissioner Chapin introduced Jake Meyer and Alex Pennington from the Youth Commission. He stated that they had a good discussion on the curfew and will be bringing that information to the Commission.

CITY MANAGER’S REPORT

PLAYGROUND EQUIPMENT GRANT

Brad Meyer, Director of Public Works, stated that the City had the opportunity to apply for a grant for playground equipment on the proposed stadium land. He stated that in order to apply for the grant, the City had to provide matching funds.

Mr. Meyer proposed that the City use the funds currently in place for the Griller addition playground. The Griller addition would be a new playground, so the City would not be putting off replacing unsafe or bad equipment. The infrastructure improvements for the Griller addition would be delayed until 2012 if the money can be used as a match for the grant.

Commissioner Bill Young confirmed that the Griller addition playground would be completed in 2012.

Mr. Meyer stated that it would.

Commissioner Young confirmed that this would not keep the City from replacing something that needed to be replaced.

Mr. Meyer stated that the City would not be neglecting any necessary improvements by putting off the Griller addition for a year.

Mr. Meyer stated that the new playground would be the second ADA accessible playground in El Dorado. He stated that the park would be in a good location as there are many apartments with children in that area.

Commissioner David Chapin asked for clarification on the funding.

Mr. Meyer stated that the money currently in the 2011 budget for the Griller addition would be used as a match for the grant. The money in the 2012 budget for infrastructure improvements would go to the Griller addition. Both projects would be completed in 2012.

Vice Mayor Shane Krause and Commissioner Nick Badwey stated they were in favor of proceeding with the grant application.

Commissioner Young stated that he was in favor of proceeding if the City was not foregoing any safety issues.

Vice Mayor Krause asked how much the grant would be for.

Mr. Meyer stated that it was a matching grant. City Staff would work on a proposal that would use the available funds to get the most for the citizens.

Commissioner Chapin stated that the Griller addition needed a park in order to attract residents.

Vice Mayor Krause asked if the City would continue with the Griller addition if we were not approved for the grant.

Commissioner Young asked what the turn-around time on the grant was.

Mr. Meyer stated that the City would know about the grant in November, and that if the grant was not approved, they would move forward with the Griller addition playground.

Commissioner Chapin stated that he was in favor of proceeding with the application.

WATER TREATMENT PLANT GENERATOR

Kurt Bookout, Director of Public Utilities, stated that the new equipment for the generator was in and the project would be completed soon.

Commissioner Chapin asked about the water being released from the dam.

Mr. Bookout stated that the Corp of Engineers releases water on a schedule. Until the City contracts for all of the water, we are unable to control the amount of water released.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 7:35 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

October 3, 2011

The El Dorado City Commission met in regular session on October 3, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk, Tabitha Sharp. Commissioner Bill Young was absent.

VISITORS

Jim Edwards	914 Rim Rock Rd	El Dorado, KS
Richard Kraybill	230 Laura	Wichita, KS
Matt Coyard	230 Laura	Wichita, KS
David Rush	1590 SW Boyer	El Dorado, KS
Marv Loucks	1351 Country Club	El Dorado, KS
Kathy Martin	1789 SW Boyer	El Dorado, KS
Ray Connell	2520 Chase	El Dorado, KS
Rick McNary	521 Whispering Meadow	Potwin, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Colin Rowell	1640 Cottonwood	El Dorado, KS
Karla King	820 Delmar	El Dorado, KS
Alli Bieberle	1629 Arizona St	El Dorado, KS
Nijah Fudge	405 S Arthur	El Dorado, KS
Heather Riddle	921 N Denver	El Dorado, KS
Victoria Ann Grier	1834 Leonard Ct	El Dorado, KS
Megan Morris	519 W 4 th	El Dorado, KS
Chandler Bolen	511 W Central	El Dorado, KS
Bob Hendricks	1801 W Central	El Dorado, KS
Jacob Meyer	2012 Chelsea Dr	El Dorado, KS
Jim Gardner	930 Fairway Ct	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Ricke Whiteside	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the October 3, 2011, City Commission meeting to order.

INVOCATION

City Manager Herb Llewellyn opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Lincoln Elementary’s third grade class led the pledge of allegiance.

PERSONAL APPEARANCES

Ray Connell, 2520 Chase, stated that he was presenting a check to the City in the amount of \$18,152.50 for the playground to be built next to the new stadium. Mr. Connell stated that the money is being donated by the Connell and Stone families in the name of Keith Martin, a supporter of little league, high school and college football in the El Dorado community.

Rick McNary, 521 Whispering Meadows, Potwin, KS, invited the Commission to the ribbon cutting ceremony for Numana Community Gardens on October 19, from 4:30 p.m. to 5:30 p.m.

Nijah Fudge, Administrative Intern, invited the Commission and the citizens of El Dorado to take part in the Movie in the Park October 8, at 7:30 p.m.

Commissioner David Chapin introduced the Youth Commission.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the September 14, 2011 Special City Commission minutes and the September 19, 2011 City Commission minutes.

Approval of the Engineer's First Pay Estimate dated September 26, 2011, on Project No. 366-2011 Sales Tax Street Repaving to the Contractor, APAC Kansas, in the amount of \$231,071.39.

Approval of Appropriation Ordinance 09-11 in the amount of \$1,683,309.27.

Commissioner Shane Krause moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0.

CONSTRUCTION OF ADDITIONAL T-HANGERS AT THE CITY OF EL DORADO, CAPTAIN JACK WILBUR THOMAS MEMORIAL AIRPORT

City Manager Herb Llewellyn stated that in October of 2010 the Airport Advisory board unanimously supported the construction of additional new t-hangers at the airport. The current bonds on the first set of hangers have been paid off and additional space is needed to continue to meet our customer's needs. The bonds on the second set of hangers will be paid off in 2013. The Airport Advisory Committee recommended the mill levy continue at its current level, and continuing to build hangars at the airport. The city commission was first informed at the December 20, 2010 meeting of the advisory committee's discussion and the consensus from the City Commission was to proceed with hangar project development and return when complete.

Mr. Llewellyn stated that the ten new hangars would cost approximately \$315,000. Payments on those hangars would begin when the first set of hangars are paid off.

Mayor Tom McKibban asked if revenue from the first two sets of hangars would pay for the third set of hangars.

Mr. Llewellyn stated that he would have to look at what the revenue was.

Mayor McKibban asked how the rent from current and future hangars affects the budget.

Mr. Llewellyn stated that rent, fuel sales and mill levy pay the operational fees for the airport.

Mayor McKibban asked what the mill levy for the airport was.

Mr. Llewellyn stated that he would check the number to be sure.

Mayor McKibban asked if the people on the waiting list had been called to find out if they were still interested in space at the airport.

Mr. Llewellyn stated that he believed there were eight people on the waiting list, but he was not sure if they had been contacted recently.

Commissioner David Chapin asked how many new planes were on the waiting list.

Mr. Llewellyn stated that he did not know, he would get that information.

Commissioner Chapin stated that he was concerned that because we did not have a mechanic readily available at the airport, we would not be able to provide service to more planes and therefore not be able to support more T-Hangars.

Mr. Llewellyn stated that the feedback the City has received from pilots is that they are more interested in T-Hangars than multi storage. He stated that it was not possible to get a mechanic right now because they could not support a mechanic with only twenty planes. The new T-Hangars would build a better business environment. All of these suggestions are provided by the advisory board that is following the direction of the City Commission.

Commissioner Chapin stated that it was about money for him. He asked if the project is necessary this year, or could it be added in next year.

Mayor McKibban asked how many planes could be stored in the multi storage hangar.

Commissioner Chapin stated that it housed ten planes.

Mayor McKibban asked if there had been any money spent on architects, etc...

Mr. Llewellyn stated that City Staff had pulled the plans for the last set of T-Hangars and got bids based on those.

Mayor McKibban asked if the builder was local.

Mr. Llewellyn stated that he was from El Dorado.

Mayor McKibban asked if it cost the City money to send a project out for bid.

Mr. Llewellyn stated that it did not, they just give the City bidding info.

Mayor McKibban asked if Staff could bring back the information to the Commission on costs, projections of revenue, new planes, rent structure, and the cost of a mechanic.

Mr. Llewellyn stated that Staff would provide the Commission with that information.

Mayor McKibban stated that he would like to view this as more of a business decision than one using tax money.

Commissioner Chapin stated that the old T-Hangars were estimated about \$56,000 per unit. Hangars generate \$137.50 per month, they will not pay for themselves.

Mr. Llewellyn stated that the estimate for the T-Hangars was \$250,000, the concrete taxiway and driveway was \$60,000.

Mayor McKibban asked if these hangars would be bigger.

Mr. Llewellyn stated that they were.

Commissioner Nick Badwey moved to bid construction of additional "t-hangers" at the City of El Dorado, Captain Wilbur Jack Thomas Memorial Airport.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

Mayor McKibban asked about the rental plane estimates.

Mr. Llewellyn stated that they have sent us a contract, the plane is at the airport, so the City is closer to having a private business renting a plane at the airport.

Commissioner Shane Krause asked if the airport advisory board could give an opinion on an airport mechanic.

Mr. Llewellyn stated that they could.

EL DORADO FIRE SUB-STATION AND BCC TRAINING FACILITY PROJECT

City Manager Herb Llewellyn stated that the architects were present to answer questions about the project. He stated that there was not enough information to go forward with the vote, so Staff were suggesting the item be tabled.

Mayor Tom McKibban asked about the MOU with the college.

City Attorney Jim Murfin stated that he had spoken with the College's attorney and he believed that the agreement would be drafted in time for the next meeting.

Commissioner David Chapin asked if he needed to recuse himself due to the fact that he had bid on the project.

Mr. Murfin stated that he would opt for the most cautious route and say yes, Commissioner Chapin should recuse himself.

Mayor McKibban asked if Commissioner Chapin still needed to recuse himself even though he did not know if he had received the bid.

Mr. Murfin stated that based on the Commission's previous stance on transparency, his best advice with the limited time he had to form an opinion is that Commissioner Chapin recuse himself.

Mayor McKibban stated that Commissioner Chapin might be able to ask questions that would help the Commission understand the issue because of his knowledge base.

Mr. Llewellyn stated that because it was a sealed bid, Commissioner Chapin had been transparent, and the issue was not going to be voted on that night, he could participate in the discussion.

Commissioner Chapin stated that he would abstain from the discussion.

Fire Chief Ken Nakaten stated that all nine bids came back higher than the architect's estimate. The low bid was from Dondlinger and Sons Construction. After subtracting the deducts from each bid, Dondlinger and Sons Construction still maintained the lowest bid.

Mayor McKibban asked Chief Nakaten to explain the deducts.

Chief Nakaten stated that deducts were items that the architect and staff had decided were not absolutely necessary in the construction of the new building. These items could be taken off the estimate in order to arrive at a lower price. The deducts included items such as masonry and copper conducts.

Chief Nakaten also stated that the costs for the City and College given to the Commission were incorrect, thus the total cost to the City has not yet been figured accurately.

Richard Kraybill, 230 Laura, Wichita, KS, explained that the cost of the project was split between the City and the College's portions of the new facility. He stated that the costs he had figured for the College and the City had been significantly different.

Mr. Kraybill stated that the purpose of the estimates is to allow entities to have room to negotiate costs. He also believed that changes to the generator would bring the cost down more for the City.

Mayor McKibban asked what the cost per square foot of the building was.

Mr. Kraybill stated that it was \$164 per square foot. He stated that all other stations were coming in over \$200 per square foot.

Commissioner Nick Badwey asked where they would be using the aluminum instead of copper conducts.

Mr. Kraybill stated that it was just for the service entrance.

Commissioner Shane Krause asked what was eliminated from the plans.

Chief Nakaten stated that the draft pit, landscaping, and the exhaust ventilation system over all four bays. Staff have been very aware of costs, eliminating things that were not absolutely necessary while maintaining the functionality and integrity of the building and meeting building codes.

Chief Nakaten stated that he also believed that the College could share in the cost of road work as well.

Commissioner Krause asked if site work was included in the cost per square foot.

Mr. Kraybill stated that it was.

