

The El Dorado City Commission met in regular session on January 22, 2013 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, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Gerald Dixon	205 S Main	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS
Kurt Bookout	2520 Kacy Ct	El Dorado, KS
Jason Hughey	1329 Terrace	El Dorado, KS
Jason Reiswig	938 W 3 rd	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the January 22, 2013, City Commission meeting to order.

INVOCATION

Director of Public Utilities, Kurt Bookout, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Denise Carter’s 3rd grade class from Lincoln Elementary led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were none.

CONSENT AGENDA

Approval of the December 17, 2012 City Commission Minutes.

Approval of the 12-12 Appropriation Ordinance in the amount of \$2,406,273.10.

Approval of committee/board minutes from 8/22/12, 9/19/12, 10/10/12, 11/14/12 for the Recreation Advisory Board and 12/12/12 for the Sales Tax Task Force.

Commissioner Bill Young moved that the Consent Agenda, as presented be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

SALES TAX COMMITTEE APPOINTMENT

Finance Director, Tammy Schaffer, stated that at the previous meeting, the City Commission had appointed all members to the Sales Tax Committee with the exception of the Planning Commission’s member. The Planning Commission met and selected Steve Funk to be their representative. The City Commission needs to confirm the appointment.

Commissioner Shane Krause moved to appoint Steve Funk (Planning Commission) to the Sales Tax Advisory Board for a one-year term set to expire December 31.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

FINAL PLAT OF THE WESTWOOD THIRD ADDITION – R-1 RESIDENTIAL LOW DENSITY (CASE NO. 12-001-PLAT)

Matt Rehder, Planning and Zoning, stated that Diana Lane is seeking approval of the final plat of the Westwood Third Addition. He stated that the previous plats were confusing due to numerous splits, and that the new plat establishes land ownership, legal descriptions, and property lines. The property is now marked as Block 1, lots 1 and 2.

Mr. Rehder stated that the land owner plans to build a house on each lot.

Commissioner David Chapin confirmed the location of the property.

Commissioner Nick Badwey moved to approve Case No. 12-001-PLAT, the final plat of the Westwood Third Addition, and to direct the Mayor and City Clerk to sign the Final Plat.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

SALES TAX TASK FORCE RECOMMENDATION

Jared Cobb, Assistant Finance Director, stated that the Sales Tax Task Force has met twice and held two public meetings. The task force arrived at a unanimous decision to continue the sales tax for the next five years and to continue with the current distribution.

Commissioner Bill Young asked about the turn out at the public meetings.

Mr. Cobb stated that no one came to either meeting.

Mayor Tom McKibban asked for clarification on the ordinance and resolution provided.

Mr. Cobb stated that the Ordinance was to continue with the current allocation of the sales tax, and the resolution was to send the question to the County for the April election.

Commissioner Bill Young moved that Ordinance No. S-1323, an ordinance pledging the future use of all the revenue which may be received by a one percent retailer’s sales tax levied in the City of El Dorado, Kansas, should the qualified electors of such city vote in favor thereof at a special election to be called for such purpose, be approved.

Commissioner David Chapin 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

Commissioner David Chapin moved that Resolution No. 2710, a resolution to submit to the qualified electors of the City of El Dorado, Kansas, the proposition of levying a retailer’s sales tax effective October 1, 2014, be approved.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

THANK YOU

Commissioner Shane Krause thanked City staff, the Community, Susan B. Allen, and Lake Point Nursing Home for their support before and after his father’s passing.

Mayor Tom McKibban stated that Mr. Krause had been a great influence on his life and would be greatly missed. He also stated that the citizens should take time to thank their teachers for all of the hard work that they do.

RECOGNITION

Commissioner Bill Young congratulated Senior Lauren Brickley on signing with Allen County as 3rd baseman. He stated that there are a lot of talented students at El Dorado, and citizens should look forward to seeing a lot of stories about these students in the coming months.

Mayor Tom McKibban stated that it has been a great year for El Dorado High students, and he is looking forward to more announcements from the Senior class.

WATER STUDY

Commissioner Nick Badwey asked about the Black and Veatch water supply study.

Kurt Bookout, Public Utilities Director, stated that they have finished the majority of the study. They are waiting on some responses from the City of Wichita, and look to have some preliminary findings in February or March.

City Manager Herb Llewellyn stated that Black and Veatch could come to a work session in the near future to give an update on the study.

LAKE CONTRACT

Commissioner David Chapin stated that he had asked the City Manager to explain some of the contract that the City holds with the Corp of Engineers regarding the lake.

City Manager Herb Llewellyn stated that recently the City has received some calls with concern over an upcoming balloon payment.

City Manager Llewellyn stated that in 1972 the City entered into a 100 year contract with the Corp of Engineers to own the drinking and industrial water storage in the lake. He stated that the Corp sold the City water from elevation 12.96 to 13.39. Any water above that is excess and belongs to the Corp.

City Manager Llewellyn stated that the City already owned El Dorado Lake and Bluestem Lake. They deeded those to the Corp and received 28% of that volume in return. We only pay Operating and Maintenance on that water.

City Manager Llewellyn stated that in order to use more than the portion we own, we have to activate that part of the contract. In 1991, the City bought eight percent more and activated a fifty year mortgage. The City pays annually on that portion and will pay it off in 2041.

City Manager Llewellyn stated that in 2004 another 13.5% was purchased by the City with another fifty year mortgage. The City also pays annually on that portion until 2054.

City Manager Llewellyn stated that as more customers are gained by the City, we are able to purchase more of the water available to us. The City invests money each year so that in 2081, we are able to pay for the remainder of our supply.

City Manager Llewellyn stated that as we buy more, the balloon payment becomes less and we gain a fifty year mortgage payment.

Commissioner Shane Krause confirmed that the original loan was \$35 million.

Director of Public Utilities Kurt Bookout stated that he was correct.

Commissioner Krause confirmed that if the City had not increased its water usage, they would not have had to pay anything to the Corp of Engineers until the end of the original 100 year agreement.

City Manager Llewellyn stated that it can be paid off early if the City chooses to do so.

Mayor Tom McKibban asked about the current lake level.

Mr. Bookout stated that the lake is currently down 4.3 feet.

Mayor McKibban also confirmed that the City of Wichita has not asked the City of El Dorado to sell them water.

Mr. Bookout stated that he was correct.

City Manger Llewellyn stated that should they ask, City Staff are working to prepare the City Commission.

Mayor McKibban stated that before the City Commission would sign a contract to sell more water, the best attorneys will review the contracts so that the City of El Dorado's water supply is not endangered.

City Manager Llewellyn confirmed that the primary responsibility is to the citizens of El Dorado, then current customers before any new customers.

WIND TURBINE

Mayor Tom McKibban asked about the progress on the wind turbine.

Public Utilities Director Kurt Bookout stated that the new tip was being manufactured, and the new shaft was being shipped to California this week. He stated that the projected completion date is sometime in February, which means that the wind turbine will hopefully be repaired in March.

CITY MANAGER'S REPORT

PRAIRIE TRAILS DRIVING RANGE

City Manager Herb Llewellyn stated that Jason Hughey and Jason Reiswig were present to discuss the new driving range at Prairie Trails.

Jason Hughey, Manager of Prairie Trails, stated that the new range would be between holes two and five. He state that the tee box would be on the north side where there is an existing path.

Mr. Hughey noted that they would be able to take dirt from the existing hill to build the tee box, but work would not be as extensive as if it was on the south side.

Commissioner Bill Young confirmed that they would be hitting south and that the path from the parking lot went to the proposed tee box.

Mr. Hughey stated that he was correct.

Mr. Hughey stated that they will pour some concrete on the back of the tee box to allow for use in the rain. He also stated that they plan to use existing sod so that they do not have to wait for grass to grow.

Commissioner Shane Krause asked if the advisory board was supporting the move.

Mr. Hughey stated that they were in favor of it.

Commissioner Nick Badwey asked how they would move forward.

City Manager Llewellyn stated that they have provided the costs of the driving range for the Commission and that they have a response to concerns about the housing development that would be in the middle of the driving range.

Mr. Hughey stated that the cost was approximately \$6,000. He stated that if the City chose to develop the area, the actual waste cost would be \$3,000 because most of the materials could be moved to a new location.

Commissioner Shane Krause asked if there was demand for development in this area.

City Manager Llewellyn stated that they had no current interest in the property.

Mayor Tom McKibban asked about the cost for membership.

Mr. Hughey stated that membership range from \$900 to \$1,700. He also stated that if individuals do not wish to purchase a membership, trail cards are a good alternative.

Mayor McKibban asked if the driving range was included with a membership.

Mr. Hughey stated that it was.

Mayor McKibban stated that he has received a lot of compliments on the golf course.

Mr. Hughey stated that Jason Reiswig, golf course superintendent, does an excellent job maintaining the golf course.

There was consent amongst the City Commission to move forward with the project.

City Manager Llewellyn reminded the City Commission that the City would be required to amend the restaurant budget because it was predicted that operations would be done by an outside agency.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing legal matters and non-elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 8:20 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

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

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:22 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 - 0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

February 4, 2013

The El Dorado City Commission met in regular session on February 4, 2013 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, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Stan Ruff	915 Rim Rock	El Dorado, KS
Russell and Jessica Baker	1001 S Emporia	El Dorado, KS
Amanda Showalter	405 N Emporia	El Dorado, KS
Javier Mendoza	301 Locust	El Dorado, KS
John Harms	1815 Quail Run	El Dorado, KS
John Grange	2515 Kacy Ct	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Victoria Gricol	1834 Leonard Ct	El Dorado, KS
Lily Wu	KAKE TV	Wichita, KS
Gio Garcia	KAKE TV	Wichita, KS
Julia Schwinn	KAKE TV	Wichita, KS
Patricia Briscoe	327 Dellway	El Dorado, KS
Tom Boren	128 N Vine	El Dorado, KS
Blake and Andrea VanAuken	314 Residence	El Dorado, KS
Cynthia Tudor	925 SE River Rd Apt 203	El Dorado, KS
Thelda Shelton	1140 S Arthur	El Dorado, KS
Naomi Flint	1502 Lowe	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the February 4, 2013, City Commission meeting to order.

INVOCATION

Pastor John Harms, First Southern Baptist Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Mrs Meyer’s 3rd grade class from Skelly Elementary led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were none.

CONSENT AGENDA

Approval of the January 22, 2012 City Commission Minutes.

Approval of the 01-13 Appropriation Ordinance in the amount of \$1,661,178.43.

Approval of committee/board minutes from 01/09/2013 for the Tree Board.

Commissioner Bill Young moved that the Consent Agenda, as presented be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

TAX EXEMPT BONDS

City Manager Herb Llewellyn stated that recently, the U.S. Congress has supported eliminating the tax-exempt status of municipal bonds. This action would remove one of the primary incentives to investing in municipal bonds and increase the future borrowing costs of the City.

City Manager Llewellyn stated that if the tax-exempt status of municipal bonds is lost, it would cause an increase in local property taxes or a decline in services.

City Manager Llewellyn stated that the Resolution included in the Commission packet encourages members of the Kansas delegation to engage in the debate and support the tax-exempt status of municipal bonds.

Commissioner Shane Krause moved that Resolution No. 2705, a resolution calling upon the Congressional delegation of the State of Kansas to oppose efforts to advance proposed legislation to eliminate the tax-exempt status of municipal bonds, be adopted.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

RECEIVE THE PETITION ON PROJECT NO. 396 – SANITARY SEWER TO SERVE THE GREENS AT PRAIRIE TRAILS PHASE II

Scott Rickard, Assistant City Engineer, stated that the City has received a petition from the developer of the Greens at Prairie Trails to extend sanitary sewer service to Phase II of the addition.

Mr. Rickard stated that the estimated cost born by the benefit district \$164,083.