Chief Nakaten stated that Staff had applied and received a grant for the safe room in the amount of \$103,000 that will be taken from the total.

Mayor McKibban asked why the cost was so high.

Mr. Kraybill stated that he believed the original estimate did not include the cost of the shelter.

Mayor McKibban asked what the cost of the FEMA shelter was.

Chief Nakaten stated that the total cost was \$137,000. He stated that it would be the college's training room. He also stated that because the City would use the room only ten percent of the time, the City should only pay ten percent of that cost.

Mayor McKibban asked why the cost had increased over the last three years.

Chief Nakaten stated that he believed those projections were approximately six years old and had not been updated. They should have been updated based on inflation and increased construction costs.

Mayor McKibban stated that he had done research and found that in 2008, fire stations were built for approximately \$134 per square foot.

Chief Nakaten stated that the original projections were not accurate or realistic. The architect's research showed that current costs are \$200 per square foot.

Mr. Llewellyn asked if a cost had been figured for site prep.

Chief Nakaten stated that the builder had not separated out that cost yet.

Mr. Llewellyn stated that the site chosen for the building is not flat, and there will be costs associated with fill dirt and basic infrastructure.

Mayor McKibban asked why the site had been moved from across the school.

Chief Nakaten stated it had to be shifted because the turning radius was not enough due to the median. That shift increased the cost of site prep approximately \$200,000.

Mr. Llewellyn asked if it would be cheaper to put in acceleration lanes instead of hauling in fill dirt for the new site.

Scott Rickard, Assistant City Engineer stated that the medians would no longer serve the purpose that they do now.

Mayor McKibban stated it was important to understand all aspects of the project so that they could decide how to proceed with other projects.

Mr. Rickard stated that there were some issues with the pipelines in the school area and with unfinished roadways.

Chief Nakaten stated that the new site is good in terms of access, it will just have to be leveled out.

Mr. Llewellyn stated that Staff would be talking to Dondlinger and the college before they give the Commission a set cost for the project.

Mayor McKibban asked if Staff have looked into grant money.

Chief Nakaten stated that the City had applied, but did not receive the grant.

Commissioner Krause asked if a traffic signal would be put in.

Chief Nakaten stated that it would not be necessary.

Commissioner Krause asked if there would be other costs to the City.

Mr. Rickard stated that there would be additional costs for the extension of water and sewer lines.

The Commission agreed to table the issue until Staff could bring back more information.

PROPERTY RELEASE FROM THE LEASE BETWEEN THE AMERICAN LEGION AND THE CITY OF EL DORADO

City Manager Herb Llewellyn stated that the City has received a request from Bob Hendricks, Commander of the American Legion Post 81 to exempt 7.994 acres from the parcel included as "Exhibit A" and "Exhibit B" of the Lease Agreement. Exemption of this acreage will allow the American Legion Post 81, Lessor, to sell such land to Grubb and Ellis for the purpose of sale to a private developer to build adjacent campus student housing.

Mr. Hendricks stated that membership had approved the sale and would like to close by November.

Mayor McKibban asked if the contractors would start after they acquired the land.

Mr. Hendricks stated that they would.

Mr. Llewellyn stated that Dr. Vietti, President of the College, had stated that they plan to have students in next fall.

Commissioner Nick Badwey moved to approve the request of the American Legion Post 81 to revise the lease to exclude the 7.994 acres identified in “Exhibit A” and “Exhibit B” from the Lease Agreement.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

FINAL PUBLIC HEARING – KDHE REVOLVING LOAN FUND – EL DORADO WETLANDS AND WATER RECLAMATION FACILITY WIND TURBINE PROJECT

Mayor Tom McKibban stated that this is the second public hearing, and because it had been discussed at the previous meeting, he would open the hearing.

Mayor McKibban opened the public hearing.

There were no comments.

Mayor McKibban closed the public hearing.

City Manager Herb Llewellyn stated that the City has now completed a portion of the agreement.

Mayor McKibban stated that he had heard from a citizen that had originally been opposed to the project, but after hearing the discussion at the previous meeting, now supports the project.

PRESENTATION – CITY SALES TAX PROJECTS

Finance Director Tammy Schaffer provided a breakdown of the City Sales Tax projects from the last five years.

Mayor Tom McKibban stated that they had asked for this in response to public questions.

Mayor McKibban asked about the progress of the Forest Park restroom facility.

Scott Rickard, Assistant City Engineer, stated that it was in the planning process.

Mayor McKibban stated that the Commission would take a look at the information and come back with questions.

CONSENT ANNEXATION

Assistant City Engineer Scott Rickard stated that the individual wishing to be annexed into the City did not have all of the signatures needed for the annexation, so the item would be tabled until the next meeting.

NEW BUSINESS

Commissioner Nick Badwey asked if the City was still spraying for mosquitos.

City Manager Herb Llewellyn stated that he would ask.

Commissioner David Chapin asked if Staff could verify his position in the bid process so that he was able to participate in the substation discussion.

Mayor Tom McKibban asked if the softball fields had been started yet.

Assistant City Engineer Scott Rickard stated that they began moving dirt the previous week.

Mayor McKibban asked why work had stopped on the bike paths.

Mr. Llewellyn stated that those crews went to finish work on the spray park.

Mayor McKibban asked about getting a bridge for that area.

Mr. Llewellyn stated that they had not received a local bid.

Mayor McKibban asked if there were updates on the arena project from the Recreation Advisory Board.

Mr. Llewellyn stated that he believed that Kevin Wishart would be providing an update soon. He stated that he believed that the advisory board supported moving forward with the arena on the conditions that the ball fields be in city limits and that an 8-plex was put in so that children could all play in one area together.

Commissioner Shane Krause stated that the advisory board thinks the arena is a good idea, but they do not want it to affect children's baseball. They would like the new fields to be in the city limits away from adult fields, and have the new fields in place before the old ones are torn down.

Commissioner Krause stated that he believed Kevin Wishart was looking into the costs of a sports complex.

CITY MANAGER'S REPORT

REAP GRANT REQUEST

City Manager Herb Llewellyn stated that REAP has asked the City to support the grant request that REAP is submitting to HUD. The only requirement is some staff time on the part of the Planning and Zoning Coordinator, Matt Rehder.

There was consensus from the Commission to support the request.

Mr. Llewellyn stated that Mayors in the region have written letters to Washington opposing additional taxes on aviation. He stated that he would get more information for the Commission if they wished for it.

Mayor Tom McKibban stated that he would like to see more information.

HOPE VI GRANT

Mr. Llewellyn stated that the City of El Dorado was the only recipient of the HOPE VI Grant in the United States. An information sheet would be provided to give more information to the citizens.

Mr. Llewellyn stated that the grant was for \$500,000. It would be used to provide housing for low to moderate income households. Ten of the twelve apartments will be rented to low income families and two will be rented to very low income families.

Mayor McKibban stated that the 150th birthday celebration for the State of Kansas is being held in Wichita this weekend.

Mayor McKibban also stated that he had received some complaints that the City of El Dorado had not tried to get the new Spirit building to be constructed in El Dorado. He stated that it was not possible for the City to get the building because we were in the same metropolitan service area as Wichita.

Mr. Llewellyn stated that the requirements of applying for the building were that: the City not be in the same metropolitan service area as Wichita which El Dorado is; the City needed to have access to a vacant 50,000 square foot building which the City of El

Dorado does not have; and the jobs would only pay \$20,000 per year which the City of El Dorado would like that incoming jobs pay \$15 per hour.

EXECUTIVE SESSION

Commissioner David Chapin moved to recess into an Executive Session for the purpose of discussing legal matters, and to reconvene the regularly scheduled meeting in the City Commission room at 9:25 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

Mayor Tom McKibban reconvened the meeting at 9:25 p.m.

ADJOURNMENT

Commissioner Shane Krause moved to adjourn the meeting at 9:25 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

October 31, 2011

The El Dorado City Commission met in regular session on October 31, 2011 at 4:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk, Tabitha Sharp.

VISITORS

Jim Edwards	914 Rim Rock Rd	El Dorado, KS
Richard Kraybill	230 Laura	Wichita, KS
Matt Coyard	230 Laura	Wichita, KS
Ray Connell	2520 Chase	El Dorado, KS
Jackie Vietti	1235 Glenview	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Steve Hysom	1740 W 3	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
Troy Farha	435 S Broadway	Wichita, KS
Tom Kaleko	9229 Ward Parkway	Kansas City, MO
Russ Ewy	315 Ellis	Wichita, KS
Matt Rehder	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the October 31, 2011, City Commission meeting to order.

INVOCATION

Pastor Steve opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the October 3, 2011 City Commission minutes.

Approval of the Engineer’s Second Pay Estimate dated October 9, 2011, on Project No. 366-2011 Sales Tax Street Repaving to the Contractor, APAC Kansas, in the amount of \$71,368.74.

Approval of the Engineer’s First Pay Estimate dated October 13, 2011, on Project No. 333-Vine & Central Intersection Improvements to the Contractor, Cornejo & Sons, in the amount of \$140,618.05.

Commissioner David Chapin asked if this was the final payment on the 3rd Street project.

Assistant City Engineer Scott Rickard stated that the first pay estimate on the consent agenda was in regards to the 3rd Street project, and it was not the final payment.

Commissioner Chapin asked if staff could take a look at the intersections because some citizens and he himself had noticed that there was a significant drop off in the pavement.

Mr. Rickard stated that he would take a look at the intersections.

Commissioner Nick Badwey moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban stated that agenda items number six and seven would be placed before items number three, four and five.

PLAT OF THE BUTLER COMMUNITY COLLEGE HOUSING ADDITION

Assistant City Engineer Scott Rickard stated that the Villas at BCC, LLC, is requesting approval of the final plat for the Butler Community College Housing Addition. This is a one-lot plat containing approximately 8 acres. There are no dedications of rights-of-way with this plat. City staff requested a 16’ utility easement to connect into an existing easement. The requested easement runs south from the north property line and turns east and connects to an existing manhole.

Mr. Rickard stated that the Planning Commission reviewed the plat at its September 29, 2011 meeting and recommended approval by a vote of 7-0.

Commissioner Shane Krause asked if the requests made by the City had been met.

Mr. Rickard stated that they had been met.

Commissioner Bill Young moved that Case No. 11-002-PLAT, the final plat of the Butler Community College Housing Addition, be approved and all dedication of land for public purposes as shown on the plat be accepted.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

APPLICATION TO REZONE PROPERTY FROM R-1 RESIDENTIAL LOW DENSITY DISTRICT TO R-3 RESIDENTIAL HIGH DENSITY DISTRICT

Matt Rehder, Planning and Zoning Coordinator, stated that the American Legion Post 81 is requesting property located at the northeast corner of Haverhill and Towanda be rezoned from R-1 Residential-Low Density District to R-3 Residential-High Density District. The address for the property is 1801 W. Central Avenue. The land is to be developed as a student housing for Butler community College.

Mr. Rehder stated that at the September 29, 2011 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 application by a vote of 7-0.

Commissioner Shane Krause asked if there was a conflict with the planning for any adjacent properties.

Mr. Rehder stated that it didn't.

City Manager Herb Llewellyn stated that it was consistent with future use as well.

Commissioner Shane Krause moved that the recommendation of the Planning Commission to approve Case No. 11-002-REZ requesting a rezoning of property located at 1801 W. Central, be accepted and that Ordinance No. G – 1127 be approved.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

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

GENERAL OBLIGATION BOND SALE

Staff is prepared for the sale of General Obligation Bonds in the amount not to exceed \$5,765,000. This provides long-term funding for 4 capital improvement projects in the City. The resolution sets the sale date as Monday, November 21, 2011.

City Manager Herb Llewellyn stated that because interest rates were so low at this time, staff included the fire sub-station in the bond. This allows the City to take advantage of the low interest rate if the Commission decides to move forward with the project. He stated that if the Commission decided not to move forward with the project, the debt for the sub-station could be removed from this bond sale.

Tom Kaleko, Springstead, gave some background information on the history of bond interest rates for the past twenty years. He stated that he felt that interest rates will probably increase over the next few years.

City Manager Llewellyn stated that the City has been successful in retiring almost half of its debt in the last ten years which has decreased the mill levy.

Commissioner David Chapin asked how much the City owes currently.

Jared Cobb, Assistant Finance Director, stated that he did not have the exact number, but not all debt is ours because some of it has been assessed to property owners.

Mr. Kaleko stated that the City will owe eleven million including the five point seven million in the proposed bond issue.

Mayor Tom McKibban stated that according to the projections, there are more projects being scheduled than there is money available.

City Manager Llewellyn stated that the projections assume the City does everything on the CIP.

Commissioner Bill Young asked what portions of the debt would be retired in the future.

Commissioner Chapin stated he was concerned about incurring more debt while there are more projects that need to be completed such as Towanda Avenue. He stated that his main concern was about the amount of debt incurred, he was not unsupportive of the fire station.

City Manager Llewellyn stated that the Commission has to take debt into consideration every time they instruct staff to complete a project. He stated that the bond could go forward without the fire sub-station included. City Manager Llewellyn stated that the Commission had to decide if the fire sub-station was important enough to consider raising the mill levy in order to pay the debt payments. He stated that the CIP and budget

are structured around the bond and interest payments and other expenses so that the mill levy does not increase unless absolutely necessary.

Commissioner Chapin asked if this would raise the mill levy.

City Manager Llewellyn stated that it was dependent on several items. He stated that City Staff work diligently to ensure that the mill levy does not increase.

Mayor McKibban asked about the operational costs of the fire sub-station. He asked if there would be more employees and equipment.

City Manager Llewellyn stated that there would not be more equipment or employees. They would split the existing resources with the current fire station.

Mayor McKibban asked how much utilities for the fire sub-station would cost.

Fire Chief Ken Nakaten stated that the budget for next year included approximately \$5,000 for utilities. That would be the cost for six months of operation.

Mayor McKibban asked how much insurance for the sub-station would cost.

Chief Nakaten stated that it would cost roughly \$1200 per year.

City Manager Llewellyn stated that insurance costs were lower due to the amount of property owned by the City.

Commissioner Nick Badwey asked if the Commission could approve the bond as it was, and pull out the fire sub-station later if it did not pass.

City Manager Llewellyn stated that was correct. He reiterated that Staff were presenting the bond now to take advantage of the low interest rates.

Mayor McKibban asked what the four projects on the bond were.

Assistant City Engineer Scott Rickard stated that there were two sidewalk projects, a street project and the sub-station.

Commissioner Chapin asked if it was important to put the sub-station in.

City Manager Llewellyn stated that it was absolutely important in order for the city to get a good fire rating. He also stated it would help citizens, commercial and industrial properties save money on insurance.

Mayor McKibban asked if there were requirements for how close schools needed to be to fire stations.

Chief Nakaten stated that there was not, they were not treated different than any other occupancy in regards to response time.

Mayor McKibban stated that within the next few years, the majority of the students in El Dorado would be on the north side of town.

Commissioner Nick Badwey moved to approve Resolution No. 2681, a resolution of the City of El Dorado, Kansas, authorizing and providing for the public sale of the City's General Obligation Bonds, Series 2011, in an amount not to exceed \$5,765,000; setting forth the details of said public sale; and providing for the giving of notice thereof.

Commissioner Bill Young seconded the motion.

Commissioner Shane Krause asked if approving this bond was similar to being approved for a loan for a home but spending less.

City Manager Llewellyn stated that he was correct.

Commissioner Krause asked what the rate change would be if it was not approved.

City Manager Llewellyn stated that it would depend on the time when the project was financed.

Commissioner Badwey asked if the other projects would stand alone.

City Manager Llewellyn stated that they would.

Commissioner Krause stated that he would prefer pulling the fire sub-station money out now so that they did not feel pressured to approve the fire sub-station.

Commissioner Young stated that if the motion was approved the money for the sub-station could be taken out if the sub-station was not approved.

City Manager Llewellyn stated that if the documentation for the sub-station was not approved, the debt would not be issued for that project.

Mayor McKibban asked if the only thing that was keeping the paperwork from being finished was putting in an interest rate.

City Manager Llewellyn stated that was correct.

Dr. Jackie Vietti, 1235 Glenview and President of Butler Community College, stated that their board was meeting on Tuesday, November 8.

Dr. Vietti also stated that the College Board has already approved an MOU that provides for a lease agreement of financing not to exceed \$1.785 million through a twenty year lease agreement at an interest rate not to exceed an annualized figure of 3.75% and an annual payment not to exceed \$125,933.67.

Mayor McKibban stated that the bid was a little bit over what their board had approved.

Mayor McKibban asked what the projected interest rates were in the upcoming bond sale.

Mr. Kaleko stated that the projected rate was 3.46%.

Commissioner Krause stated he would like to finance the fire sub-station with temporary notes until the next bond cycle.

Mayor McKibban asked how they could arrange that with the college since that would not lock in interest rates.

City Manager Llewellyn stated that is why Staff were including it in the current bond.

Mayor McKibban asked if they would be able to take out the sub-station financing next week if it was not approved.

Mr. Kaleko stated that he would need to know by Monday or Tuesday of the following week. He also stated that many other cities do not use temporary notes, they finance primarily with bonds.

Mayor McKibban confirmed that if the sub-station was not approved, the bond could be reduced. This is only to ensure that the interest rate is low.

Mr. Kaleko stated that he was correct.

Commissioner Chapin asked what happens to the bond money before it is time to pay for the project.

City Manager Llewellyn stated that the City was required to monitor the money.

Mr. Kaleko stated that the bond ordinance requires that bond proceeds are invested separately in order to track interest earnings. The interest can be used to make the first bond payment.

Motion carried 5 – 0.

EL DORADO FIRE SUB-STATION & BCC TRAINING FACILITY PROJECT

Staff has received bids for the construction of a new fire department sub-station and Butler Community College Training Facility. City Staff presented this project to the City Commission on August 3, 2009 and Resolution No. 2642 was passed authorizing the project to move forward. This facility, which will be shared between the El Dorado Fire Department and Butler Community College, will be located in the 2600 Blk. W. Sixth Ave.

The City received a total of nine bids with the low bid going to Dondlinger & Sons Construction for \$3,287,000.00. The architect's estimate was \$3,307,000.00. A preliminary breakdown of costs provided by Dondlinger & Sons Construction is \$1,490,770.00 for the El Dorado Fire Dept. Sub-Station and \$1,796,230.00 for the Butler Community College Training Facility. These figures are expected to be revised. A FEMA grant in the amount of \$103,304.00 for the Safe Room will reduce the substation cost to \$1,387,466.00, or 1.7 mills.

Mayor Tom McKibban stated that he was concerned with the increase in cost.

Fire Chief Ken Nakaten stated that the cost has concerned staff as well. He stated that the site prep increase when the site was changed was not anticipated.

Mayor McKibban asked if there was a possibility of eliminating the site prep costs.

City Manager Llewellyn stated that staff have re-thought the placement, but it is currently planned for a better spot.

Assistant City Engineer Scott Rickard stated that there was difficulty getting the site approved that the sub-station is planned on now due to the placement of some underground pipes. He stated that the old site would be even more difficult due to the same problems.

Mayor McKibban asked about the remainder of the increase.

Chief Nakaten stated that the increased costs in construction and some code compliance costs that were not projected originally.

Richard Kraybill, the architect for the sub-station, stated that he thought there might be a misunderstanding because his previous estimates were 1.385 million for the City.

Mr. Kraybill stated that there were some other costs that were not anticipated such as the sewage ejector pump that will cost \$20,000.

Commissioner David Chapin asked if the sub-station generated a lot of sewage.

Mr. Rickard stated that it was about getting the sewage downhill.

Commissioner Bill Young stated that he was supportive of the partnership, just apprehensive about the overall cost of the project.

Chief Nakaten stated that the fire sub-station has come in below the published costs of other new fire stations in the State of Kansas.

Mayor McKibban asked if all of the space planned for the sub-station was needed.

Chief Nakaten stated that over half of the space was an apparatus bay that was 4,000 square feet. He stated that the rest was living quarters, dormitory, dayroom, kitchen, two offices, a station office, bathroom and locker room.

Commissioner Chapin asked if furnishing was included.

Chief Nakaten stated that it was.

Commissioner Shane Krause asked if it would accommodate an expansion.

Chief Nakaten stated that it would accommodate five.

Commissioner Krause stated that he was comfortable with the cost of the facility, but not with the additional 1.7 mills.

City Manager Llewellyn stated that .85 mills were anticipated, the other half were not.

Commissioner Krause asked if there would be a negative impact of delaying the project.

Chief Nakaten stated that they were already seeing \$200 per square foot, costs were bound to increase.

Mr. Rickard stated that the Commission should also take into consideration that the builder is already mobilized in El Dorado and has available fill material here.

Chief Nakaten stated that the need would not diminish.

Mayor McKibban stated that he spoke to the former Fire Chief who stated that they should have moved forward with the sub-station when it was originally proposed at \$750,000.

City Manager Llewellyn stated that he recommended not awarding the contract until the agreement was signed with the college.

Mayor McKibban asked how much the Barton Solvents project was investing.

Ray Connell, 2520 Chase and general counsel for the college and BG Products, stated that it was \$11 million.

Mayor McKibban stated the City also had BG, which was a \$60 million project, and Pioneer Balloon.

City Manager Llewellyn stated there were two Pioneer plants, Valmont, and Southwest Valve.

Mayor McKibban stated that the Commission was being asked to invest \$1.387 million to improve the safety and support tens of millions of dollars that others have chosen to invest in El Dorado. He stated that the project was needed, he did not like the price, but did not think anything could be done about it.

Commissioner Krause stated that they could make a lesser facility, but it would not help in the future.

Commissioner Badwey asked if there were local sub contractors.

Mr. Kraybill stated that none of the major sub-contractors were local, but supplies were being purchased locally.

Commissioner Chapin asked what supplies would be purchased.

Mr. Kraybill stated that the builder mentioned automotive parts, fastener screws, hardware stores, and the redi-mix concrete will be produced locally.

Commissioner Badwey asked if a list was available.

Mr. Kraybill stated that once they received the notice to proceed, they would provide a list.

Commissioner Krause confirmed that this item was just asking to accept the bid.

City Manager Llewellyn stated that he was correct, but they would not proceed until the agreement with the college had been reached and approved by the Commission.

Mr. Connell stated that the agreement has been worked on, amounts need to be placed in the contract, but it is almost done. He also stated that BG and Barton would have a significant number of employees, and possibly a new office building that would need the protection of the new fire sub-station.

Commissioner Krause stated that he wanted to make sure that approving this project did not prevent the City from doing future projects.

Mayor McKibban stated that the Commission has taken a leap of faith over the last few years by recruiting and spending money for industry. He stated that the sub-station was a cost of doing business with industry.

Commissioner Badwey asked if the sub-station would impact insurance rates for those residents in Township Village.

Chief Nakaten stated that he is confident the new sub-station will change insurance rates. He stated that the rating for the City will most likely be reduced to a three. He stated that there will be a reduction in rates for commercial properties and approximately 15-20 percent reduction for residents.

Mayor McKibban asked if rates would change for everyone in the City.

Chief Nakaten stated that it would.

City Manager Llewellyn stated that the ISO rating was based off of the number of firemen, the availability of water, and response time. When the City is rated again, the rating will be changed based on the location of the sub-station and the repair work done to water lines in El Dorado.

Commissioner Shane Krause moved that as Dondlinger & Sons Construction has submitted the lowest and best bid for the El Dorado Fire Sub-Station & Butler Community College Training Facility Project and, as \$3,287,000.00 was under the architect's estimate, the City Manager be directed to begin the process of awarding the contract to said contractor providing that the company furnish the proper bonds and providing that all due diligence is done with the lease and it is brought back to the Commission for secondary approval.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

AMENDING RESOLUTION FOR PROJECT 339 – FIRE SUB-STATION

On August 3rd, 2009, the City Commission approved Resolution No. 2642, a resolution authorizing and providing for the construction of a new fire substation in the

City of El Dorado, KS. Due to the increased costs of the project, the resolution must be amended in order for the 2011 Bond Series proceedings to move forward.

Mayor Tom McKibban stated that this resolution changes the cost of the fire substation to reflect the bids received.