Mr. Rickard stated that the paving of the road would open up eight lots for development immediately, and future paving would open more lots.

Mayor Tom McKibban clarified that the area was located between the golf course and 12th Avenue.

Commissioner Nick Badwey moved that Resolution No. 2706, a resolution determining the advisability of the making of certain internal improvements in the city of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (sanitary sewer extension improvements/project no. 396).

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

RECEIVE THE PETITION ON PROJECT NO. 399 – LIFT STATION AND FORCE MAIN TO SERVE THE GREENS AT PRAIRIE TRAILS PHASE II

Scott Rickard, Assistant City Engineer, stated that the City has received a petition from the developer of the Greens at Prairie Trails for a sanitary sewer lift station and force main to serve Phase II of the addition.

Mr. Rickard stated that the total cost for the project is \$123,826, estimated cost for the city-at-large is \$111,443.45.

Mr. Rickard stated that this would serve future development on the golf course as well as Phase II of the Greens of Prairie Trails.

Commissioner Nick Badwey moved that Resolution No. 2707, a resolution determining the advisability of the making of certain internal improvements in the city of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (sanitary sewer lift station and force main improvements/project no. 399).

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

PROJECT NO. 373 - SET A PUBLIC HEARING DATE

Scott Rickard, Assistant City Engineer, stated that project number 373, the extension of Walnut Valley Drive (Phase II) has been completed. The City Commission must set a hearing date to spread the costs to the properties involved.

Mr. Rickard stated that the final cost of the project was \$80,626.41. The cost to the improvement district is \$64,503.38 and the cost to the City-at-large is \$16,123.03.

Commissioner Bill Young moved to set the public hearing for 7:00 p.m. on February 18, 2013 to be held for the purpose of considering the proposed assessments of the cost of Project No. 373, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

PROJECT NO. 393 – SET A PUBLIC HEARING DATE

Scott Rickard, Assistant City Engineer, stated that project number 393 was the installation of a sewer line for the 100 block of North Summit. He stated that their original sewer line was attached to other residents' lines. The new line is connected to the sewer main.

Mr. Rickard stated that the final cost of the project was \$32,955.30, the improvement district cost was \$9,415.80, and the City-at-large cost was \$23,539.50. He stated that as other residents in the area require the service, costs will be spread to their properties as well.

Commissioner David Chapin moved to set the public hearing for 7:00 p.m. on February 18, 2013 to be held for the purpose of considering the proposed assessments of the cost of Project No. 393, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

**AN ORDINANCE AMENDING THE EL DORADO MUNICIPAL CODE
PERTAINING TO SCHOOL ZONE TRAFFIC**

City Manager Herb Llewellyn stated that staff have been questioned about school crossing signals during the noon hour for schools who do not have classes that end or begin at noon.

City Manager Llewellyn stated that City Staff spoke to the School Districts in town and they no longer have noon classes at Lincoln, Grandview, and Oil Hill Elementary schools.

Assistant City Engineer Scott Rickard stated that school zones were removed around Washington which is no longer a school, and in front of the Middle School because that has not been posted or enforced.

Commissioner Shane Krause moved that Ordinance No. G-1147, an ordinance amending the El Dorado Municipal Code pertaining to School Zone, be approved.

Commissioner Nick Badwey 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

A RESOLUTION OF THE CITY OF EL DORADO, KANSAS AUTHORIZING THE EXECUTION AND DELIVERY OF A SALES TAX REBATE AGREEMENT WITH JOHN K. FISHER, INC.

City Manager Herb Llewellyn stated that this is the conclusion of work that has been generated by our bond counsel and is consistent with Kansas State law. He stated that if the Commission wished to discuss it in further detail, they must recess to executive session due to the business matters contained in the agreement.

Commissioner Nick Badwey moved that Resolution No. 2708, a resolution authorizing the execution and delivery of a sales tax rebate agreement with John K. Fisher be approved.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

UTILITY SERVICE PARTNERS

Commissioner Nick Badwey stated that he unfortunately had some experience with a bad sewer line, but that the insurance purchased through Utility Service Partners worked very well.

FIRE SUBSTATION OPEN HOUSE

Commissioner David Chapin reminded citizens that the Fire Substation open house would be February 19, 2013 at 3:00 p.m.

CITY MANAGER’S REPORT

ISO RATING

City Manager Herb Llewellyn stated that our ISO Rating will change from a five to a three on May 1, 2013. He stated that more information would be given in the budget process, but we received the majority of the points available for our location. We missed points on some training accessories and on the number of fire fighters that we have.

City Manager Llewellyn stated that we are one of very few Kansas cities that have the score of three.

City Manager Llewellyn stated that the surrounding townships also benefitted from the new rating.

MACHINERY TAXATION STATUTE

City Manager Herb Llewellyn stated that the City has received a letter from the Butler County Commission regarding pending legislation on how machinery and equipment are taxed.

City Manager Llewellyn stated that if the legislation passes, it will cause a loss of approximately \$400,000 in Butler County. This will cause a significant increase in taxes for small businesses and residents.

BIKE RACKS

City Manager Herb Llewellyn stated that the City of El Dorado and the Rotary Club cooperated to buy five bike racks to be placed around the City at the spray parks and downtown.

MAYORAL DEBATE

City Manager Herb Llewellyn stated that the City of El Dorado will be donating the use of the Civic Center to a Mayoral Debate, more details will be provided soon.

SHOOTING – 400 BLOCK OF NORTH ALLEGHANY

Chief of Police Tom Boren briefly discussed the incident in which a man was shot over the weekend. He stated that there were three individuals involved with the shooting, and after a pursuit through other counties, all three individuals are in custody.

Chief Boren stated that he could not say anything further because it was a current investigation.

EXECUTIVE SESSION

Commissioner Shane Krause moved to recess into an Executive Session for the purpose of discussing non-elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 8:05 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 3 – 2 (Mayor Tom McKibban and Commissioner David Chapin were opposed).

Mayor Tom McKibban reconvened the meeting at 8:05 p.m.

Commissioner Nick Badwey requested to recess into an Executive Session for an additional fifteen minutes for the purpose of discussing non-elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 8:20 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

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

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:20 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0 (Commissioner Nick Badwey had not yet returned to the Commission Room).

City Clerk Tabitha Sharp

Mayor Tom McKibban

The El Dorado City Commission met in regular session on February 18, 2013 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, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: Commissioner Bill Young.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Darla Carter	Family Life Center	El Dorado, KS
Suzi Thien	Sunlight Child Advocacy	El Dorado, KS
Andrew Conard	502 S Denver	El Dorado, KS
Marcus and Angie Deaver	1230 N Topeka	El Dorado, KS
Kristy Lowry	918 W Kansas	El Dorado, KS
Barbara Day	936 W 3 rd Ave	El Dorado, KS
Terri Foretti	521 S Denver	El Dorado, KS
Phil Wickwire	341 Village Rd	El Dorado, KS
Ernest Zuech	426 Ohio St	El Dorado, KS
Matt Rehder	220 E 1 st	El Dorado, KS
Craig Duncan	1817 SW Purity Springs Rd	El Dorado, KS
Rick Navarro	MV Purchasing	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the February 18, 2013, City Commission meeting to order.

INVOCATION

Pastor Andrew Conard, First United Methodist Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Phil Wickwire of the El Dorado Elks Club led the pledge of allegiance.

PERSONAL APPEARANCE

Lauren Lowry, winner of the League of Kansas Municipalities “If I Were Mayor” contest read her essay for the City Commission.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Terry Fiuretto, 521 S Denver, stated that her neighbor is running a landscape business from his home and does not have adequate parking. She stated that he is infringing on the parking for her bed and breakfast, for which she has an approved parking plan from the City.

Scott Rickard, Assistant City Engineer, stated that Matt Rehder has tracked the use and contacted her neighbor. He stated that they have not yet found him in violation, and will continue to track the use.

Commissioner Shane Krause asked if the land owner has control of on street parking.

Mr. Rickard stated that it was a public right of way.

Mayor Tom McKibban asked about the vehicle blocking the line of sight from her driveway.

Mr. Rickard stated that there's no parking within 25 feet of the corner.

Ms. Fiuretto stated that she was concerned about the snow plows and street sweeper who could not clear the street when he was parked there.

Mr. Rickard stated that they would contact her neighbor, he has been very willing to work with them.

CONSENT AGENDA

Approval of the February 4, 2013 City Commission Minutes.

Approval of committee/board minutes from December 20, 2012 from the Library Board.

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

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

DISTRIBUTION OF LIQUOR TAXES AND COURT FEES

LIQUOR TAXES

Finance Director Tammy Schaffer stated that during 2012 the City received \$72,009.25 in Liquor Tax Revenue; \$36,004.62 was allocated to the General Fund and \$36,004.63 to the Special Parks and Recreation Fund. One-third of the revenue allocated to the Special Parks and Recreation Fund, \$12,001.54, is for the Liquor Tax Program.

Ms. Schaffer stated that the balance as of 12/31/11 available for the liquor tax program was \$4,011.31. At the City Commission meeting on 2/20/12 for the 2012 budget, the Commission allocated \$4,000.00 to be given to Non-Profit Organizations leaving an ending balance of \$11.31. The total available for 2013 *Liquor Tax Program* is \$12,012.85.

Ms. Schaffer stated that the City has received applications from SCARF and Family Life Center for this money.

Commissioner Nick Badwey moved to allocate the portion of the liquor 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:

Requesting Organization	Requested Amount	Commission Allocation
SCARF	2,500.00	
Family Life Center	4,000.00	
Total	<u>\$ 6,500.00</u>	<u>\$ -</u>

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

COURT FEES

Ms. Schaffer stated that the municipal court began collecting fees for this program in December 2009. During 2012 the City received \$7,087.50 in Court Fee Revenue. The balance as of 12/31/11 available for the liquor tax program was \$5,488.00. At the City Commission meeting on 2/20/12 for the 2012 budget, the Commission allocated \$5,000.00

to be given to Non-Profit Organizations leaving an ending balance of \$488.00. The total available for 2013 *Court Fee Program* is \$7,575.50.

Ms. Schaffer stated that the City has received applications from the Elks Lodge, SCARF, and Family Life Center for this money.

Mayor Tom McKibban asked why the First United Methodist Church had not requested any money.

Ms. Schaffer explained that they have moved out of El Dorado.

Commissioner Nick Badwey 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:

Requesting Organization	Requested Amount	Commission Allocation
First United Methodist	-	
El Dorado Elks Lodge #1407	2,000.00	
SCARF	1,500.00	
Family Life Center	1,000.00	
Total	<u>\$ 4,500.00</u>	<u>\$ -</u>

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

APPLICATION TO REZONE 3760 SW 20TH FROM R-S RESIDENTIAL – SUBURBAN DISTRICT TO I-2 HEAVY INDUSTRIAL DISTRICT (CASE NO. 13-001-REZ)

Matt Rehder, Planning and Zoning, stated that MV Purchasing, LLC, of Wichita is requesting a 76-acre tract located at the NE/c of SW 20th and Purity Springs Road to be rezoned from R-S Suburban District to I-2 Heavy Industrial District. The lot currently contains 18 oil storage tanks via a Conditional Use Permit issued by Butler County in 2009. MVP wishes to add one 100,000 barrel tank at the northeast corner of the site.

Mr. Rehder stated that this property is within the city’s ETA and was reviewed by Butler County for conformance to its comprehensive plan. The County deemed the request in conformance to the plan at its January 22 meeting.

Mr. Rehder stated that at the January 31, 2013 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 6-0.

Mayor Tom McKibban asked about a recommendation from the County.

Mr. Rehder stated that he was not aware of the recommendation.

Scott Rickard, Assistant City Engineer, reviewed the truck routes. He stated that Purity Springs was not discussed in the available truck routes.

City Manager Herb Llewellyn stated that city staff would work with the County on the truck routes.