Commissioner Nick Badwey moved that Resolution No. 2682 a resolution amending Resolution No. 2642 which authorized construction of a new fire substation in the City of El Dorado be approved.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner David Chapin encouraged the Commission to join him in donating their checks from the City to the stadium project.

There was a consensus from all of the Commissioners to do so.

Ray Connell, 2520 Chase, thanked the Commission for their support of the stadium.

Commissioner Nick Badwey asked that everyone watch for trick-or-treaters while they are out this evening.

Commissioner Shane Krause reminded everyone that the Veterans parade was the following weekend and it will end at Gordy Park.

Mayor Tom McKibban also encouraged residents to watch for trick-or-treaters this evening.

CITY MANAGER’S REPORT

The City Manager’s report was tabled until the next regular meeting.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 5:36 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on November 7, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk, Tabitha Sharp.

VISITORS

Rick Barrett	220 Belair	El Dorado, KS
Norm Wilks	1320 McCollum	El Dorado, KS
David Stewart	101 S Star	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Rebecca Debita	915 S High	El Dorado, KS
Shelley Belair	812 SE Pioneer	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Lindsay Baines	1516 W 3 rd	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Richard Kraybill	230 Laura	Wichita, KS
Ken Nakaten	220 E 1 st	El Dorado, KS
Ray Connell	2520 Chase	El Dorado, KS
Jackie Vietti	1235 Glenview Dr	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the November 7, 2011, City Commission meeting to order.

INVOCATION

Reverend Rick Barrett, Family Worship Center, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Mrs. Worley’s class led the pledge of allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Lindsay Baines, El Dorado Main Street Director, announced that the ground breaking for the new Security 1st Title Company office, 220 Central, would be November 9, 2011 at noon.

CONSENT AGENDA

Approval of Appropriation Ordinance 10-11 in the amount of \$1,629,658.14.

Mayor Tom McKibban asked when the business park street lights would go up.

City Manager Herb Llewellyn stated that it would be a couple of weeks.

Commissioner Shane Krause asked if the cost for the new heater at Public Works was split between four departments.

Public Works Director Brad Meyer stated that it was.

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

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

ANNEXATION RESOLUTION – GREENE RANCH ENTERPRISES, INC.

Assistant City Engineer Scott Rickard stated that Greene Ranch Enterprises, Inc., is requesting a 42.46 acre tract located at the northeast corner of 30th Street and North Main be annexed into the city. The tract is the proposed site for the new El Dorado Middle School.

The resolution requests the County Commission to determine if annexing this property will not hinder or prevent proper growth of the city. If approved, the city clerk will file a certified copy of the resolution with the County Commission. The County Commission will have 30 days to render a determination.

The Future Land Use Map designates this tract as Neighborhood Mixed Use, which is defined as a mix of residential and small-scale commercial and institutional uses. Schools are considered institutional uses. The Comp Plan also advises that schools locate on arterial roadways for convenient access and utility infrastructure. North Main is an arterial roadway.

Per development regulations, costs for extending utilities to the site will be at the expense of the school district. Preliminary estimates have been communicated to the district. Actual costs of extension will be finalized as development proceeds.

Commissioner David Chapin asked if this would be an island.

Mr. Rickard stated that it would.

Commissioner Nick Badwey moved to that Resolution No. 2683 be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

CONSTRUCTION OF ADDITIONAL T-HANGARS AT THE CITY OF EL DORADO, CAPTAIN JACK WILBUR THOMAS MEMORIAL AIRPORT

Public Works Director Brad Meyer stated that at the October 3, 2011 meeting the commission directed the city manager to solicit bids from local contractors to construct 10 new “T-Hangars.” Bids were sent out to three local builders and two were received. El Dorado Building Systems submitted a bid in the amount of \$234,300 and DAB Builders in the amount of \$236,400. The lowest and best bid was submitted by El Dorado Building Systems in the amount of \$234,300. Alternate bids to do concrete work outside the building (drives and taxiway) was bid as an alternate with the likelihood that the city would self perform any and all concrete outside of the building pad. El Dorado Building Systems submitted a bid in the amount of \$107,085 and DAB builders in the amount of \$116,879. Staff also anticipates that electrical work would be completed by a local contractor.

Mayor Tom McKibban asked about the payoff for the current bonds at the airport.

Mr. Meyer stated that those were ten year bonds that would be paid off in 2014.

Mayor McKibban asked about the amount left on those bonds.

Jared Cobb, Assistant Finance Director, stated that there was a quarter of a mill being levied for those currently. He stated that the mill levy would be placed on the new project.

Mayor McKibban asked if the City was paying \$19,996 per year on the current hangars and asked how long that would continue with the new hangars.

Mr. Meyer stated that was correct, and that the new bond would be structured as a fifteen year bond.

Mayor McKibban asked if that was a total of seventeen years.

Mr. Meyer stated that he was correct.

Mayor McKibban stated that he was not sure the need was there currently.

Mr. Meyer stated that there was interest, but it was proprietary and not open for public discussion at this time. He stated that there were two to three interested, plus the new business, which would be five or six total.

Mayor McKibban asked if this could be discussed in executive session since it was proprietary.

Mr. Meyer stated that it could.

Commissioner Bill Young stated he would like to hear more information in executive.

Commissioner Shane Krause asked if the electrical cost was in the bid price.

Mr. Meyer stated that it was not because it was subbed through our City contractor. He stated that costs would be approximately \$300,000 total as was already quoted to the Commission.

Mayor McKibban asked about the cost of the electrical work.

Mr. Meyer stated that it was roughly \$600 per T-Hangar.

Commissioner Nick Badwey asked how many were rented.

Mr. Meyer stated that they had three to four that would move immediately. The airport manager stated that he averages three to four per month that call requesting hangars, but do not want to be placed on a waiting list.

Mayor McKibban stated that the cost of the T-Hangars was roughly \$37,000 each.

Mr. Meyer stated that if the City self-performs some of the work on electrical and concrete it would be \$30,000 per hangar.

Mayor McKibban asked if the rent would be \$137.50 per month.

Mr. Meyer stated that because these hangars would be a little bigger, they would raise the rent to \$145 per month which is still reasonable in the area market.

Mayor McKibban stated that it has the City subsidizing approximately \$165 per month.

Commissioner Badwey asked if the advisory board recommended this.

Mr. Meyer stated that they did in response to the Commission's request for an FBO at the airport.

Commissioner Shane Krause moved to table the issue.

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

YOUTH BASEBALL/SOFTBALL EIGHT-PLEX

Recreation Superintendent Kevin Wishart stated that the Recreation Advisory Board has made the recommendation that the City Commission consider a youth baseball/softball facility complete with all amenities to be located within the city limits of El Dorado.

Mr. Wishart stated that the wish of the recreation board is that the complex be in one place, but they are willing to continue working with the arena committee while they research possibilities.

Mayor Tom McKibban asked if there was available land.

Mr. Wishart stated that currently, it does not appear that land, that is easily developable for such a complex, is available within the corporate city limits.

Mayor McKibban confirmed that the motion just asks staff to continue working with the committee.

Mr. Wishart stated that he was correct.

Mayor McKibban confirmed that this was a time commitment, not a financial commitment.

Mr. Wishart stated that he was correct.

Mayor McKibban asked about the drawing that was provided.

Mr. Wishart stated that it showed that with some re-arranging of the soccer fields, the fields would fit out at the lake complex. It is an option that the board is willing to consider although their wish is for the complex to be within City limits.

Mayor McKibban asked about the progress of the other softball fields.

Mr. Wishart stated that it was progressing, clay had been moved in, and the rain would help break up some of the clay to re-work the area.

Mayor McKibban asked about the parking for the facility.

Assistant City Engineer Scott Rickard stated that it was adequate for the facilities that are there.

Mayor McKibban asked what the area to the south of the future diamonds is for.

Mr. Rickard stated that it would be available for future additions of parking.

Commissioner Bill Young asked if the drawing included ball fields, concessions, and restroom facilities.

Mr. Rickard stated that it did.

Commissioner Shane Krause asked if the Commission directed the recreation board to continue working with the arena committee, what issues they would continue discussing.

Mr. Wishart stated that the project would be funded by the arena committee and other entities, not tax dollars. The board would continue to work with the group to find ways to fund it as well as the location.

Commissioner Young asked if the committee has found anything in the City limits.

Mr. Wishart stated that they have not.

Commissioner Krause asked if the recreation board has met with the arena committee.

Mr. Wishart stated that they hadn't since August, the board needed direction from the Commission.

Commissioners Krause and Young stated that they thought it needed to move forward.

Commissioner David Chapin stated that he was for it if the City did not have to spend money.

Ray Connell, 2520 Chase, stated that it would be important to see the revenue that is generated from this size of complex.

Commissioner Nick Badwey moved to have staff continue working with the arena group as they research the possibility of building a joint youth baseball/softball complex.

Commissioner Shane Krause seconded the motion.

Commissioner Young stated that he had a child that travels in a softball league and the amount of revenue is very large for other towns.

Mayor McKibban also asked how those tournaments could be recruited for El Dorado.

Mr. Wishart stated that currently our facilities are rented out to private entities putting on tournaments. He stated that four or five weekends have already been rented out for 2012.

Mayor McKibban stated that Linda Jolly might be able to provide the information.

City Manager Herb Llewellyn stated that he believed she already had the information.

Motion carried 5 – 0.

FIRE SUB-STATION LEASE AGREEMENT

Jared Cobb, Assistant Finance Director, stated that new information had been provided to the Commission regarding the fire sub-station. He stated that the grant was moved from the City to the College because the room had been assessed to the college.

Mayor Tom McKibban asked if our cost would go up \$206,604.

Mr. Cobb stated that he was correct, in addition to design and engineering.

Mayor McKibban asked what the approved cost was.

Mr. Cobb stated that it was \$1,387,000.

Mayor McKibban stated that the college portion was more than their board had approved as well.

Dr. Jackie Vietti stated that it was a little higher.

Mayor McKibban asked what the change in the mills would be for the City.

Commissioner Bill Young asked why the design and engineering numbers were not included.

Mayor McKibban asked who was responsible for the getting all of the costs together.

City Manager Llewellyn stated that it was the City.

Mayor McKibban asked Dr. Vietti if she believed her board would approve a higher number.

Dr. Vietti stated that she could not speak for her board, but she would take them the new figures at the board meeting tomorrow evening.

Dr. Vietti stated that from her perspective, the synergy gain would be very strong in terms of economic drivers and training opportunities.

Commissioner David Chapin stated that he had a problem with the increase of ten percent.

Ray Connell, 2520 Chase, stated that the lease agreement included the new numbers, and the College Board would let the City know their decision tomorrow.

Mayor McKibban asked if the bond could be approved since the amount was different than originally proposed.

City Manager Llewellyn stated that money for the design fees would not be part of the bond because it had already been spent. The only new money would be the one hundred thousand from the grant. He stated that the Commission had approved the hiring of the architect.

Commissioner Young stated that he thought the issue should be tabled until numbers were received from the college.

Mayor McKibban asked when the amount had to be to bond counsel.

City Manager Llewellyn stated that it had to be decided this week.

Mayor McKibban stated that he had issue with the amount changing. He asked if the \$103,000 was available that was not included in the bond and what project would not be completed if that money was moved to the fire sub-station.

City Manager Llewellyn stated that he was not sure.

Mr. Connell stated that the design team has indicated that over half of the design fees had already been paid.

Richard Kraybill, architect, stated that 75% of his fees have already been paid by the City.

Commissioner Krause asked if all of the numbers were included in the lease contract.

City Attorney Jim Murfin stated that the interest rate could not be included until after the bond sale.

Mayor McKibban asked that new information be provided by Tuesday or Wednesday of the current week.

City Manager Llewellyn stated that staff would provide the information.

Commissioner David Chapin asked how the construction cost changed.

City Manager Llewellyn stated that it was the grant that had been moved.

Commissioner Chapin confirmed that the remaining costs were \$103,000 and \$27,000.

City Manager Llewellyn stated that he was correct.

Commissioner Chapin asked if the sprinkler system and fire alarm system were necessary.

City Manager Llewellyn stated that the alarm was necessary to protect the sleeping employees.

Commissioner Chapin stated he thought if costs could be cut, the new costs would not increase the amount of the project.

City Attorney Murfin stated that the original motion was approving the contract with Dondlinger and assuring due diligence with the lease. He stated that the new motion needed to include a place for the City to reject the contract if the college does not approve the increased costs as well as including the additional costs for the project to the City.

City Attorney Murfin stated that it might be necessary to have a special meeting later in the week after the college has met.

Mayor McKibban suggested a special meeting on Thursday at five thirty.

Commissioner Bill Young moved to table the issue.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner Shane Krause stated that there was a good turn-out at the Veteran's parade on Saturday.

Commissioner Bill Young asked if there were enough lights for the business park.

Assistant City Engineer Scott Rickard stated that the lights would be placed every four hundred feet or at intersections. There was discussion to do more, but they felt it was not prudent to place more with only three businesses currently. Two of the businesses are in favor of the four lights, the third was willing to wait longer.

Mayor Tom McKibban asked if they were like the ones at the Civic Center.

Mr. Rickard stated that they are LED and acceptable for state hiways.

Mayor McKibban asked for more explanation.

Mr. Rickard stated that they are 25 foot poles and a cobra head design that sticks out over the street. He stated that policy directs that we do not place lights to illuminate private property.

Commissioner Young stated that this was not private party, it is a business park that they are attempting to bring more business to. He felt that the four lights were shorting the City.

Mr. Rickard stated that it was over \$200,000 for more lighting and that does not include electrical work.

Commissioner Young stated that he did not want decorative lighting, he was concerned about the lighting.

Mr. Rickard stated that the four lights were approximately \$26,000.

Mayor McKibban stated that they could place the four lights and if that was not enough, they could instruct them to place more.

Mr. Rickard stated that they would absolutely place more if necessary.

Commissioner Young asked if there could be more lighting at Boyer.

Mr. Rickard stated that El Dorado Ave. was already lit at that intersection.

Commissioner Krause asked if they would last all night.

Mr. Rickard stated that they were set to last all night.

Mayor McKibban asked what happened when there were several rainy days.

Mr. Rickard stated that the battery life was over 72 hours. He stated that City Staff have tested other similar lights and the technology has progressed since then.

City Manager Llewellyn stated that the cost to bury the electricity for the wire was going to be \$30,000 for that one section of road.

Commissioner Young stated that if the quality was good, it would be fine. He was concerned about the quantity. He would like to revisit the issue after the four lights are placed.

Mayor McKibban encouraged citizens to go watch Butler football in their regional playoffs and the women's soccer team at Nationals.

CITY MANAGER'S REPORT

HOPE VI

City Manager Herb Llewellyn stated that he wanted to discuss the HOPE VI grant with the Commission. An environmental assessment needs to be completed, the quote from the grant writer for that is \$4,700. The City also received a quote to manage the grant for \$27,500. Mr. Llewellyn stated that he wanted direction from the Commission on how to pay for those items.

City Manager Llewellyn stated that when they applied for the grant, the City would loan the applicants the money for the grant application. The applicants have asked the City to finance all of the management costs because the grant was only half of what was originally anticipated.

Mayor Tom McKibban asked where the funds would come from.

City Manager Llewellyn stated that they would come from the general fund.

Commissioner Chapin asked if the buildings were tax exempt.

City Manager Llewellyn stated that the new value will be tax exempt under the NRP for ten years.

Commissioner Chapin stated that the total cost was approximately \$23,000 per applicant. He asked what the agreement for managing the grant was.

City Manager Llewellyn stated that he was not sure that it was discussed.

Commissioner Chapin stated that the fairest thing was to put it on the tax rolls over the next ten years.

City Manager Llewellyn confirmed that he was suggesting to put a special on the two properties.

Commissioner Chapin stated that this would allow for the money not to be paid up front.

Commissioner Nick Badwey stated that since the amount of the grant is half of what it originally was, they will eventually be on the tax rolls, and they will employ local people, he did not see any problem with the City paying for the fees.

Mayor McKibban asked if the administration costs had been discussed.

City Manager Llewellyn stated he went back and looked at the discussion on repaying the original cost, he did not look at who would administer the cost.

Mayor McKibban asked about the environmental assessment.

City Manager Llewellyn stated that it was just the first requirement of the grant.

Mayor McKibban stated that he thought the City should pay for the environmental costs and grant administration, and the builders would pay the original fee.

Commissioner Young asked if the City was capable of administering the grant.

City Manager Llewellyn stated that he would need to hire someone to administer because we do not have the staff to do that.

City Manager thought that the grant would pay for the administration as grants have paid for them in the past.

Commissioner Krause stated that the Commission agreed to pay the up-front costs for economic development reasons, but there was a repayment option. He stated he was in favor of the City being responsible for the original cost and having the grant pay for the secondary costs. He stated that this would set precedent for future grants.

Commissioner Badwey asked if we applied for the grant knowing it was \$500,000.

City Manager Llewellyn stated that the grant was finalized knowing that it was \$500,000.

Main Street Director Lindsay Baines stated that the majority of the work was done with the assumption that the grant was \$1,000,000. The \$500,000 call for proposals was released later.

Mayor McKibban stated that he agreed with Commissioner Krause's thoughts on setting a precedent.

Commissioner Badwey stated that he was concerned that the builders were planning on the \$1,000,000 grant.

David Sundgren, 840 Par Dr., thanked the City and the Commission for their support of the HOPE VI grant. He stated that they formed the partnership on the basis of getting the entire \$1,000,000 and splitting it on their projects. He stated that what started as a difference of \$260,000 as a partnership, is now \$760,000.

Mr. Sundgren stated that he thought the City would benefit in many ways from the project, not only from the improvements downtown, but with the tax rolls and the influx of affordable housing.

Mayor McKibban asked about the low income requirements.

Mr. Sundgren stated that he believed it was for the first lease period.

City Manager Llewellyn stated that in El Dorado, the rent will be lower than normal because of the median income in our City.

Mayor McKibban asked if a decision had to be made immediately.

City Manager Llewellyn stated it needed to be made in order to move forward with the grant.

Mayor McKibban asked if the Commission went forward with the ground testing if it would show results for all of downtown.

City Manager Llewellyn stated he thought they would look at lead paint, asbestos, etc...

Assistant City Engineer Scott Rickard stated that it would be record checking and historical research as well.

Commissioner Young stated he was ok with moving forward with some of the costs, but the Commission needed to consider the future.

Mayor McKibban suggested a policy be put in place for future applicants.

Commissioner Badwey stated he would like to move forward with the environmental portion and discuss the remainder.

Mayor McKibban asked if the possibility existed that if the environmental examination came back bad it would nullify the project.

Mr. Sundgren stated that his building had already been tested, and thought the other building was as well.

Commissioner Shane Krause moved that the City fund the grant application our of economic development funds and other administrative costs be the responsibility of the developer either through grant funds or special assessments, for the HOPE VI grant and future grants.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 1.

YOUTH COMMISSION CURFEW REPORT

City Manager Llewellyn suggested a work session to discuss the Youth Commission's report on curfews on Wednesday, November 16.

LIGHTING DOWNTOWN

City Manager Llewellyn stated that there were two ways to change the downtown lighting. The first type was a compact fluorescent tube, the investment would recoup in nine months after which there would be savings. LED lights would have a nine year payback. He stated that LED's have less maintenance and would be twenty year lights.

Commissioner Nick Badwey asked what was in the lights now.

Assistant City Engineer Scott Rickard stated that they were high pressure sodium.

Commission Krause stated that he liked the fluorescent.

Commissioner Badwey asked if the compact fluorescent lights would work in the cold.

Public Works Director Brad Meyer stated they tested them on the 300 block of South Main, and they did not have any trouble with them in below 0 temperatures.

Commissioner Bill Young asked for the costs on the new lights.

City Manager Llewellyn stated that he would provide the information.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 10:15 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 10:15 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

November 10, 2011

The El Dorado City Commission met in special session on November 10, 2011, at 5:30 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, and City Attorney Jim Murfin. Absent, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Ken Nakaten	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the November 10, 2011 Special City Commission meeting to order.

FIRE SUB-STATION CONTRACT AND LEASE

City Manager Herb Llewellyn stated that the Commission had directed staff to try and reduce the cost of the sub-station, staff are present to discuss the reduction in cost.

City Manager Llewellyn stated that staff refigured the concrete work using the specs from Dondlinger Construction using city staff instead of the construction company. Dondlinger quoted a deduct of \$58,000 if they did not have to do the concrete work. City Staff came up with a quote of \$40,000 which did not provide the savings that staff had hoped for in one area.

Fire Chief Ken Nakaten stated that additional funding would be taken from the fire department operating budget.

Mayor Tom McKibban stated that he did not want the bond amount to be increased due to the fees from the architect, etc...

City Manager Llewellyn stated that if Commission uses the motion provided by the Attorney, Staff will work with Dondlinger to assure that the cost of the fire sub-station will not exceed the approved bond limits.

Commissioner Nick Badwey stated that he was confident in Staff's ability to get the sub-station built at or below the stated bond limits.

City Manager Llewellyn stated that the engineering expense would not be bonded, it will be paid out of this year's budget. The department will not go over budget, there will just be very little left over at the end of the year.

Commissioner David Chapin asked for a list of what is cut.

Commissioner Shane Krause asked if there was a contingency.

City Manager Llewellyn stated that it was 5%.

Mayor McKibban asked if they would know what was cut when the determination was made.

Commissioner Bill Young stated that he was happy with the given information.

Commissioner Chapin stated that in the future staff should learn from this experience to make sure that all of the information provided is correct.

Commissioner Krause stated that the timing for the bond was what had rushed everyone.

City Manager Llewellyn stated that it was something he had given thought to, but in order for the college to get the rate they wanted the bond was pushed through faster.

Commissioner Badwey stated that the citizens and businesses will get better fire insurance rates with the new sub-station, so he is happy that the City is able to make it happen.

Commissioner Bill Young moved to authorize the City Manager to execute the contract with Dondlinger and Sons and execute the lease with Butler Community College, subject to review of final contract documents and change orders by city staff and conditioned upon bondable project costs not exceeding the previously authorized bond amount.

Commissioner David Chapin seconded the motion.

Commissioner Chapin asked that the Commission receive information on any changes made to the sub-station that might further affect the cost in the future.

Motion carried 5 – 0.

ADJOURNMENT

Commissioner Nick Badwey moved the meeting adjourned at 5:42 p.m.

Commissioner David Chapin seconded the motion.

Motion Carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

November 16, 2011

The El Dorado City Commission met in special session on November 16, 2011, at 4:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: Commissioner David Chapin and City Attorney Jim Murfin.

VISITORS

Chris Long	Black and Veatch	Wichita, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
John Bailey	220 E 1 st	El Dorado, KS
Tom Boren	220 E 1 st	El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Jim Gardner	930 Fairway Ct	El Dorado, KS
Alex Pennington	2320 Gentry Lane	El Dorado, KS
Chandler Bolen	511 W Central	El Dorado, KS
Jessica Seibel	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the November 16, 2011 Special City Commission meeting to order.

UPDATE ON WATER STUDY

Director of Public Utilities, Kurt Bookout, Engineer John Bailey, and Chris Long of Black and Veatch presented an update on the water study.

Mr. Long stated that Black and Veatch received the information from the Kansas Biological Survey over the last two weeks and that they were ready to move forward with the water supply study. They will look at the water supply in drought years and wet years to determine how much water the City of El Dorado is able to withdraw from the lake.

Mr. Bookout stated that even with a twenty year bond to pay for the infrastructure to sell more water, the City would still profit from water sales during those twenty years.

Mr. Bailey stated that if water is sold, the City could use a portion of those profits to help protect the water supply.

Mr. Long stated that he believed the preliminary information from the computer model would be available by February 1st.

Mayor McKibban confirmed that this was Phase One of the study by Black and Veatch.

Mr. Bailey stated that it was Phase One.

Mr. Long stated that Black and Veatch would be able to provide the City with information as the first phase progresses.