Commissioner David Chapin confirmed that the new tank would not be on the newly rezoned property.

Mr. Rehder confirmed that he was correct.

Mayor McKibban confirmed that by changing the zoning, the company would not have to return for future development.

Mr. Rehder confirmed he was correct.

Craig Duncan, 1817 SW Purity Springs Rd, stated that he was concerned about the speed of trucks driving on Purity Springs. The speed of these trucks causes excess dust and noise due to their brakes.

Commissioner Nick Badwey asked what the posted speed limit was.

Mr. Duncan stated that it was 55 mph, but that it was not safe to do that speed with the trucks coming through.

Commissioner Shane Krause asked what the maintenance schedule was.

Mr. Duncan stated that they maintain it, but after a few days it is ruined due to the number of trucks coming through.

Mayor McKibban explained that the issue was before the City Commission because of the zoning, but that they could contact the County and ask for assistance.

Rick Navarro of MV Purchasing stated that he would discuss these issues with his drivers.

Mayor McKibban asked if he would be willing to contact the County Commission as well to ask if the speed limit could be reduced.

Mr. Navarro stated he would be glad to do so.

Mayor McKibban stated that he appreciated the contributions of MV Purchasing to our community.

Commissioner David Chapin moved that the recommendation of the Planning Commission to approve Case No. 13-001-REZ requesting a rezoning of property located at 3760 SW 20th, be accepted and that Ordinance No. G-1148 be approved

Commissioner Shane Krause 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	Absent

PUBLIC HEARING FOR PROJECT NO. 373 – EXTEND WALNUT VALLEY DRIVE

Assistant City Engineer Scott Rickard stated that Project No. 373, the extension of Walnut Valley Drive, has been completed. A public hearing is required before the assessments are levied.

Mayor Tom McKibban opened the public hearing.

There were no comments.

Mayor McKibban closed the public hearing.

Commissioner Shane Krause moved that Ordinance No. S-1324, an ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of El Dorado, Kansas, as heretofore authorized by Resolution No. 2680 of the City; and providing for the collection of such special assessments (sanitary sewer improvements/project no. 373).

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	Absent
Position No. 3	Commissioner Nick Badwey	Yes

PUBLIC HEARING FOR PROJECT NO. 393 – BORING SEWER LINE 100 BLOCK OF NORTH SUMMIT

Assistant City Engineer Scott Rickard stated that project number 393, boring a sewer line for the 100 block of North Summit, is complete. A public hearing is required before the assessment can be levied.

Mayor Tom McKibban opened the public hearing.

There were no comments.

Mayor McKibban closed the public hearing.

Commissioner David Chapin moved that Ordinance No. S-1325, an ordinance levying special assessments on certain property to pay the costs of internal improvements in the city of El Dorado, Kansas, as heretofore authorized by resolution no. 2690 of the city; and providing for the collection of such special assessments (sanitary sewer improvements/project no. 393).

Commissioner Shane Krause seconded the motion.

ROLL CALL VOTE

	Mayor Tom McKibban	Yes
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

TEMPORARY NOTE 1884

Finance Director Tammy Schaffer stated that staff are requesting the issuance of a temporary note for projects 285, 289, 315, 333, 342, and 356.

City Manager Herb Llewellyn stated that the projects are funded out of our reserves and we must issue a temporary note and then go to bond in order to replenish those reserves.

Commissioner Shane Krause asked about the effect of this debt on our City’s bond rating.

City Manager Herb Llewellyn stated that we are rated each time we request a temporary note or bond. We are much lower than the limit set by the State of Kansas and we have decent reserves, so we are not anticipating a big impact on the bond rating.

Commissioner Shane Krause moved that Resolution No. 2709, a resolution relating to the issuance of Temporary Note No. 1884 for Projects No. 285, 289, 315, 333, 342, and 356, be adopted.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0.

NEW BUSINESS

MAYORAL DEBATE

Commissioner David Chapin reminded citizens that the mayoral debate was February 21, 2013 at 7:00 p.m. at the Civic Center.

Commissioner Shane Krause asked if the debate would be televised.

City Clerk Tabitha Sharp stated that it would play on Channel 7 at 10:30 a.m. and 6:00 p.m. Friday and Saturday, 2:00 p.m. on Sunday and 7:00 p.m. on Monday. She stated it would also be available on 360eldorado.com.

Mayor Tom McKibban stated that he had received several calls, and thought it would be well attended.

ELECTION

Commissioner Nick Badwey reminded citizens to vote in the primary election on February 26, 2013.

CONSTRUCTION

Commissioner Krause asked about the patches on the street in front of the hospital.

City Manager Llewellyn stated that they were from a company in town that was trying out a new product.

Commissioner Krause also asked about the construction at 6th and Main.

Assistant City Engineer Scott Rickard stated that they will be waiting on a full week of fifty degree weather in order to get a good finished product. They will open the original alignment until the weather is good.

Commissioner Krause asked if it would still be ahead of schedule.

Mr. Rickard stated that it would.

SCHOOLS

Mayor Tom McKibban congratulated USD 490 students on an excellent academic and athletic year thus far.

WIND TURBINE

Mayor McKibban asked for an update on the wind turbine.

City Manager Llewellyn stated that they should be finished with the tip reconstruction this week. It was scheduled to be delivered the following week, and installation would be the first week of March.

WEATHER

Mayor McKibban urged citizens to be cautious in the upcoming bad weather.

CITY MANAGER’S REPORT

City Manager Herb Llewellyn stated that there were a few bills coming before the State Legislature that the Commission should be aware of. Senate Bill 209 is a bill that will prohibit government agencies from spending money within groups that have lobbyists, for example the Chamber of Commerce and League of Kansas Municipalities. This is how we are able to communicate with our legislators and if passed will cause funding issues for many groups. Commissioners will be forced to go up and work with legislators more.

Mayor Tom McKibban stated that he has already contacted his State Representative because this is a big concern.

There was agreement amongst the Commission to send a letter.

City Manager Llewellyn stated that the Legislature is also considering a bill that would move municipal elections to the fall and to make them partisan. He stated that this would make ballots very long and voters would not be sympathetic to municipalities after going through the rest of the election information.

There was agreement amongst the Commission to support leaving the election as it is so that local issues would not be lost in the mass of other issues.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into an Executive Session for the purpose of discussing legal matters and non-elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 8:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

Mayor Tom McKibban reconvened the meeting at 8:30 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:30 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

February 28, 2013

The El Dorado City Commission met in special session on February 28, 2013, at 5:00 p.m. 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, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Kurt Bookout	2520 Kacy Ct	El Dorado, KS
Andrew Hansen	Black and Veatch	Kansas City, KS
Dick Kaufman	Black and Veatch	Kansas City, KS
Michael Crawford	El Dorado High	El Dorado, KS
Dana McCoy	RWD #2	
Merrill Green	RWD #2	
Richard Marcum	RWD #3	
Steven Morgan	RWD #1	
Jason Patty	RWD #1/City of El Dorado	El Dorado, KS
Gerald Watson	RWD #1 and #7	
Willis Wilson	Aqua Tech Engineering	Augusta, KS
David Steward	101 S Star	El Dorado, KS
John Grange	2515 Kacy Ct	El Dorado, KS
Chase Locke	304 N Washington	El Dorado, KS
Larry Gaston	806 Delmar	El Dorado, KS
Jared Cobb	220 E 1 st	El Dorado, KS
Zeb Ahrens	1510 N Topeka	El Dorado, KS
Terrance Clark	312 State	El Dorado, KS
David Sundgren	840 E Par	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the February 28, 2013 Special City Commission meeting to order.

BLACK AND VEATCH WATER STUDY

City Manager Herb Llewellyn introduced Dick Kaufman and Andrew Hanson from Black and Veatch and stated they were here to summarize the study.

Dick Kaufman, Black and Veatch showed the Commission a slide show on lake history and water utilization by the City of El Dorado.

Mr. Kaufman stated that the lake was not being used to its full potential.

Andrew Hanson, Black and Veatch, discussed the yield analysis which shows how much water is available in the lake. He stated that there is two times more water in the lake than what El Dorado needs to satisfy their current demands, even in a drought.

Mr. Hanson stated that the City of El Dorado could run for almost five years without depleting the lake below the five feet that the City asked not to exceed. Usage below the five feet could have a negative impact on recreation.

Mr. Hanson posited that the water should be invested now in so that later, a reinvestment could be made to make the lake better.

Mr. Hanson stated that the next step would be to develop a plan to offer water to Wichita, who would be the obvious customer.

Mayor Tom McKibban asked to clarify the yield analysis.

Mr. Hanson confirmed that they were referring to the contracted amount, not the amount currently used when they stated the lake has two and a half times the amount of water needed by the City of El Dorado.

Commissioner Nick Badwey confirmed that the lake would not go below the five feet in this scenario.

Mr. Hanson stated that if a severe drought occurred, the City would be able to draw water at twice the normal use and still not go below our contracted use. However, it would draw below the five foot model in that case.

Mr. Hanson stated that in the model once the lake was below the five feet, the extra water was turned off and only the City's usage was included.

Commissioner David Chapin asked if there was no new water and the City took 30 million gallons per day for 30 days, how much would the lake drop.

Kurt Bookout, Director of Public Utilities, stated that it would drop 4.5 inches.

Mr. Bookout stated that the lake loses approximately 12 inches a month due to evaporation. He stated that we use about 1.5 feet per year currently for all of our customers.

Commissioner David Chapin asked how the lake is replenished.

Mr. Bookout stated it depends on the precipitation. Twenty inches of snow equals about two inches of water. He stated it also depends on how saturated the ground is, runoff, etc..

Mr. Bookout stated that rain also comes from the watershed to the north of the lake.

Commissioner Shane Krause asked if the City could quantify that amount.

Mr. Bookout stated that a study had been done previously.

Commissioner Krause asked about the term probabilistic analysis that was used in the Black and Veatch presentation.

Mr. Hanson stated that it is a probability based on historical analysis.

Commissioner Krause asked how global warming would affect the lake's water level.

Mr. Hanson stated that in general there is a lot of discussion, but as engineers they focus on facts that can be quantified. He stated that they have seen a decline in that affect because people are using water smarter.

City Manager Llewellyn stated that there is a note in the report about the change in rainfall.

Mr. Bookout stated that in the last 100 years, the average rain fall has gone up since the 100 year average thirty years ago. He stated that it has gone up about two inches.

City Manager Llewellyn stated that the biggest impact on the lake level is in how we use the water, which in turn is affected by how much it costs.

Commissioner Krause asked about the time period during which the City could provide this water.

Mr. Hanson stated that five years was the longest the City could deliver that much water without endangering lake if there was not further rain fall.

Commissioner Krause asked if boat use was affected beyond the five foot threshold.

Mr. Bookout stated that they would still be able to launch boats beyond five foot, but that is where the limit was set to be safe.

City Manager Llewellyn stated that the vision of selling water was aimed at the eleven billion that is lost downstream every year.

Commissioner Chapin asked about water that goes through the spillway and if the City would be able to sell it.

City Manager Llewellyn stated that if there was a customer that wanted a lot of water, we would have a conversation with the Corp of Engineers about storage. He stated that we would not base a decision to sell water on the Corp because it would be too difficult to change the number that we have access to.

Mayor McKibban stated that he and some City Staff members went to the drought planning initiative earlier in the week. He stated that there seemed to be several Wichita Commissioners interested in looking at El Dorado as an additional source, not the primary source. He stated that if their Commission relied only on El Dorado water, they would still not be able to sustain the City of Wichita.

Mayor McKibban stated that he wanted a cost/benefit plan that shows costs, how the City could turn the water on and off, how much would be available to sell, etc..

City Manager Llewellyn stated that the plan was the next step.

Mayor McKibban asked what Black and Veatch could bring back to show what it would look like if the City went forward with this plan to sell water. He stated that the Commission does not want to harm the livelihood of the lake, but understands that there is a lot of water being lost down river right now.

City Manager stated all of the assumptions are based on providing water to our current customers first and foremost.

Commissioner Bill Young stated that after attending the meeting, he realized how fortunate the City of El Dorado is to have the lake. He stated that the City Commission and City Staff's first priority is to protect El Dorado. He also stated that re-investing in the lake was important and could be done with the extra money.

Mayor McKibban stated that during the meeting he attended, buying water from El Dorado was not one of the City of Wichita's strategies. They are looking at many solutions in order to protect their future needs.

Mr. Bookout stated all of their current strategies include short term needs, because El Dorado is a long term solution.

Mr. Hanson stated that an important thing to do would be to identify how El Dorado Lake fits with the City of Wichita's needs. They might not need 30 MGD because their resources might be full at the time.

Commissioner Chapin asked for strategies on how to use the above pool water before we use our water.

Mayor McKibban thanked Black and Veatch for the information.

ADJOURNMENT

Commissioner Bill Young moved the meeting be adjourned at 5:42 p.m.

Commissioner David Chapin seconded the motion.

Motion Carried 5 – 0.

City Clerk Tabitha Sharp

Vice-Mayor Nick Badwey

The El Dorado City Commission met in regular session on March 4, 2013 at 7:00 pm in the Commission Room with the following present: Vice Mayor Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: Mayor Tom McKibban

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Frances Waldren	11028 W 17 th St	Wichita, KS
Judie Storandt	105 Race	El Dorado, KS
Larry Crouse	1101 S Summit	El Dorado, KS
Sue Austin	1721 W 5 th	El Dorado, KS
Randy Wells	507 Post Rd	El Dorado, KS
Taryn O'Brien	802 Finney	El Dorado, KS
Travis Pierce	405 Sunflower	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Jeff Masters	1958 Jamaica	El Dorado, KS

CALL TO ORDER

Vice Mayor Nick Badwey called the March 4, 2013, City Commission meeting to order.

INVOCATION

Reverend Wade Graber, First Baptist Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Ms. Lee's third grade class from Skelly Elementary led the pledge of allegiance.

PROCLAMATION

Frances Waldren from the Kansas Department of Aging and Disability Services, stated that they now offer free treatment for those with a gambling problem and their significant others. She stated that the highest number of people currently receiving treatment are located in our area. She stated that someone from her office is available to speak to groups of adults and children about the dangers of gambling.

Vice Mayor Nick Badwey asked how Kansas ranks in terms of gambling addiction.

Ms. Waldren stated that Kansas is not on spectrum yet because casinos have not been around long, they hope that it remains that way with the availability of counseling.

City Manager Herb Llewellyn stated that he had heard they were considering cutting funds at the State level.

Ms. Waldren stated that it has been considered because the problem is not widespread here, so counseling is not a high priority.

Vice Mayor Nick Badwey read the proclamation announcing Gambling Awareness Week in El Dorado, Kansas.

PERSONAL APPEARANCE

City Manager Herb Llewellyn asked Larry Crouse to come speak about the threat to trees in the area in the interest of protecting our current tree population.

Larry Crouse, Butler County Extension Office, stated that pine wilt is devastating pines throughout the area. He stated that there is no guaranteed way to protect them and it cannot be cured once a tree has been affected.

Mr. Crouse stated that they are currently studying how the disease is transmitted in order to better understand how to prevent it.

Mr. Crouse stated that emerald ash bore was coming from the north and reached Kansas last year. He stated they are having some success treating it with a product available in most stores.

Mr. Crouse stated that excessive heat and drought will be worst problem for Kansas this year.

Vice Mayor Badwey asked what trees are affected by the bore.

Mr. Crouse said any tree can get it, and that home owners can prevent it with pre-treatment.

Commissioner Bill Young stated that he appreciated the work Larry does with the City and the work of City Staff to continue beautifying our community.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of the February 18, 2013 City Commission Minutes.

Approval of Appropriation Ordinance 02-13 in the amount of \$1,691,255.14.

Commissioner Bill Young moved that the Consent Agenda, as presented be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

SALES TAX ADVISORY COMMITTEE RECOMMENDATIONS

Randy Wells, Committee Chairman, presented the recommendations from the sales tax committee.

Mr. Wells stated that total sales tax collections were \$2,341,040.93. He stated that after allocations for streets, property tax reduction and economic development per City Ordinance, the excess was \$341,040.93.

Mr. Wells stated that the Sales Tax Committee recommends that the City Commission allocate 3.49 mills for additional property tax reduction, \$100,000 for the second half of the Sixth Avenue sidewalk project, and \$25,000 to be placed in a project for the future renovation/expansion of the Sam Binter Tennis Courts.

Mr. Wells stated that this left the City with a balance of approximately \$50,000 in the excess sales tax fund.

Mr. Wells stated that the Sales Tax Renewal was on the upcoming municipal ballot and that it was important to renew it so that the City could continue to do these projects.

Vice Mayor Nick Badwey asked if the money allocated for the Tennis Club was to resurface the courts.

Mr. Wells stated it was a fund started with the intention of getting cooperation from USD 490 to build a six court complex made with a pre-stressed concrete base, a small building to store equipment and a shaded area for people during tournaments.

Commissioner Bill Young confirmed that this was a start up fund.

Mr. Wells stated that it was, and that the Tennis Club would possibly ask to use more sales tax money next year.

City Manager Herb Llewellyn stated that it was probably approximately a \$250,000 project, and that the money will just be set aside until project is ready.

Vice Mayor Badwey stated that tennis had a rich history in El Dorado.

Commissioner Shane Krause confirmed that the property tax reduction included almost 21 mills, which was a very important revenue source. He stated that it is important to renew the sales tax in order to keep that reduction going.

Mr. Wells stated that it is astounding to look at figures showing how much people outside of El Dorado pay in property tax as opposed to those residents of El Dorado.

Commissioner David Chapin stated that it was important to point out that many streets have been redone with this money as well.

Scott Rickard, Assistant City Engineer, stated that 95% of the streets in El Dorado have been redone with this money.

Vice Mayor Badwey opened the public hearing.

There were no comments.

Vice Mayor Badwey closed the public hearing.

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

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

REVISED TEMPORARY NOTE NO. 1884

City Manager Herb Llewellyn stated that this item is just for City Staff to advise the City Commission that the amount of Temporary Note 1884 will be lowered due to a change in the cost of a project.

City Manager Llewellyn stated that in addition, there are refinancing opportunities with our current debt, so the City might not actually issue the temporary note, instead they will refinance a bond and roll these projects into it.

SUPPLEMENTAL RESOLUTION FOR PROJECT NO. 285 (6TH AND MAIN INTERSECTION IMPROVEMENTS)

Assistant City Engineer Scott Rickard stated that in previous resolution numbers 2589 and 2602, the City Commission authorized the construction of project number 285 at an estimated cost of \$1,605,000 to be financed from the proceeds of general obligations bonds and funding from KDOT.

Mr. Rickard stated that per our agreement with KDOT they are responsible for 50% of the costs and then the City of El Dorado would be responsible for the remaining 50%. He stated that bond counsel has requested that a supplemental resolution be approved to authorize general obligation bonds in an amount not to exceed \$805,000 to reimburse the City for construction costs paid in connection with the project.

Mr. Rickard stated that this does not authorize any additional expenses in the project, but cleans up the prior resolutions and makes the wording more direct per bonding counsel request.

Commissioner Shane Krause moved that Resolution No. 2711, a resolution amending and supplementing Resolution Nos. 2589 and 2602 authorizing the improvement of a main trafficway within the City of El Dorado, Kansas; and providing for the payment of the costs thereof.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

NEW BUSINESS

Commissioner David Chapin asked for an update on Washington and Olive.

City Attorney Jim Murfin stated that he had looked into it this afternoon and actions have begun in court. He stated that action has been pending since late last year because there was difficulty discerning who actually owned the property due to the bank's involvement.

Mr. Murfin stated that he hoped to see some information from them within the next 24 hours and to have the issue resolved soon after.

Commissioner Chapin congratulated John Grange and Mike Fagg on their win in the Mayoral primary.

Commissioner Bill Young asked about the turf at MacDonald Stadium.

City Manager Herb Llewellyn stated that crews are back to work after the snow and installing foul lines today. He stated that when weather changed they had two to three days of work left to complete the project.

Commissioner Young inquired about the wind turbine.

Public Utilities Director Kurt Bookout stated that one tip was en route and the other will be shipped on the 8th. He stated that the repair team would be in El Dorado on the 15th and that they have quoted nine days to do the repairs given proper weather conditions.

Commissioner Young also congratulated Mr. Grange and Mr. Fagg. He also stated that there were many questions about some of the information that came out of the Mayoral debate.

City Manager Llewellyn stated that City Staff went over the debate and they have provided a listing of the corrections:

- The City did not spend \$50,000,000 on a pool at Prairie Trails, a pool worth approximately \$50,000 came with the golf course.
- The spray park at Graham Park, there is no Grandview Park, cost approximately \$120,000 and the spray park at North Main Park cost approximately \$152,000. Both parks include a filtering system.
- The City did not spend \$4,000,000 on a water line to the new Middle School. The actual cost was \$433,000 for line not only to middle school, but also down Country Club to 30th Street and back around to Main Street then south again. The cost also includes a loop to the water tower to get better flow to a fire hydrant.

Commissioner Bill Young confirmed that this water line will allow future land development.

City Manager Llewellyn continued with the corrections:

- All funds are budgeted, including the tourism fund, but City Staff only spend what is needed. Staff do their best not to use the whole fund.
- Lake debt paid over the last five years was \$4,338,631 for the portion of the lake currently being used, all of which is published in budget.
- Sales tax is used for funding general fund because of the property tax reduction component in the ordinance. The sales tax money allows the City to keep property tax rates down and this is approved every five years by the voters in El Dorado.
- The 38% increase in expenses in the budget is due to the addition of new services and also includes plans to do projects that are not always completed because Staff are unable to get grant money to fund the majority of the project. An example of this is the wind turbines that have been in the budget for several years. These have not been done because there is not grant money available to do the project.
- The average vehicle age is 1986, there are some newer vehicles to replace significantly older vehicles. The police patrol fleet is on average five years old with 65,000 miles on each car. The City remains cognizant of how our vehicles look because we want our public to know we value their resources and take care of what they give us, this often makes our vehicles look newer than they are.
- The Comprehensive Plan cost \$139,000 and includes subdivision and zoning regulations. It also talks about the direction we are taking as a city. The plan was done over a two year period with community, Commission, and staff involvement. The City was awarded a State award for our plan which is a great tool and asset.
- The City uses local contractors whenever possible and the City Commission encourages it with every project through the open bid process. The City is in the middle of a campaign to encourage buying and shopping local and most of our vehicles are bought locally.
- Prairie Trails had a total of 15,040 rounds of golf played in the year 2012.
- The airport was purchased in the 1950s and currently houses 39 planes. There were 19,000 landings in 2012 and there was a lot of fuel sold as well.

Commissioner Shane Krause confirmed that the airport also brings in revenue from those planes in the form of Hangar Rent.

City Manager Llewellyn continued with the statements made in the debate by stating that the City is supporting more community efforts than in previous years, e.g. the distribution of liquor taxes and court fees for organizations supporting families and children affected by drug and alcohol abuse. In fact, the City Commission established an extra revenue stream to do more for these groups.

Scott Rickard, Assistant City Engineer, addressed the comments about streets by stating that the engineering staff work to get to the amount allocated to street repair by the City Commission and are only limited by funds, not by the number of employees.

City Manager Llewellyn stated that the streets that are not in good condition are typically not city streets e.g. Towanda Avenue, and that the City cannot do anything to them without permission from the land owners.