CURFEW STUDY FROM YOUTH COMMISSION

City Intern, Nijah Fudge and Youth Commissioners Alex Pennington and Chandler Bolen presented information on curfews around the City of El Dorado and the perception of curfews among the youth in El Dorado.

Ms. Fudge gave some background information on curfews. She stated that many curfews are instated during times of emergency and then lifted. The majority of court cases have been ruled in opposition to the curfews. Displacement of crime occurred in some areas, causing crime to increase during other hours of the day.

Ms. Fudge also gave information on surrounding city's curfews.

Mr. Bolen presented the data from the Youth Commission's study. He stated that 78% of the students they interviewed stated that they opposed a curfew. Mr. Bolen stated that 82% of teachers were in favor of a curfew. One hundred percent of law enforcement officers interviewed supported a curfew.

Mr. Bolen stated that it was suggested that the curfew be imposed at midnight during the summer and on weekends, and week nights should be eleven o'clock.

Mr. Bolen stated that it was stated that the policy should address youth under the age of 18.

Mr. Bolen stated that the Youth Commission suggested punishments could include a parent picking up the child from jail, fines, community service and involving CINC, child in need of care, in the case that a parent cannot be contacted.

Mr. Pennington stated that it was important to make sure that El Dorado actually has a problem that needs to be addressed by a curfew.

Mr. Pennington stated that it might be possible to combat the problem by passing ordinances that close parks and other public places at a certain time.

Mr. Pennington stated that it was a possibility that businesses could help by enforcing limits on when youth can be in their establishments.

Commission Shane Krause asked if the Police Officers gave a reason for supporting the curfew.

Mr. Bolen stated that all Officers had written responses to the survey and that they thought there might be a problem and a curfew might help combat that problem.

Mayor Tom McKibban asked where the City should go from here.

Mr. Pennington stated that the Youth Commission suggested further research to see if a problem truly exists.

Mayor McKibban stated it was important to protect the youth.

Police Chief Tom Boren stated that for many, it was a quality of life issue and not about violent crime. Most of the youth out at night are not committing violent crimes, but are disturbing other citizens by being loud or being nuisances.

There was consensus among the Commission that Staff should look into closing the parks at a certain time each night.

ADJOURNMENT

Commissioner Bill Young moved the meeting be adjourned at 5:26 p.m.

Commissioner Shane Krause seconded the motion.

Motion Carried 4-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on November 21, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk, Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Dan and Julie Jones	220 E 1 st	El Dorado, KS
Kim Bell	Gilmore and Bell	Wichita, KS
Jennifer and Brooke Ryan	5734 SW Haverhill	El Dorado, KS
John and Renee Scanlon	220 E 1 st	El Dorado, KS
Jennifer Gillmore		El Dorado, KS
Joe and Desiree Haag	220 E 1 st	El Dorado, KS
Sue Austin	220 E 1 st	El Dorado, KS
Donald Adlesperger		El Dorado, KS
Kurt Bookout	2520 Kacy Ct	El Dorado, KS
Brett Perry	1509 SW HWY 77	El Dorado, KS
Dave Adams		El Dorado, KS
Ken Nakaten	220 E 1 st	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Tom Boren	220 E 1 st	El Dorado, KS
Steve Watters	220 E 1 st	El Dorado, KS
Shawn Cremer	220 E 1 st	El Dorado, KS
Nelson Koehn	220 E 1 st	El Dorado, KS
Scott Porter	220 E 1 st	El Dorado, KS
Terry Trimmell	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the November 21, 2011, City Commission meeting to order.

INVOCATION

Police Chief Tom Boren opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

The Washington Elementary 3rd grade class led the pledge of allegiance.

EMPLOYEE SERVICE AWARDS

The following employees were honored with service awards:

Ten-Year Service Awards

Brett Perry, Public Utilities
Steven Watters, Public Works

Fifteen-Year Service Awards

Shawn Cremer, Public Works
Joe Haag, Fire Department

Twenty-Year Service Awards

Dan Jones, Police Department

Twenty-Five Year Service Awards

Nelson Koehn, Public Works
John Scanlon, Public Works – Parks Dept.

Thirty-Year Service Award
Chief Ken Nakaten, Fire Department
Scott Porter, Public Works – Information Technology
Terry Trimmell – Public Works

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the City Commission minutes for: October 31, 2011, November 7, 2011 and November 10, 2011.

Approval of the Engineer's Third & Final Pay Estimate dated November 8, 2011, on Project No. 366-2011 Sales Tax Street Repaving to the Contractor, APAC Kansas, in the amount of \$6,172.25.

Approval of the Engineer's Second Pay Estimate dated November 15, 2011, on Project No. 333-Vine & Central Intersection Improvements to the Contractor, Cornejo & Sons, in the amount of \$73,954.89.

Commissioner Shane Krause moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

GENERAL OBLIGATION BOND SALE

City Manager Herb Llewellyn stated at the October 31, 2011, City Commission meeting, the City Commission approved setting November 21, 2011 as the sale date of General Obligation bonds for the long-term funding of 4 capital improvement projects in the City. Written and electronic bids were received on behalf of the City Clerk until eleven a.m. this morning. The interest rate is almost a percentage point less than anticipated.

Mayor McKibban asked what the projection for the interest rate was a week ago.

City Manager Llewellyn stated that a week ago it was predicted that the interest rate would be 3.41%.

Kim Bell, Gilmore and Bell, stated that a significant number of the bonds were sold at a premium, which means that the bidder is willing to pay the City more than the par amount of the bonds. As a result of getting the premium, the City will be able to put some of that money towards the fire sub-station.

Commissioner Shane Krause confirmed that this bond money would be for three projects that had already been completed and the fire substation that had not begun yet.

Ms. Bell stated that he was correct.

Commissioner Krause also stated that the City received an A plus rating.

Ms. Bell stated that the rating was also something the City should be proud of.

Mayor Tom McKibban asked what the true interest cost was.

Ms. Bell stated that the true interest cost takes into account the premium, the cost of doing the bond and the affected rate of interest. It is more precise to use the true interest cost.

Commissioner Nick Badwey moved to award the firm of BOSC Inc. the sale of General Obligation Bond Issue, Series 2011 with an average interest rate of 2.836% with a total interest of \$1,989,421.30, and authorize the Mayor and City Clerk to execute the bid form.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

Commissioner Bill Young moved that Ordinance No. G-1128, an ordinance authorizing and providing for the issuance of General Obligation Bonds, Series 2011, of the City of El Dorado, Kansas; for the purpose of providing funds to refund the City’s Outstanding General Obligation Bonds; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto, be approved.

Commissioner 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 Bill Young	Yes

Mayor McKibban asked Ms. Bell to explain the final motion.

Ms. Bell stated that the previous ordinance is a short form that authorizes the issuance of the bond. The long form resolution which includes all of the terms and conditions of the bond is the third motion. This saves the City money on publication costs.

Commissioner Nick Badwey moved that Resolution No. 2684, a resolution authorizing and directing the issuance, sale and delivery of General Obligation Bonds, Series 2011, of the City of El Dorado, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith, be approved

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

NEIGHBORHOOD REVITALIZATION PROGRAM EXPIRATION

Assistant City Engineer Scott Rickard stated that the current NRP for designated areas expires at the end of the year. In order to renew the NRP, all taxing entities must sign a resolution and agreement.

Mr. Rickard stated that as of July 2011, El Dorado had 132 projects generating rebates for the 2011 tax year (27 new). The appraised value due to new construction/remodel attributed to the 132 projects is \$12,826,829.

Mr. Rickard stated that in July of 2011, the NRP committee met and requested that the Adelsperger-Smith addition be removed as a designated area and to change permit fees to a level established by the City Commission.

Mayor Tom McKibban asked what the basis for the recommendations was.

Mr. Rickard stated that the Adelsperger-Smith addition is based on the 5 year abatement, this would change it to a 10 year. The committee also believes there should be some permit fees charged for inspection, permits, etc.

Commissioner Shane Krause asked how permit fees were handled currently.

Mr. Rickard stated that they are currently waived.

Commissioner Krause asked why they were waived.

Mr. Rickard stated that it was done that way in order to encourage participation in the program.

Commissioner Nick Badwey asked how the Commission wanted to handle the permit fees.

Consensus amongst the Commission was that the NRP applicants would be charged permit fees according to the current fee structure.

Commissioner Nick Badwey moved to approve Resolution 2685, a resolution authorizing and directing the Mayor to execute an interlocal agreement with the Butler County Board of County Commissioners, Butler Community College, Unified School District #490, and Unified School District #375, to extend the Neighborhood Revitalization Program for a 3-year period ending December 31, 2014.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

The Commission wished the citizens a Happy Thanksgiving.

Commissioner Shane Krause stated that he appreciated the City Staff volunteers who are hanging Christmas decorations around town.

Mayor Tom McKibban asked about the progress of the stadium.

Commissioner Krause stated that they had begun moving dirt and stockpiling top soil.

Mayor McKibban thanked the community for their support and stated that they hoped to play the High School and College homecoming games there next October.

CITY MANAGER'S REPORT

AWARDS

City Manager Herb Llewellyn stated that the City has received two awards recently. The first award is for the City's support of Tour Butler and the second is for the support of the National Association of County Agricultural Agents.

INDUSTRIAL PARK

City Manager Herb Llewellyn stated that the Barton building is almost complete in the industrial park. He also stated that the BG Products building is coming along quickly as well.

TRASH

City Manager Herb Llewellyn reminded citizens that Thursday trash routes would be picked up on Wednesday.

LIGHTS

Commissioner Bill Young asked about the progress of lights in the business park.

Assistant City Engineer Scott Rickard stated that they would be going in soon, the locates have been called in.

City Manager Herb Llewellyn stated that the lights at Vine and Central would be up within the week and that project would be complete.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 7:52 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on December 5, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, and Assistant City Engineer Scott Rickard. Absent, City Attorney Jim Murfin and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Sara Jones	220 E 1 st	El Dorado, KS
Jason Reiswig	220 E 1 st	Wichita, KS
Brad Meyer	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the December 5, 2011, City Commission meeting to order.

INVOCATION

Commissioner Nick Badwey opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Mrs. Lee’s Washington Elementary 3rd grade class led the pledge of allegiance and sang “We Wish You a Merry Christmas”.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the City Commission minutes for November 16, 2011 and November 21, 2011.

Approval of Appropriation Ordinance 11-11 in the amount of \$1,984,345.52.

Consent of the approved City Board and Committee Minutes as follows:

Airport Advisory Board	02/03/11
Airport Advisory Board	04/07/11
Airport Advisory Board	08/04/11
Airport Advisory Board	10/06/11
CTC	08/25/11
Prairie Trails Advisory Board	07/11/11
Prairie Trails Advisory Board	07/20/11
Prairie Trails Advisory Board	07/25/11
Prairie Trails Advisory Board	08/02/11
Prairie Trails Advisory Board	08/29/11
Prairie Trails Advisory Board	10/10/11
Recreation Board	09/21/11
Recreation Board	10/19/11
Recycling Advisory Board	04/21/11

Commissioner Bill Young moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

HVAC PROPOSAL FOR THE ADMINISTRATION BUILDING

City Manger Herb Llewellyn stated that it has been suggested by the Johnson Controls energy audit that the current HVAC system be replaced. After being delayed by tough economic times, it is now necessary to replace the system due to the unavailability and extreme expense of replacement parts.

City Manager Llewellyn stated that the City received only one bid from Don's Heating and Air for the sum of \$80,135 for labor and materials and \$7,500 to extend the warranty from one to ten years.

Public Works Director Brad Meyer stated that this will replace a fifty plus year old unit that is less than efficient.

Commissioner Nick Badwey stated that he was in support of the warranty because it was very reasonable.

Mr. Meyer stated that the vendor also included routine maintenance each year for the life of the warranty.

Commissioner Shane Krause confirmed that this unit would not be part of the bid for HVAC maintenance for other city buildings.

Mr. Meyer stated that he was correct.

Mayor Tom McKibban asked what the difference in the HVAC bid for the fire station was between the out of town and local vendor.

City Manager Llewellyn stated that he could get that information for the Commission.

Commissioner Nick Badwey moved to authorize the City Manager to enter into and sign the proposal with Don's Heating and Air in the amount of \$87,635.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner Bill Young asked about the progress of lights in the business park.