Mr. Rickard stated that Pioneer Road was built as part of a grant that supported four entities BG Products, Barton Solvents, Pioneer Balloon and the City of El Dorado. The road opens up an additional 25 acres of marketable land in the Industrial Park.

City Manager Llewellyn stated that the grant could not be used on Towanda Avenue because of the specifics of the grant.

Mr. Rickard stated that the City's investment in Pioneer Road is around \$200,000. Estimates for Towanda Avenue are \$1.25 million. He stated that the City submits for grants every time there is an opportunity to get money for roads e.g. Towanda, Douglas, and Topeka.

City Manager Llewellyn continued with the final corrections:

- The City has a procurement policy for all items over \$5,000 and must follow it in order to purchase those items.
- Each department is required to have a 15% minimum in reserve in their budget each year.

Commissioner Young stated that he appreciated the answers and this was a good opportunity to explain misstatements.

Commissioner Krause confirmed that the City is audited each year to ensure that we operate according to accounting principles, and in addition to being audited the City wins awards for their financial processes.

City Manager Llewellyn stated that the auditors are actually in El Dorado working for us now.

City Manager Llewellyn stated that Staff have contacted the Corp of Engineers regarding repossessed lakes in Oklahoma that were mentioned in the debate, and no one in Tulsa Corp office knew what lakes the candidate had been referring to.

Mr. Bookout stated that he spoke to Eugene Gott, the regional supervisor, and he was unaware of that situation. He stated that the only way for this to happen was for the City not to pay the debt and as stated earlier, money is saved each year to pay not only the current year's debt, but also set aside to pay the debt in later years.

Commissioner Krause confirmed that the auditors would be able to find if staff or the City Commission were taking money.

City Manager Llewellyn stated that the City Commission sets policy and all purchases are sealed bid, lowest and best bid is awarded the contract.

Vice Mayor Nick Badwey stated that he went through new fire substation and it was very impressive, not fancy, but functional. He stated that it will cut down response times on west side of town.

City Manager Llewellyn stated that there is a large population out there, and the City needs first responders close to population centers.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that the City would honor severe weather awareness week by testing sirens tomorrow.

EXECUTIVE SESSION

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing legal matters, trade secrets, and non-elected personnel, and to reconvene the regularly scheduled meeting in the City Commission room at 9:10 p.m.

Commissioner Shane Krause seconded the motion.

Motion carried 4 – 0.

Vice Mayor Nick Badwey reconvened the meeting at 9:10 p.m.

Vice Mayor Badwey stated that he would open the public comment segment to allow a resident to speak.

Jeff Masters, 1958 Jamaica, stated that he was present to address some of the comments made earlier regarding the debate.

Mr. Masters stated that he made a mistake regarding the cost of the pool.

Vice Mayor Badwey assured him that the list of corrections was not made to point out his mistake, it was made to correct any misconceptions the public might be holding after the debate.

Mr. Masters also asked the Commission to read his trial transcript regarding when he was sent to prison.

City Attorney Jim Murfin stated that he did not want to prevent Mr. Masters from expressing his point, but it would be better if he read it himself.

Mr. Masters read his transcript and expressed his belief that Mr. Jackson was going to harm him which is why he shot the man. He stated that he believed the City was being run badly and discussed some statements that were made about him during the campaign for Mayor.

Commissioner Shane Krause stated that Mr. Masters was off topic. He stated that the City Commission was conducting city business and that Mr. Masters' issues with what was being said about him did not pertain to City business.

Mr. Masters stated that he was not out of the race for Mayor and would be running as a write-in.

Commissioner Bill Young stated that the City Commission felt that City Manager Herb Llewellyn has gone above his duties over the last year and after looking at the merit raise scale offered to other city employees, they Commission had decided to grant City Manager Llewellyn a six percent increase in pay.

Commissioner Young moved to grant the City Manager a six percent merit raise.

Commissioner Krause seconded the motion.

Motion carried 4 – 0.

Commissioner David Chapin stated that it has been a pleasure to work with City Manager Llewellyn over the last six years and to watch him grow as a City Manager.

Commissioners Krause and Young and Vice Mayor Badwey echoed those sentiments.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 9:30 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

City Clerk Tabitha Sharp

Vice Mayor Nick Badwey

EL DORADO CITY COMMISSION MEETING

March 18, 2013

The El Dorado City Commission met in regular session on March 18, 2013 at 7:00 pm in the Commission Room with the following present: Vice Mayor Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: Mayor Tom McKibban

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
David Stewart	101 S Star	El Dorado, KS
Travis Pierce	Police Department	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Thomas Dunning	705 Oak St	El Dorado, KS
Caleb Marsh	220 E 1 st	El Dorado, KS
Brad Meyer	222 E 2 nd	El Dorado, KS
Harold Cooper	4691 NE 10 th	El Dorado, KS
Gene White	6242 NE 10 th	El Dorado, KS
Krystal Wallace	515 N Washington	El Dorado, KS
Shawn Boyer	507 Ohio	El Dorado, KS
Julie Storandt	105 Race	El Dorado, KS
Terri Fiuretto	521 S Denver	El Dorado, KS

CALL TO ORDER

Vice Mayor Nick Badwey called the March 18, 2013, City Commission meeting to order.

INVOCATION

Mother Christine Gilson of Trinity Episcopal Church opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PUBLIC COMMENTS

Vice Mayor Nick Badwey opened the floor for public comments.

Terry Fiuretto, 521 S Denver, stated that she came to commission last month about her neighbor running a business out of his home. She stated that she felt nothing had happened and that he ran snow plows from his home at three in the morning during the snow storm.

Scott Rickard, Assistant City Engineer, stated that staff have been monitoring the situation and asked if Ms. Fiuretto would please contact him tomorrow so that could further discuss the situation.

CONSENT AGENDA

Approval of the February 28, 2013 Special City Commission Minutes and the March 4, 2013 City Commission Minutes.

Tabitha Sharp, City Clerk, asked to remove the February 18, 2013 minutes from the consent agenda as they had already been approved.

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

Commissioner Bill Young seconded the motion.

Motion carried 4 – 0.

SET A HEARING DATE FOR PROJECT NO. 289

Scott Rickard, Assistant City Engineer, stated that the project has been completed and assessments are ready. Final project cost was \$859,754.26, improvement district cost is \$522,314.04 and the City at Large cost was \$337,440.22.

Mr. Rickard stated that after the public hearing is set, each property owner would be mailed a description of the charges and notice of hearing.

Commissioner Bill Young moved to set the public hearing for 7:00 p.m. on April 1, 2013 to be held for the purpose of considering the proposed assessments of the cost of Project No. 289, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Shane Krause seconded the motion.

Motion carried 4 - 0.

SET A HEARING DATE FOR PROJECT NO. 356

Scott Rickard, Assistant City Engineer, stated that this project has been completed and assessments are ready. The City Commission needs to set a public hearing before the assessments can be spread on the tax rolls.

The total cost of the project was \$821,812.99, the improvement district cost is \$482,353 and the City at Large cost was \$339,459.99.

Commissioner Shane Krause moved to set the public hearing for 7:00 p.m. on April 1, 2013 to be held for the purpose of considering the proposed assessments of the cost of Project No. 356, and further direct individual mailings to each owner liable for the special assessments.

Commissioner Bill Young seconded the motion.

Motion carried 4 - 0.

CONSTRUCTION OF ADDITIONAL T-HANGARS AT THE CITY OF EL DORADO, CAPTAIN JACK WILBUR THOMAS AIRPORT

Brad Meyer, Public Works Director, stated that staff have formulated a list of eight tenants who are prepared to rent a T-Hangar. The last two will most likely be filled by the time the hangars are built.

Commissioner Shane Krause confirmed that these eight people are prepared to move into a T-Hangar.

Mr. Meyer stated that he was correct.

City Manager Herb Llewellyn confirmed that staff have found the individuals to fill the T-Hangars and have bid the project as the City Commission instructed them in a previous meeting.

Commissioner David Chapin stated it was important that the City continue to improve the airport as it is a valuable resource and also a source of revenue.

City Manager Llewellyn stated that some of the major employers in the City of El Dorado rely on the airport for quick access to their businesses.

Commissioner Bill Young stated for the knowledge of the public that the airport advisory board had originally recommended the construction of additional T-Hangars.

Commissioner Shane Krause stated that the more planes there are at the airport, the more fuel sales the airport will be able to generate. He asked if the new T-Hangars would be paid off by hangar rent.

Mr. Meyer stated that they are supported by hangar rent and mill levy monies. He stated that staff are not asking for more money to support the airport, just a continuation of the current mill that supports the airport.

City Manager Llewellyn stated that as the fuel sales increase, the higher the possibility that the airport will become less reliant on property taxes.

Commissioner Young asked how many planes are currently at the airport.

Caleb Marsh, Airport Manager, stated that there are approximately 40 planes, an increase of approximately 12 planes in the last three years.

Mr. Marsh stated that many of those planes are in multi storage, and those plane owners would like to have their own hangar so they do not have to wait for their planes to be removed from behind others in the multi storage hangar.

Commissioner Krause stated that this was a good continuation of the vision of the airport advisory board.

Commissioner Bill Young moved that Resolution No. 2712, a resolution authorizing and providing for improvements to the municipal airport, a public building in the City of El Dorado, Kansas; and providing for the payment of costs thereof (Project No. 375).

Commissioner Shane Krause seconded the motion.

Commissioner Chapin stated that this project would really increase the value of the airport.

Commissioner Young asked how long it would take.

Mr. Meyer stated that it would take ninety to one hundred twenty days.

Commissioner Shane Krause asked if the work would be performed by City Staff.

Mr. Meyer stated that the City would self perform some of the outside concrete work.

Motion carried 4 - 0.

PROPOSED ZONING TEXT AMENDMENTS – TRANSITIONAL HOUSING

Planning and Zoning Coordinator Matt Rehder stated that this item is in response to the directive of the City Commission that a transitional housing task force meet and provide a recommendation to the City Commission to move forward.

Mr. Rehder stated that the definition has changed to include 30 residents instead of 12. He stated that the phrase stating “for a certain period of time” was eliminated because it was too vague.

Mr. Rehder stated that this is a proposed use for districts R-3, C-1 and O-I, as opposed to all districts.

Mr. Rehder stated this would go in front of the Planning Commission in April if approved by the City Commission.

Vice Mayor Nick Badwey stated that this recommendation was the result of a lot of discussion in the four meetings.

Commissioner Bill Young asked for clarification on the districts.

Mr. Rehder stated that R-3 is high density residential, C-1 is the general commercial district, and O-I is office/institutional.

City Manager Herb Llewellyn noted that this is just an item that allows a public hearing in front of the Planning Commission. Should it come back in front of the City Commission, it will be a special use, not by right. The land owner will have to ask permission to have transitional housing in each location they wish to open it in. He stated that it gives the opportunity to those who would like to provide transitional housing in El Dorado the chance to do so.

Commissioner David Chapin asked about the downtown area.

Mr. Rehder stated that the majority of the downtown area is zoned C-2, so it would not be allowed in that area.

Commissioner Krause asked about the makeup of the committee.

Mr. Rehder stated that the committee included himself, Vice Mayor Badwey, Commissioner Young, Homeless Initiative, YMCA, School District, Salvation Army, police department, Butler County, and 4 citizens at large. He stated that attendance decreased as the meetings went on and that the core group about nine people.

Commissioner David Chapin moved to direct the Planning Commission to conduct a public hearing concerning proposed amendments to the zoning regulations concerning a transitional housing land use.

Commissioner Shane Krause seconded the motion.

Commissioner Krause confirmed that the public hearing must be held by law.

Mr. Rehder stated that he was correct.

Commissioner Krause asked if this would go further if not approved.

City Manager Llewellyn stated that the group could go directly to the Planning Commission with their request and if it passed there, it would go before the City Commission again.

Vice Mayor Badwey asked which Planning Commission meeting this would be on.

Mr. Rehder stated that it would be at the May meeting.

Motion carried 4 - 0.

NEW BUSINESS

VILLAGE AND CENTRAL LIGHT

Commissioner David Chapin asked about the street light at Village and Central.

City Manager Herb Llewellyn stated that they have reset the cameras recently and that a person must stop behind the white line in order for the camera to recognize their vehicle.

Scott Rickard, Assistant City Engineer, stated that if it recognizes a turning vehicle, it will complete the cycle.

MACDONALD STADIUM TURF

Commissioner Bill Young stated that the turf at MacDonald stadium looks great.

City Manager Llewellyn stated that there is a little bit of sod work that needs to be done still at MacDonald Stadium, so there will be some additional work at the stadium this week.

Commissioner Young stated that they are very appreciative of the contribution for the turf from Ramon Criss.

City Manager Llewellyn stated that this will accommodate play during rain where in the past there was a rain delay due to field conditions.

WIND TURBINE REPAIRS

Commissioner Young asked about the repairs on the wind turbine.

City Manager Llewellyn stated that the crew is in town and hoping the wind will be calm enough on Wednesday that they will be able to work.

POT HOLES ON CENTRAL

Commissioner Shane Krause asked about some pot holes on the bridge on East Central.

City Manager Llewellyn stated they had been filled, but have already been washed out, so will be repaired again.

RECREATION BOARD

Commissioner Krause stated that the Recreation Advisory Board had a meeting last week. The youth basketball league has just been completed. He stated that there has been a big issue with unsportsmanlike conduct in the basketball league and that the primary offenders were fans and parents who were yelling at officials and children.

Commissioner Krause stated that the Recreation Department is looking at changes they can make to allow for a more positive experience such as instituting the SAGE (Set A Good Example) program.

Commissioner Krause stated that the goal is to allow students to learn how to play the game and work with others.

Commissioner Krause stated that if others would like to be involved, they should contact the Recreation Department to learn more.

City Manager Llewellyn stated that it is difficult to call things like traveling for small children because of the size of the child. He stated that the program is about having fun and that is difficult when parents and coaches are abusing the officials and children.

6TH AND MAIN IMPROVEMENTS

Vice Mayor Nick Badwey stated he noticed the beginning of the mill and overlay at 6th and Main.

Scott Rickard, Assistant City Engineer, stated that they have had a delay due to the State's requirement that each truck be weighed after they are finished loading. The contractor is looking for scales so that they can complete the mill and overlay.

Commissioner Chapin asked if the removal of the asphalt was bid.

Mr. Rickard stated that they bid it per square foot, and KDOT pays per square ton.

CITY MANAGER'S REPORT

CITY OF AUGUSTA

City Manager Herb Llewellyn stated that the City of Augusta has asked for another year of no reset on their water contract. This means that where the contract would reset due to their increased use and they would be charged more, instead we will continue to sell water at that regular price.

Commissioner David Chapin asked to see numbers on the sales to Augusta before they make their decision.

Commissioner Bill Young stated he would also like to see the numbers on the Augusta sales to understand what we are selling them.

Commissioner Shane Krause asked if they are going over their limit by an extreme amount.

City Manager Llewellyn stated that the pipe line they rely on does not allow for a lot of water to be sent to Augusta.

Commissioner Chapin stated he just wanted to confirm that the City of El Dorado was not losing money.

EL DORADO INC.

City Manager Llewellyn stated that El Dorado Inc. has asked that the City put special assessments for infrastructure development in a temporary note to pass those savings along to the builder.

Commissioner Young stated that this was part of the discussion at the El Dorado Inc. housing meeting. He is in support of the process and there is not an extra cost for the residents of El Dorado.

Commissioner Krause and Vice Mayor Badwey were also in support of it.

RECYCLING

Brad Meyer stated that in 2009, the trash service became fully automated so that costs were stabilized and employees were safer.

Mr. Meyer stated that single stream recycling is now available to the City of El Dorado.

Commissioner Young asked to define single stream recycling.

Mr. Meyer stated that it means everything goes into one container, instead of being separated on the line.

Mr. Meyer stated that several of the major brokers have changed to single stream recycling and are now able to provide the outlet for the City of El Dorado to take their recycling materials.

Mr. Meyer stated that this will not affect our customers at this time; the only change will be in the way the materials are processed.

Mr. Meyer stated that bag delivery will be over the next two weeks and residents will continue to place their bags on the corner each week.

Mr. Meyer stated that there is only approximately \$15 in savings per ton, so they are still working on separating some of the materials for now. This will allow us to still sell those materials for a better price.

Mr. Meyer stated that this could lead to the automation of the recycling program.

City Manager Llewellyn stated that the first sign our residential customers will see is that they will be able to put everything in the same bag.

Mr. Meyer stated that if the test period is successful, we will stop collecting glass curb side. There would still be a place for it at the drive thru recycling center.

Mr. Meyer stated that they currently receive many calls about recycling carts, but those will be a few years down the road.

Commissioner Krause stated that switching to a cart would allow residents to put everything in the cart with no need for a bag.

Mr. Meyer stated that he was correct.

Commissioner Young confirmed that there is no change right now for the resident.

Mr. Meyer stated that he was correct.

Commissioner Chapin asked how many tons of trash has been kept out of the landfill over the years.

Mr. Meyer stated that all of the programs total average 1800 tons a year of recyclables. He stated that the majority of homes in El Dorado participate in the program every month.

Commissioner Young stated that this is another good example of a citizen's advisory board working well with staff to help make the City better.

ELECTION

City Manager Llewellyn stated that the election is April 2nd, and the forum is next Monday for all local candidates. The forum will not be broadcast live.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 8:20 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 1, 2013

The El Dorado City Commission met in regular session on April 1, 2013 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, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
John Grange	2515 Kacy Ct	El Dorado, KS
Eugene Herrman	405 School Road	El Dorado, KS
Harold Anderson	2820 W 3 rd	El Dorado, KS
Travis Pierce	128 N Vine	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Linda Jolly	11819 SW 21 st	Towanda, KS
Ed Gard	601 NW 30 th	El Dorado, KS
Aurora Myers	110 S Gordy	El Dorado, KS
Kenneth and Helen Wagner	2608 W 3 rd	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the April 1, 2013, City Commission meeting to order.

INVOCATION

City Manager Herb Llewellyn opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Elisa Scoby led the pledge of allegiance.

PROCLAMATION

Mayor Tom McKibban read the proclamation declaring April National Child Abuse Prevention Month.

Mayor McKibban read the proclamation declaring April 9, 2013 National Service Recognition Day.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

CONSENT AGENDA

Approval of the March 18, 2013 City Commission Minutes.

Approval of appropriation Ordinance 03-13 in the amount of \$2,014,829.39.

Approval of the 2013 temporary CMB License for:

Butler Community College
901 S. Haverhill Road
El Dorado, KS 67042.

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

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

PUBLIC HEARING FOR PROJECT NO. 289 (SCHOOL ROAD, CENTRAL TO 6TH)

Scott Rickard, Assistant City Engineer stated that the project on School Road had been completed and assessments needed to be spread. A public hearing must be held before the assessments are completed.

Mayor Tom McKibban opened the public hearing.

There were no comments.

Mayor McKibban closed the public hearing.

Commissioner Bill Young moved that Ordinance No. S-1326, an ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of El Dorado, Kansas, as heretofore authorized by resolution no. 2659 of the city; and providing for the collection of such special assessments (paving improvements/project no. 289).

Commissioner Shane Krause seconded the motion.

Motion carried 5 – 0.

PUBLIC HEARING FOR PROJECT NO. 356 (3rd AVENUE, BOYER TO VILLAGE)

Scott Rickard, Assistant City Engineer, stated that there needed to be a public hearing before spreading the assessments.

Mayor Tom McKibban opened the public hearing.

Eugene Herrman, 405 School Road, stated he appreciates the new road, and he asked that the corner of School Road be straightened.

Mr. Herrman also asked that there are speed limit signs placed on the road. He also asked for a police officer on this road around school release times.

Mayor McKibban closed the public hearing.

Commissioner Nick Badwey moved that Ordinance No. S-1327, an ordinance levying special assessments on certain property to pay the costs of internal improvements in the City of El Dorado, Kansas, as heretofore authorized by resolution no. 2660 of the city; and providing for the collection of such special assessments (paving improvements/project no. 356).

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

Mr. Herrman asked when they would know the amount of interest on the assessments.

Mr. Rickard stated that they expected rates in the high 2% to low 3% range.

City Manager Herb Llewellyn stated that the rate would be set on the third Monday of May.

SPEC HOUSING INCENTIVES RECOMMENDATIONS

City Manager Herb Llewellyn stated that there is a recommendation from an El Dorado Inc. ad hoc housing committee. He stated that representatives were available from El Dorado Inc. to discuss the recommendations.

Linda Jolly, El Dorado Inc., stated that there were not many new housing starts over the last year and a half. The committee believed that there needed to be incentives placed in order to encourage new housing.

Ms. Jolly stated that requirements included three bedrooms, two baths, two car garage, location and plans must be approved by a committee, and the minimum size of the home would be determined by the subdivision requirements.

Ms. Jolly stated that the committee is recommending that the committee be made up of a city employee, El Dorado Inc. representative, local realtor, local appraiser and local lender.

Ms. Jolly stated that for the builder to be eligible for the incentives; the approved home be listed on the Wichita Area Multi-List, a building permit must be pulled by August 1st, and that the home be completed within 180 days of the permit.

Ms. Jolly stated that after trying to sell the home for six months, the builder would be eligible for reimbursement of monthly interest equal to five percent of the building permit amount with a \$10,000 limit. They would also be eligible for reimbursement of \$150 of the special assessment amount.

Ms. Jolly stated that the committee is asking that the City set aside \$23,600, and that El Dorado Inc. do the same.

Ms. Jolly stated the parameters put in place are to ensure that the homes built meet the needs of the people who responded to the housing survey sent out in 2012.

Mayor Tom McKibban confirmed the survey was sent to the public and asked for confirmation of the make up of the committee.

Ms. Jolly stated that the survey was sent in 2012. She stated that the committee included members from El Dorado Inc., including City Commissioner Bill Young.

Commissioner Nick Badwey asked for clarification on the parameters for the homes.

Ms. Jolly stated that there needed to be homes that appealed to a wide variety of people. She stated that the number of bedrooms, bathrooms, the size of the yard, and the square footage of the finished portion of the home were all important factors.

Commissioner Badwey asked about the home listing and the requirement that it be listed on the multi list.

Ms. Jolly stated that she would have to follow up with the committee because of the requirement that in order to list on the multi-list, the person must be a realtor.

City Manager Llewellyn stated that the discussion that involved multi-list was to allow for a broader spectrum of buyers.

Ms. Jolly stated that the City Commission should consider that the new homes will be in existing developments. She stated that because these homes are not in new phases of development, it will be easier for them to be found in the multi list.

Commissioner Badwey asked when they would find out.

Ms. Jolly stated it will go back to the committee in April.

City Manager Llewellyn stated that if the City Commission did not do something soon, the City would lose the opportunity for new homes for the new jobs that have been created.

Commissioner David Chapin asked about the number of houses.

Ms. Jolly stated that there would be four.

Commissioner Chapin stated that he understood this was more of an insurance policy than anything and if the houses are sold in a reasonable amount of time then it would cost the City little to no money.

City Manager Llewellyn asked about the City the suggestion was modeled after.

Ms. Jolly stated that the City of Newton only paid a few months on one home.

Commissioner Badwey asked if this was in addition to the NRP.

City Manager Llewellyn stated that it was. He stated that this was geared towards spec homes to encourage more housing starts.

Commissioner Badwey asked when the NRP ran out.

Scott Rickard stated it expired in December of 2014.

Commissioner Shane Krause asked if someone built a house on the infield in downtown if it would qualify.