City Manager Herb Llewellyn stated that they should be operational by the weekend.

Commissioner Nick Badwey stated that he had received a compliment on Cemetery Staff Ron Bolin and Joe Meyer. He stated that their service and sincerity made a very good impression on this gentleman.

Mayor Tom McKibban congratulated Butler Community College football on their win in the bowl game.

Commissioner Shane Krause stated that there was a lot of dirt removed and some of the parking has been leveled off.

Assistant City Engineer Scott Rickard stated that the sanitary sewer was almost complete and the storm sewer would begin soon.

CITY MANAGER'S REPORT

WORK SESSION

City Manager Herb Llewellyn stated that there was a work session scheduled for Wednesday, December 14, at 4:00 p.m.

Mayor Tom McKibban asked if a work session could be planned after the first of the year for the homeless shelter so that more information could be compiled.

City Manager Llewellyn stated that they would schedule one.

AIRPORT COMMITMENT FORM

City Manager Llewellyn stated that Staff have asked tenants at the airport to sign a commitment form, only two have signed so far.

CONSTRUCTION IN EL DORADO

Commissioner Shane Krause commented on the number of new construction projects in El Dorado.

City Manager Llewellyn stated that the projects were in excess of \$100 million and would be creating numerous jobs.

Mayor McKibban stated that he had recently seen a special on buying American and how many jobs can be created by each person buying American when available.

Commissioner Bill Young encouraged the public to buy American and buy local.

ADJOURNMENT

Commissioner Shane Krause moved to adjourn the meeting at 7:26 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO SPECIAL CITY COMMISSION MEETING

December 14, 2011

The El Dorado City Commission met in special session on December 14, 2011, at 4:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner David Chapin (arrived at 4:30 p.m.), Commissioner Bill Young, Commissioner Nick Badwey, Commissioner Shane Krause, City Manager Herb Llewellyn, City Attorney Jim Murfin, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

James Powell	323 W Carr	El Dorado, KS
Linda Jolly	2100 Pico Ct	El Dorado, KS
Nijah Fudge	220 E 1 st	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
David Stewart	PKHLS	El Dorado, KS
Vince Haines	PKHLS	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the December 14, 2011 Special City Commission meeting to order.

UPDATE ON MIDDLE SCHOOL

Assistant City Engineer Scott Rickard presented an aerial image of the proposed new middle school site.

Mr. Rickard stated that there will be some obstacles involved in this new project due to the fact that the site is half a mile past our existing water and sewer lines. It will also be necessary to build new roads to reach the proposed site.

Mayor Tom McKibban asked how the roadway would be constructed on land that was not in the City limits.

Mr. Rickard stated that discussion would have to be had with the landowner in order to move forward. The project will cost approximately \$811,000 and will need to begin soon in order to meet the schedule of the school district.

Mr. Rickard stated that the City will have to obtain some easements to extend sanitary sewer lines. The estimated cost is \$344,000 for this portion of the project.

Mr. Rickard stated that water lines will be more difficult. In order to obtain the proper amount of flow to meet fire codes, the City will need to install a 12 inch line that loops back to the City line. He stated that this loop would be necessary in order to prevent stagnant water in the summer time. The projected cost of the water line is \$1.1 million.

Mr. Rickard stated that this infrastructure opens up areas for future residential development.

Commissioner Shane Krause asked if that was in the school’s budget.

Mr. Rickard stated that according to the City’s current regulations, the City is responsible for the cost of water lines.

Mayor McKibban asked if the City bears the cost of the road work.

Mr. Rickard stated that the City pays 50% of the cost of the road after the school has petitioned the City for the road extension.

Mr. Rickard stated that the landowner to the south has no desire to extend the road and does not want to pay for an extension.

Commissioner Krause asked if there was only one entrance for the school.

City Manager Herb Llewellyn stated that City Staff needed direction from the Commission to begin acquiring right of way to extend Country Club.

Mayor McKibban asked why the school is so far away from the road.

Vince Haines, PKHLS Architecture, stated that there was less dirt work to do, there was a pipeline that it was necessary to avoid, and a certain amount of area needed to be set aside for the storm water basin.

INDUSTRIAL PARK INFRASTRUCTURE

Discussion on the Industrial Park infrastructure was tabled for a future meeting.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing confidential business matters, and to reconvene the regularly scheduled meeting in the City Commission room at 4:45 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0.

ADJOURNMENT

Commissioner Nick Badwey moved the meeting be adjourned at 4:45 p.m.

Commissioner David Chapin seconded the motion.

Motion Carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on December 5, 2011 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Shane Krause, Commissioner Bill Young (arrived at approximately 7:40 p.m.), Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Jason Reiswig	Prairie Trails	El Dorado, KS
Jason Hughey	220 E 1 st	El Dorado, KS
Dan Young	1810 Cottonwood Dr	El Dorado, KS
Stan Stewart	1313 Glenview	El Dorado, KS
Linda Clark	1112 Rim Rock Rd	El Dorado, KS
Tim Lane	806 Rim Rock Rd	El Dorado, KS
John Rawlings	820 Troon	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the December 19, 2011, City Commission meeting to order.

INVOCATION

Stan Stewart, 1313 Glenview, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

The Prairie Trails advisory board led the pledge of allegiance.

PERSONAL APPEARANCE

Stan Stewart, 1313 Glenview, presented recommendations from the advisory board to the Commission.

Mr. Stewart stated that the advisory board has developed a list of qualifications or job description so that someone may be hired to develop programs and increase membership.

Mr. Stewart stated that the advisory board would be happy to participate in the process, but it was important to get the process started soon.

Tim Lane, 806 Rim Rock Rd, stated that the advisory board is recommending the termination of dining service upstairs and replace it with a limited menu and hours designed to serve golfers and their needs.

Mr. Lane also stated that the advisory board recommended moving the pro shop upstairs from the basement.

Mayor Tom McKibban asked where the pro shop would be located upstairs.

Mr. Lane stated that it would temporarily be moved to the bar area.

Mayor McKibban asked if the advisory board planned to continue utilizing the space for large parties and events.

Mr. Lane stated that the space would be there, but a plan should be developed for those events.

Mayor McKibban asked how many parties were currently booked.

City Clerk Tabitha Sharp stated that there were four events in January, three in February including El Dorado Charities, and several requests for summer events.

Mr. Lane stated that the Commission needed to choose between making the building a restaurant or catering to the golfers. He stated that the advisory board planned to put the pro shop in the south dining area.

Mr. Lane stated that it was important to encourage large groups to utilize the other buildings in El Dorado.

Mayor McKibban asked when the last event was booked.

Ms. Sharp stated that she would have to check the schedule to confirm that.

Mayor McKibban stated that it would be important to maintain it as it currently is until after Charities at the earliest.

City Manager Herb Llewellyn stated that it would take awhile still before we were able to move the pro shop so that we could get plans developed and approved.

Commissioner Nick Badwey asked if the work would be done before the golf season began.

City Manager Herb Llewellyn stated that it would be.

Mr. Lane asked if the bar and grill could be moved upstairs in the meantime.

City Manger Llewellyn stated that City Staff would move forward with shutting down the basement operations soon.

Mayor McKibban asked if two people would be required upstairs in order to run the pro shop and the bar.

Mr. Lane thought that there were times that it would not need a second person.

City Manager Herb Llewellyn stated that City Staff were considering a way to block off the bar area so that it was not open when there was not staff available.

Mayor McKibban stated that it was important to use it the most efficient and economic way possible.

Commissioner Shane Krause asked if moving the operations upstairs would be more conducive to golfers.

Mr. Lane stated that the upstairs would be nicer and more attractive to new golfers. He also stated that the upstairs was ADA compliant.

Commissioner Krause asked if the advisory board had discussed the pool.

Mr. Stewart stated that they have not come with any recommendations regarding the pool at this time.

Commissioner Krause stated that if someone were to run the restaurant, the golfers would not have access to the south dining room.

Mr. Stewart stated that the golfers could make do with the downstairs area in that case.

Mayor McKibban asked if a pro that could teach golf lessons was important.

Mr. Stewart stated that it was because it would attract more activity. He also stated that the board's recommendation was unanimous, although there was some debate on the points.

Mayor McKibban confirmed he was talking about the job description draft.

Mr. Stewart stated that he was correct.

City Manager Herb Llewellyn stated that should a vendor want to lease the restaurant space, they could also renovate the downstairs for overflow if the pro shop was upstairs.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the City Commission minutes for: December 5, 2011 and December 14, 2011

Approval of the following 2012 CMB Licenses:

- PIZZA HUT
2423 W. CENTRAL
- PIZZA HUT
729 N. MAIN
- PRAIRIE BOWL
307 S. HAVERHILL RD
- TWO BROTHERS BBQ
1701 W. CENTRAL
- OKLAHOMA BOYS BBQ
626 N. MAIN
- JAX'S PLACE
124 W. LOCUST
- IRON HORSE CONCERT HALL
315 S. MAIN
- DILLONS
700 N. MAIN
- QUIKTRIP #310
1320 W. CENTRAL
- WAL-MART #186
301 S. VILLAGE
- JUMPSTART CENTRAL
1631 W. CENTRAL
- JUMPSTART NORTH
701 N. MAIN
- CASEY'S
420 W. 6TH
- CASEY'S
1310 N. MAIN ST
- WALGREEN CO.
119 W. 6TH
- SAROYA, LLC dba SUNNY'S STOP
2575 W. CENTRAL

Commissioner Shane Krause moved that the Consent Agenda, as presented with amendments, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

2011 BUDGET AMENDMENT – PRAIRIE TRAILS RESTAURANT/GOLF AND WATER UTILITY FUNDS

City Manager Herb Llewellyn stated that there have been events this year that necessitate amending the 2011 budget. In late summer the City began a discussion with Kemper Sports regarding the future operation of Prairie Trails Golf and Dining. After many discussions with staff, the City Commission elected to part ways with the management company. The transition unofficially began in October when the City started paying some late, unpaid bills. Prairie Trails was officially turned over to the City on November 7, 2011.

City Manager Herb Llewellyn explained that the 2011 budget for Prairie Trails was structured for a management company and only provided transfers to supplement their proposed budget. Unfortunately, with this transition all expenses paid by the City, including those paid with operating revenue, will count against the budget authority for Prairie Trails. To spend revenue collected from the restaurant and golf course the City Commission will need to increase their spending authority through a budget amendment. Staff will not spend more than the published 2011 budget plus additional revenue.

City Manager Herb Llewellyn stated that the Water Fund is being amended for 2011 expenditures related to the Water Backup Generator project which were not anticipated during the original budget process.

Mayor Tom McKibban asked if the budget was contained in the amount approved by the Commission in the middle of 2011.

City Manager Herb Llewellyn stated that it was.

Mayor McKibban asked how much the water fund was being amended for.

City Manager Herb Llewellyn stated that it would be \$1,163,969.

Mayor McKibban confirmed that it was for the generator.

City Manager Herb Llewellyn stated that it was the generator, electrical work and new switch gear.

Mayor McKibban asked how the City was paying for this.

City Manager Herb Llewellyn stated that it was cash from the water fund.

Commissioner Badwey stated that the generator would ensure that water service was not interrupted in case of an emergency.

Mayor McKibban opened the public hearing for comments.

Mayor McKibban closed the public hearing.

Commissioner Nick Badwey moved to approve the Amendments to the 2011 Operating Budget in the Prairie Trails Restaurant/Golf and Water Utility Funds, as presented.

Commissioner Shane Krause seconded the motion.

Commissioner David Chapin asked about the balance in the water fund.

City Manager Herb Llewellyn stated that there was still a healthy balance, but future projects should be considered as it will not support many more large projects.

Motion carried 4 – 0.

DISCUSSION ON THE OPEATIONS AT PRAIRIE TRAILS GOLF AND DINING

City Clerk Tabitha Sharp introduced herself as the interim Food and Beverage manager and introduced Jason Hughey, interim General Manager and Jason Reiswig Golf Course Superintendent.

Ms. Sharp stated that they could review the budget item by item or the Commission could ask questions.