Ms. Jolly stated not for the assessment portion, it would for the property tax part.

Commissioner Krause asked where the City portion would come from.

City Manager Llewellyn stated that it would come from one of the economic development funds.

Commissioner Bill Young stated he thought it was a good program and a good opportunity to get new homes in El Dorado.

Commissioner Chapin stated that he had learned a lot about housing and that he really believed that it should be viewed as insurance against property sitting unused.

Commissioner Young stated that the structure of the program limited the exposure on the tax payers of the City.

Ms. Jolly stated that the exposure to the City was just a small portion of the exposure for the developers and builders.

Ms. Jolly stated that this is just one aspect of housing in El Dorado that the committee is looking at.

Ed Gard stated that the timing was important for this piece of the recommendation.

Commissioner Shane Krause moved that funding in the amount of \$23,600 be committed to the recommended spec housing program presented by the Ad Hoc Housing Committee and that the City.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner David Chapin congratulated WSU on making it to the Final Four.

Commissioner Chapin asked if patrol could be increased on Towanda because he had received many comments about speeding on that road.

Commissioner Chapin asked if there was something wrong with the Village and Central lights and if it was resolved.

City Manager Herb Llewellyn stated he believed that it was resolved after the last discussion. He stated that the cameras were subject to movement because of their placement on the poles. He stated if residents have trouble with it, they should call City Hall.

Commissioner Chapin encouraged residents to go vote tomorrow.

Commissioner Nick Badwey also encouraged residents to vote. He stated that voting means more on the local level.

Commissioner Badwey commented that the paving at 6th and Main was moving along.

Scott Rickard, Assistant City Engineer, stated that the weather has again put them off. He stated that the pavement marking would follow the pavement and that it was dependent upon the weather staying above 60 degrees.

Commissioner Bill Young stated that the wind turbine had been moving for a while now and it is good to see it going again.

Commissioner Young also encouraged the citizens to go vote especially in regards to the sales tax item.

Commissioner Shane Krause also encouraged citizens to vote. He congratulated Chase Locke on a good campaign.

Mayor Tom McKibban stated the high school forensics team had qualified a record 18 speakers to go to the National Forensics League.

Mayor McKibban asked about spring clean up.

City Manager Herb Llewellyn stated that it would be the week of April 8th on residents' regularly scheduled trash day.

Mayor McKibban asked about the lake level.

Commissioner Krause stated that it was down four feet nine inches.

Mayor McKibban asked about the progress on the spec building.

Scott stated that design work is under way and they need to work out the site plan.

Mayor McKibban asked about a sidewalk between the college, dorms and stadium.

Mr. Rickard stated that last week he received approval from KDOT to use federal funding for those sidewalks and the ones connecting the Criss addition on 12th.

Mr. Rickard stated that they will move forward with those projects soon.

City Manager Llewellyn stated they would also speak to the EFABC regarding connecting the old cart path.

Mayor McKibban thanked the City Manager for clarification on lake debt and sales tax. He asked how much of the sales tax comes from outside of town.

City Manager Llewellyn stated that previous studies had shown that up to forty percent of the sales tax is paid by citizens from out of town.

Mayor McKibban also pointed out the importance of the capital projects that are paid for with excess sales tax monies.

Mayor McKibban asked about the progress of the ball diamonds.

City Manager Llewellyn stated REC will set poles tomorrow and then a piece of concrete needed to be poured and then they would be ready.

Mayor McKibban confirmed that the infield at Mac stadium had been completed.

City Manager Llewellyn stated that it had been and games were being played on it.

Mayor McKibban thanked Ramon Criss for the donation.

Mayor McKibban stated that this Saturday, April 5th, is USD 490's family exercise day is at the stadium.

Mayor McKibban encouraged everyone to vote and make an informed decision.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that Friday, April 12th is the retirement reception for Police Chief Tom Boren and Thursday, April 18th is the retirement reception for Fire Chief Ken Nakaten.

City Manager Llewellyn stated that the City had received an innovation award for the spray park. He stated that many departments worked together to get it done.

City Manager Llewellyn stated that the wind turbine was spinning and producing power. He stated that it pauses when wind is not at the same speed at the top and bottom to allow the wind to pass.

Commissioner Chapin introduced Ally, one of the Youth Commissioners.

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 8:15 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 - 0.

Mayor McKibban reconvened the meeting.

Commissioner Krause stated that he had been on the EFABC since its inception and thought it was time for a change.

Commissioner Young stated that he is willing to take the position.

Commissioner Krause moved that Commissioner Bill Young be appointed as the City's liason to the Educational Facilities Authority of Butler County.

Commissioner Badwey seconded the motion.

Mayor McKibban stated he would also need to be replaced before the July meeting.

Motion carried 5 - 0.

ADJOURNMENT

EL DORADO CITY COMMISSION MEETING

April 1, 2013

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

Commissioner dave seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha Sharp

Mayor Tom McKibban

EL DORADO CITY COMMISSION MEETING

April 15, 2013

The El Dorado City Commission met in regular session on April 15, 2013 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, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Chet McCoy	336 N Simpson	El Dorado, KS
Mark Sommeville	Hospice of Kansas	El Dorado, KS
Mike Fagg	1810 N Terrace	El Dorado, KS
Karen Kolavalli	411 S Denver	El Dorado, KS
Glen Holson		El Dorado, KS
Park T Norris	505 School Rd	El Dorado, KS
Travis Pierce	220 E 1 st	El Dorado, KS
Ricke Whiteside	220 E 1 st	El Dorado, KS
Megan Kline		El Dorado, KS
Ken and Carol Huffman	220 E 1 st	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Kurt Bookout	2520 Kacy Ct	El Dorado, KS
Jim and Connie Phillips	216 W Central	El Dorado, KS
Chase Locke	304 N Washington	El Dorado, KS
Susan and Don Engels		El Dorado, KS
Steve Little	818 S High	El Dorado, KS

CALL TO ORDER

Mayor Tom McKibban called the April 15, 2013, City Commission meeting to order.

INVOCATION

Mark Sommerville, Hospice of Kansas, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Phil Wickwire, Elks Lodge, led the pledge of allegiance.

PROCLAMATION

Mayor McKibban read the proclamation declaring May 3rd through May 10th, 2013, El Dorado Elks Lodge National Youth Week.

Phil Wickwire, Elks Lodge, thanked the City Commission and City Staff for their support of Youth Week.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the April 1, 2013 City Commission Minutes.

Approval of the 2013 temporary CMB License for:

Elks Lodge
139 Oil Hill Road
El Dorado, KS 67042.

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

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

APPRECIATION OF SERVICE – OUT-GOING MAYOR AND CITY COMMISSIONER

City Manager Herb Llewellyn presented plaques in appreciation of the service of Mayor Tom McKibban and Commissioner Shane Krause.

Mayor Tom McKibban stated that it has been a pleasure serving as Mayor of the City of El Dorado. He stated that the City Staff make the jobs of the City Commission so easy and it is a pleasure to work with all of them.

Commissioner Shane Krause echoed the Mayor’s statements. He also stated that it had been a pleasure working with the others on the Commission.

ADJOURNMENT

Commissioner Shane Krause moved that the 2010 – 2012 Commission of the City of El Dorado adjourn sine die.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

April 15, 2013

The El Dorado City Commission met in regular session on April 15, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Chet McCoy	336 N Simpson	El Dorado, KS
Mark Sommeville	Hospice of Kansas	El Dorado, KS
Mike Fagg	1810 N Terrace	El Dorado, KS
Karen Kolavalli	411 S Denver	El Dorado, KS
Glen Holson		El Dorado, KS
Park T Norris	505 School Rd	El Dorado, KS
Travis Pierce	220 E 1 st	El Dorado, KS
Ricke Whiteside	220 E 1 st	El Dorado, KS
Megan Kline		El Dorado, KS
Ken and Carol Huffman	220 E 1 st	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Kurt Bookout	2520 Kacy Ct	El Dorado, KS
Jim and Connie Phillips	216 W Central	El Dorado, KS
Chase Locke	304 N Washington	El Dorado, KS
Susan and Don Engels		El Dorado, KS
Steve Little	818 S High	El Dorado, KS

CALL TO ORDER

Commissioner Bill Young called the April 15, 2013 meeting to order.

ADMINISTRATION OF OATH TO NEWLY ELECTED OFFICIALS

City Clerk Tabitha Sharp administered the oath of office to Commissioners Chase Locke and Nick Badwey and Mayor Michael Fagg.

APPOINTMENT OF A VICE MAYOR

City Manager Herb Llewellyn stated that a Vice Mayor is appointed annually to serve in the Mayor's absence.

Commissioner Chase Locke moved to appoint Commissioner Bill Young as Vice-Mayor for a one-year term.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 - 0.

DISCUSSION ON PAVING 4TH and 5TH AVENUES

City Manager Herb Llewellyn stated that as part of the annexation plan provided to areas that have been annexed into the City, the City agreed to provide street paving the northwest area of town.

Scott Rickard, Assistant City Engineer, stated that the street projects in this area began in 2009 with School Road and Third Avenue which are now completed.

City Manager Llewellyn stated that they will start the process which meets their obligations, but citizens can petition out of the project.

Commissioner David Chapin asked if there had been any petitions for the pavement of these streets.

City Manager Llewellyn stated that there have been some calls. He stated that there are two ways to have a street paved; the first is for a citizen to initiate a petition and the second is for the City Commission to initiate the process.

Commissioner Bill Young confirmed that there is two ways to initiate the process, through the citizen's petition or through city staff.

Mr. Rickard stated he was correct. He stated that tonight the project is being discussed with the City Commission and the next step would be a public hearing on the project which all of the citizens affected would be notified of.

Commissioner Young confirmed that no action was necessary on this project at this time.

Mr. Rickard stated he was correct.

City Manager Llewellyn confirmed that even if the project was started this year, it would not be completed until next year.

Mr. Rickard stated that he was correct, there was the possibility of storm sewer being started this year, and the street work would be done in 2014.

Mr. Rickard stated that there were some cost savings realized in other similar projects by increasing the scale and scope of the project, and that city staff will be attempting to implement those savings in this project as well.

Commissioner Chapin stated that many residents in that area were very happy with the new streets in that area. He stated that he agreed with beginning the discussions with residents on the paving of 4th and 5th Streets.

Commissioner Young stated he agreed it is a part of the CIP and in the annexation agreement and should be started.

Commissioner Chase Locke stated he felt it was good to pursue the project to see how residents feel about it.

Commissioner Nick Badwey also believed it was time to move forward with this project.

Mayor Michael Fagg stated that he wanted to see if a citizen would be willing to get a petition signed before the Commission had to move forward.

Mr. Rickard stated that in the past residents have begun petitions on the pavement project, but due to other constraints they had been unable to complete them.

Commissioner Young confirmed that the Commission could slow down if they hear that there is not support from the residents in the area.

Mr. Rickard stated that the next step was to set the public hearing which will be a month from the initiation of the project. He stated that the City Commission would be able to decide on a direction after hearing input from the citizens.

City Manager Llewellyn stated that staff will begin the process and report back to the City Commission in two weeks.

Commissioner Young wanted to confirm that the project was not beginning right away.

City Manager Llewellyn stated that it would not. He stated that this is just a step in following the annexation plan.

Commissioner Chapin confirmed that citizens had petitioned out of other street projects.

City Manager Llewellyn stated that Topeka Street was a good example of that because a significant number of citizens were against it.

Commissioner Chapin stated that Douglas was another street on which citizens have petitioned out of a street repair project.

Mayor Fagg stated that residents should contact Assistant City Engineer Scott Rickard if they wanted a petition or had questions.

REPLACEMENT OF ENGINE #8

City Manager Herb Llewellyn stated that Engine #8 was presented as a Capital Improvement Project (CIP) item to the City Commission as part of this year's budget. He stated that there is a plan to replace fire apparatus over the course of the next years because of the age of the current fleet. He stated that Engine #8 and a ladder truck are the last trucks to be replaced as part of this plan.

City Manager Llewellyn stated that it is anticipated that trucks on this replacement plan would be a lease purchases because they did not believe cash would be available. So far the City has been able to pay cash for each truck. This one would be a five year lease purchase.

City Manager Llewellyn stated that the prices on trucks have been going up quite a bit over the past few years. This truck was placed on the CIP as a \$400,000 item. The low bid was \$396,451.99 for just the truck. The cost of the truck with all equipment needed is \$468,085.99. City Staff believe that they can make do with minimal equipment at a cost of \$444,353.87.

Commissioner David Chapin asked about the age of the truck being replaced.

Fire Chief Ken Nakaten stated it was a 1990.

Commissioner Chapin asked what would happen to that truck.

City Manager Llewellyn stated that the City lost points on the ISO because there was no back up pumper truck; Engine #8 would serve as a backup.

Commissioner Nick Badwey asked for clarification on ISO.

City Manager Llewellyn stated that a City's ISO rating is based on their ability to fight fires. Over the past years we have worked on water pressure, response times and ability of the fire staff. The City was able to go to a rating of three from a five due to these changes.

Mayor Michael Fagg asked when Engine #9 was purchased.

Chief Nakaten stated that it was purchased in 2005 as part of a FEMA grant that paid approximately ninety percent of the cost.

Mayor Fagg confirmed the expense was in the budget.

City Manager Llewellyn clarified that it was in the 2013 CIP because city staff did not anticipate paying cash for it, and therefore it is not part of the budget.

Mayor Fagg asked if Engine #8 had ever had the engine replaced.

Chief Nakaten stated that it had not. He stated that maintenance and repair work was done all the time, but engines are not typically capable of being replaced.

Chief Nakaten stated that the NFPA recommended that fire trucks be replaced every 15 years, Engine #8 is now 23 years old, and if the city continues to use it, it will have no value in the near future. The City of El Dorado typically keeps trucks 20 years.

City Manager Llewellyn stated that the motor would likely not be the issue; the cost would primarily be in pumps and the distribution system.

Chief Nakaten stated that the pump has 637 hours and the engine has 3,682 hours of which a majority comes from sitting in place pumping water at a high rate per minute.

City Manager Llewellyn stated that we risk the possibility of a truck not operating correctly in an emergency situation.

Chief Nakaten stated that they do not want to wear out a truck; they want it to have value as a reserve engine.

Commissioner Chapin stated that he understood the pump was the most important part of that truck. He stated that he trusted the city staff who work with the trucks on a regular basis.

Commissioner Chase Locke asked what the difference in the equipment cost is.

Chief Nakaten stated that the lower bid is for essential equipment that makes the truck service ready, the higher bid includes items like hose and an expensive camera that can be pulled from another truck.

Commissioner Nick Badwey confirmed that by purchasing some equipment, the fire staff would not have to short any other trucks to operate it.

Chief Nakaten stated that the fire staff are trying to prevent that by purchasing some equipment for the truck.

Commissioner Young asked if the difference in equipment would create a life threatening situation.

Chief Nakaten stated he felt the fire staff could work around the shortage for this year and that the remaining equipment has already been placed in the budget for next year.

Mayor Fagg asked what Engine #8 was worth now.

Chief Nakaten stated it was approximately \$50,000.

Mayor Fagg asked what the insurance cost would be.

City Manager Llewellyn stated that staff would find out and get back to him.

Mayor Fagg asked what the depreciation was on the truck.

Chief Nakaten stated it was approximately ten years.

Mayor Fagg asked if there was trouble with the ladder truck.

Chief Nakaten stated it is serviceable, but there are some hydraulic problems that will be repaired later this year.

Commissioner Chapin asked how old the ladder truck was.

Chief stated it was twenty years old.

Commissioner Young asked what option the Chief was comfortable with.

Chief Nakaten stated he was comfortable with the minimum equipment.

Commissioner Chapin stated that a truck had to be purchased at some point.

Chief stated that a truck would have to be purchased and the value of Engine #8 is reduced if we wait longer.

Mayor Fagg asked if there was any money in the equipment reserve fund.

City Manager Llewellyn stated that there was approximately \$200,000 placed in the fund in anticipation of buying the ladder truck so that it would not have to be financed.

Mayor Fagg asked if there was still an agreement with Holly Frontier.

Chief Nakaten stated that there is a county wide fire protection agreement.

Commissioner Nick Badwey moved to approve the additional cost in the amount of \$444,353.87 on the bid for Engine #8.

Commissioner Bill Young seconded the motion.

Commissioner Young confirmed that the fire department could operate with this.

Chief Nakaten stated that he was positive that they could operate with the truck having the lesser equipment.

Mayor Fagg asked if the fire department was efficient now.

Chief Nakaten stated they were not.

Mayor Fagg stated that he had visited the fire department and was impressed with the staff. He stated that he believed if money was placed in the reserve, the city could pay cash for it.

City Manager Llewellyn stated that the city has done a good job with cash management and has been able to pay cash for all of the other trucks. The reason for leasing this truck is to save money for the ladder truck that needs to be purchased in two years.

City Manager Llewellyn stated that by borrowing for the truck now, the people benefitting from the truck purchase are paying for it. The benefits from the purchase are reaped while the city pays off the lease as opposed to leaving the money in the bank for a future purchase.

Commissioner Young asked if in the lease purchase option, the City would have the opportunity to pay it off early.

City Manager Llewellyn stated that he was correct and staff should have the information for the lease in the next week.

Commissioner Chapin asked how long it would take for the truck to be delivered.

Chief Nakaten said it would be seven to eight months.

City Manager Llewellyn stated that if the city prepays for the truck, they will receive a large discount.

Commissioner Chapin asked if they could put money down on the truck.

City Manager Llewellyn stated that they could, and will only borrow what is needed.

Commissioner Young stated that planning for the future was important and saving for the larger truck was important because the prices would continue to increase.

Commissioner Badwey stated he would like to leave the money in the reserve account.

City Manager Llewellyn stated that staff have been looking for a used ladder truck that is in good condition, but have been unable to find one thus far.

Motion carried 4 - 1. Mayor Fagg opposed.

PRAIRIE TRAILS ROOF AND CART PATH APPROVAL (PROJECTS 410 & 411)

City Manager Herb Llewellyn stated that in the 2013 CIP there is a project for \$100,000 to complete the cart paths. He stated that over the last year, our buildings have been examined and it was discovered that the roof at Prairie Trails is failing significantly.

City Manager Llewellyn stated that city staff are recommending that a portion of the \$100,000 be used to replace the roof.

Commissioner Chase Locke stated that he has been at Prairie Trails and there are significant leaks. He asked if the remaining money would complete the cart paths.

City Manager Llewellyn stated that it will be close, but not quite.

Mayor Michael Fagg asked if the roof would be covered by insurance.

City Manager Llewellyn stated that we could ask.

Commissioner Chapin asked if the roof was flat or pitched.

City Manager Llewellyn stated that it was pitched and made out of rolled goods.

Commissioner Chapin stated that leaks cause a lot of inside damage.

Commissioner Nick Badwey stated he has been there and that the leaks are bad and it should be replaced to prevent further deterioration of the building.

Commissioner Bill Young stated that he supported asking the insurance company to save for the cart paths so that the property purchased by the city can be maintained.

Mayor Fagg asked about the rest of the building.

City Manager Llewellyn stated that there are items on the CIP in the future for the building including the basement floor and the kitchen. He stated that he did not foresee these items coming in front of the Commission until there is a greater need.

Commissioner Locke stated that he believed the cart path was important as well. He stated he would like to know how much would be completed and what the cost would be.

Commissioner Young stated that he believed they should check with the insurance company to see if the roof would be covered. He also stated that the cart paths were important to increase revenue on days when the course is wet.

City Manager Llewellyn stated that staff has identified how much revenue is lost due to the course being closed to carts when the course is wet.

Mayor Fagg stated that at the American Legion allowed sponsors to donate portions of the cart path with their name on it.

Commissioner Young asked if this item could be tabled until insurance information is obtained.

City Manager Llewellyn stated even if the resolution is passed, staff will still check with the insurance company.

Commissioner David Chapin moved to approve Resolution No. 2713 for Projects No. 410 and 411, the extension of cart paths and a new roof at Prairie Trails Golf Course.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 - 1. Mayor Fagg was opposed.

2013 – 2014 LIABILITY INSURANCE LIMITS

City Manager Llewellyn stated that the City renews the liability insurance policy every April 1st through One Beacon Insurance. There is a \$500,000 limit on General Liability, Employment Practices Liability and Public Officials Errors & Omissions per State Statute. The Statute allows for municipalities to limit their exposure in State courts. However, the Statute does not extend to a federal court level and the City would be held liable for any costs over the \$500,000 in coverage.

City Manager Llewellyn stated that our insurance broker, ICI, has provided a proposal through One Beacon Insurance that extends our liability coverage to \$1,000,000. If the City were to choose the higher limit, the cost of insurance would increase approximately \$900 from the year 2012.

City Manager Llewellyn stated that by increasing the limits, it does allow people to sue us for more. He stated that the larger limits would help with the City's dealings with the railroad.

City Manager Llewellyn stated that due to the drop in the worker's comp rates, there has been significant savings in the insurance policy.

Commissioner Nick Badwey asked for an example of a federal lawsuit.

City Attorney Jim Murfin stated that perhaps a discrimination law suit could land the City in federal court. He stated that this is a minimal exposure for much more coverage.

City Manager Llewellyn stated that good management keeps us from being sued often.

Scott Rickard, Assistant City Engineer, stated that just the past summer a water line was leaking near the tracks and had to hire a contractor with the correct limits in order to fix the problem.

Mayor Michael Fagg stated he thought we should look at other cities' limits.

Commissioner David Chapin stated that this was less than one percent increase in the insurance costs for this coverage.

Commissioner Bill Young stated he would like to see what other cities are doing as well.

Commissioners Chase Locke and Nick Badwey stated that they agreed.

NEW BUSINESS

Commissioner David Chapin congratulated Mayor Fagg and Commissioner Locke on joining the Commission.

Commissioner Chapin asked about the wind turbine.

City Manager Llewellyn stated that the anticipation of the City was that it would spin 35% of the time; it has been spinning approximately 40%. He stated that the first bill with a good credit will be received soon.

City Manager Llewellyn stated that last week it did not spin a few days last week due to ice build-up.

Commissioner Chapin asked if it was generating more power than we use.

City Manager Llewellyn stated that he did not have the data yet.

Commissioner Badwey stated that 6th and Main Street is almost completed.

Scott Rickard, Assistant City Engineer, stated that the majority was done today. He stated that tomorrow the rest would be completed and the signal work would be done on Thursday.

City Manager Llewellyn stated that it was important to watch the temporary signals closely.

Commissioner Badwey reminded everyone to keep those in Boston in their prayers.

Commissioner Bill Young stated he was excited for 6th and Main to be finished. He also welcomed Commissioner Badwey back to the Commission and welcomed Mayor Fagg and Commissioner Locke.

Commissioner Chase Locke congratulated Tom McKibban and Shane Krause on their service and stated he looked forward to his four years of service.

Mayor Michael Fagg stated he looked forward to serving over the next two years with the Commission.

Mayor Fagg stated he would like to sign up for the League's training in May.

Commissioner Locke stated he would like to attend as well.

Mayor Fagg also asked for an orientation session for the new members of the City Commission.

City Manager Llewellyn stated that it could be done one on one or in an employee orientation tour.

Mayor Fagg commended City Manager Llewellyn on his weekly notes.

City Manager Llewellyn stated his weekly report would include updates and he would also send out information on urgent matters on a daily