Mayor Tom McKibban asked if the budget was the same as what was approved in June.

City Manager Herb Llewellyn stated that it was the same except for the inclusion of the projected revenues.

City Manager Herb Llewellyn stated that City Staff modeled the 2012 budget to include the CIP items as well as regular expenses. The budget uses the projected revenues and the amount approved by the Commission to cover those expenses.

Ms. Sharp stated that the total of CIP was \$148,269.

City Manger Llewellyn stated that the total budget includes more capital than originally anticipated but the final amount is the same.

Mayor McKibban asked where the \$100,000 that would have been paid to Kemper was.

City Manager Herb Llewellyn stated that the management fee was re-directed to other areas. He stated that this budget had labor in different areas than what Kemper had developed including a restaurant manager and pro shop manager.

Mayor McKibban asked what the amount of the dining losses were for 2012 from Kemper.

City Manager Herb Llewellyn stated that he did not think that Kemper had brought a plan that included those numbers.

Mayor McKibban confirmed that they were not approving the budget at this time.

City Manager Herb Llewellyn stated that they were not approving right now, they would eventually have to amend to include the revenues.

Mayor McKibban asked if the burden on tax payers would be less than what was approved.

City Manager Herb Llewellyn stated that they will definitely not go over what was approved.

Mayor McKibban stated that he would not increase the amount other than what revenues Prairie Trails brought in.

City Manager Herb Llewellyn stated that if the revenues did not support expenses, they would not spend the money.

Jason Hughey, interim General Manager, stated that thus far they have poured 225 feet of cart paths at minimal expense, poured a concrete pad in a maintenance building to keep sand dry, planted fifteen trees, removed 47 trees, put in different yardage markers, and performed maintenance to all of the buildings.

Commissioner Shane Krause asked if they were able to capture trees from the stadium land.

Mr. Hughey stated that they have transferred four trees from that property.

Commissioner Bill Young stated that staff are working with the advisory board to plant trees in places conducive to the development of the course.

Jason Reiswig, Golf Course Superintendent, stated that he has gone through the golf course with members of the advisory board's tree committee to ensure that trees are placed in the proper places.

Ms. Sharp stated that staff have been working to fulfill commitments made by Kemper before the contract was terminated.

Ms. Sharp stated that since November 1st, there have been approximately \$74,000 in expenses, \$34,000 of which was expenses incurred by Kemper but received by the City. She stated that there have been about \$25,000 in sales. The \$40,000 in expenses included supplies for the restaurant, payroll, repairs to the building and equipment, and grass seed and fertilizer.

Commissioner Krause asked if Kemper took any revenue from Prairie Trails and left unpaid bills.

Ms. Sharp stated that Kemper used the revenues up until November 1st to pay for their expenses. She stated that bills incurred during their time were received by the City during the transition and paid by the City to avoid interruption in service.

Commissioner Krause asked if they took their fee for managing.

Ms. Sharp stated that there is approximately \$12,000 still owed to Kemper per the termination agreement.

City Manager Herb Llewellyn stated that in order to confirm all of the bills are paid and money has been distributed properly, City Staff are in the process of checking all of the financial information that has been received from Kemper in the past week.

Commissioner Krause stated that it was important for the public to understand that the termination of the contract was not a reflection of Kemper's abilities, the City could not justify the expense for their services.

Commissioner Bill Young stated that the City and Kemper parted amicably. He also praised the advisory board for all of their work with Prairie Trails.

Mayor McKibban asked how much of the cart path could be finished for the \$44,324.

Mr. Hughey stated that it would depend on the charge for the concrete.

City Manager Herb Llewellyn stated that the money in the fund for cart paths was the left over amount in the budget.

Mr. Reiswig stated that most of the cart paths were currently from the green to the next tee box with the exception of the five par threes that are complete.

City Manager Herb Llewellyn stated that the ability to play on rainy days would be increased if cart paths were finished.

Mr. Reiswig stated that there were 30 days in 2011 that carts were not allowed due to wet weather.

Mr. Rickard stated that \$44,000 in materials would finish roughly 1/3 of the course.

Commissioner Krause asked if the equipment requests were included in the CIP.

Mayor McKibban asked if the restrooms were included in the CIP.

Mr. Hughey stated that both were included.

Mayor McKibban asked if these were from the advisory board.

Stan Stewart, 1313 Glenview, stated that the recommendations from the board were the trees, golf carts and mowers.

Mr. Stewart stated that the restroom was last on the list of recommendations from the advisory board.

Mayor McKibban asked if that money would be better served in the fund for cart paths.

Mr. Stewart stated that it would be the recommendation of the board to do that.

Mayor McKibban asked what the savings would be if the restaurant was no longer open.

Ms. Sharp stated that some of the expenses are shared and would be moved back to the golf course, staff could figure out those numbers.

City Manager Herb Llewellyn stated that utilities would be lower given the decreased use.

Mayor McKibban confirmed that Prairie Trails would be better served by cart paths than a restroom on the front nine.

Mr. Reiswig stated that he was correct.

Mayor McKibban asked when the Commission would be presented with an updated budget.

City Manager Herb Llewellyn stated that if the Commission did not wish to change the course of operations, the budget was good as presented. He stated if the Commission wished to change the course of operations the budget would need to change.

Commissioner Krause asked what the current restaurant operations were.

Ms. Sharp stated that they were Wednesday and Friday, lunch and dinner, and private parties.

Mayor McKibban asked when the food service could be stopped.

City Manager Herb Llewellyn stated that it could stop at the first of the year.

Mayor McKibban asked if there was a consensus to close the restaurant except for meeting the commitments that are currently in place.

Ms. Sharp stated that she was concerned that she would lose the staff currently in place if their hours were cut and that she would be unable to meet current obligations.

City Manager Herb Llewellyn stated that staff would address these issues and plan to accommodate groups that were coming in.

Commissioner Krause asked if the Commission was eliminating Prairie Trails as an event location.

Commissioner David Chapin stated that the City should be out of the restaurant business and move on as a golf course.

Commissioner Young stated that staff should move forward with closing the restaurant and honor current commitments.

Mayor McKibban stated that he it was his understanding that the Commission wanted out of the restaurant business.

Commissioner Krause asked if they should direct staff to begin the search for the person fitting the job description given to them by the advisory board.

Mayor McKibban stated that he thought it was important to begin the search.

Mr. Stewart stated that the Class A professional was preferred but not required, someone with that certification would have a background in business as well as golf.

Commissioner Krause asked how the advisory board saw this proceeding.

City Manager Herb Llewellyn stated that he envisioned the advisory board participating in the interviews. He also stated he wanted the PGA to work with the job description.

Mr. Stewart stated that the City's HR department had done an excellent job with the job description thus far.

Mayor McKibban stated that he would like to see the advisory board participate in the interviews.

City Manager Herb Llewellyn stated the critical thing would be fit, and that would be best determined by the golfers.

City Manager Herb Llewellyn stated that he anticipated interviews in February.

Mayor McKibban received a consensus that the search would begin for a person fitting the job description provided by the advisory board, the advisory board would participate in the search process, and current operations of the restaurant would cease.

PROJECT NO. 371-KDOT AGREEMENT NO. 263-11

Scott Rickard, Assistant City Engineer, stated that in order for Project No. 371, the resurfacing of Central from Haverhill to Jones to move forward, the agreement between the City and KDOT must be signed.

Mr. Rickard stated that the City was award a KLINK grant for the resurfacing. This grant was for \$200,000.

Mayor Tom McKibban asked what the total of the project was.

Mr. Rickard stated that the total amount was \$430,000.

Commissioner Shane Krause asked if this work was needed.

Mr. Rickard stated that it was last done in 2002, and there are portions that are close to failing near some of the busier fast food places.

Commissioner Nick Badwey moved to authorize the Mayor to execute for and on behalf of the City of El Dorado, Agreement No. 263-11 between the City and the Kansas Department of Transportation.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

DEFERRED FINES AND 2011 MISCELLANEOUS BILLING WRITE OFFS

City Clerk Tabitha Sharp stated that each year delinquent accounts owed the City of El Dorado need to be considered to be deemed uncollectible and removed from the accounts receivable records of the City, and a list delineating each amount should be attached to the minutes of this meeting. The deferred fines to be removed total \$24,581.36 and the miscellaneous billing amount to be removed is \$3,224.77. It is noted that of the total deferred fines being written off \$3,110.61 is for state fees that would be remitted to another party upon collection; therefore, that portion is not a loss of revenue to the City.

Ms. Sharp stated that the City does not “forget” the debts. Every attempt is still made to try to collect them.

Mayor Tom McKibban asked how much it differed from last year.

Ms. Sharp stated that miscellaneous billing was down approximately \$5,000 and fines were down approximately \$4,000.

Commissioner David Chapin stated that staff were doing a good job of collecting debt.

City Manager Herb Llewellyn stated that this action is an accounting function and follows GAAP (Generally Accepted Accounting Practices).

Commissioner David Chapin moved to deem uncollectible the deferred fines accounts in the amount of \$24,581.36 for 2011, and miscellaneous billing accounts in the amount of \$3,224.77 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 Bill Young seconded the motion.

Motion carried 5 – 0.

2012 PROPOSED SALARY SCHEDULE

City Manager Herb Llewellyn stated that each year there is a resolution to establish the compensation and designation of various positions within the City of El Dorado.

City Manager Herb Llewellyn stated that the two levels of department head classifications have been reduced to one classification so that everyone is paid the same. These positions include the Fire Chief, Public Utilities Director and the Parks and Recreation Director.

Mayor Tom McKibban asked if the Public Utilities Director was over Parks and Recreation.

City Manager Herb Llewellyn stated that the Public Works Director was over Parks and Recreation.

City Manager Herb Llewellyn stated that the Assistant Municipal Court Clerk was added.

Commissioner Nick Badwey moved that the first City Commission meeting in January, Tuesday, January 3, 2012 be canceled and that staff is authorized to release the January checks after the finalized December appropriation ordinance is sent to the City Commission for review.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

CANCELLATION OF THE FIRST CITY COMMISSION MEETING IN JANUARY 2012 – JANUARY 3RD, 2012

Mayor Tom McKibban stated that historically the City Commission of El Dorado has canceled the first meeting in January of each calendar year.

City Clerk Tabitha Sharp stated it was also important to note that the second meeting would be moved to Tuesday, January 17th, because of the Martin Luther King holiday.

Should the City Commission choose to cancel the first City Commission of the year, staff is requesting approval to release the January checks after the finalized December appropriation ordinance is sent to the City Commission for review.

Commissioner Bill Young moved that the first City Commission meeting in January, Tuesday, January 3, 2012 be canceled and that staff is authorized to release the January checks after the finalized December appropriation ordinance is sent to the City Commission for review.

Commissioner Nick Badwey seconded the motion.

Mayor Tom McKibban pointed out that there was a work session scheduled that would be a long meeting before the normally scheduled second meeting.

Motion carried 5 – 0.

NEW BUSINESS

Commissioners David Chapin, Nick Badwey, Bill Young, and Shane Krause wished the public a Merry Christmas and a Happy New Year.

Commissioner Krause asked about implementing a left turn on green at every stop light.

Mayor Tom McKibban stated that Commission had been told there was a State Statute against that.

City Manager Herb Llewellyn stated that it was in the Manual of Uniform Traffic Control Devices.

Assistant City Engineer Scott Rickard stated that there is a revision that allows for a flashing yellow light. The City has a list of intersections that this would be possible at.

City Manager Herb Llewellyn stated that professionals were looking at our equipment in order to give a good recommendation and that list would be provided to the Commission as soon as it was ready.

Mr. Rickard stated that he would be happy to share a memo that he has been working on with the Commission that addresses this topic.

Mayor McKibban wished the public a Merry Christmas and a Happy New Year and asked that they be safe. He also asked that the public be careful if bad weather were to enter the area.

CITY MANAGER HERB LLEWELLYN'S REPORT

City Manager Herb Llewellyn stated that City Staff anticipated some bad weather, but were prepared to deal with it should it come in.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing legal matters, and to reconvene the regularly scheduled meeting in the City Commission room at 9:12 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Tom McKibban reconvened the meeting at 9:12 p.m.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 9:12 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban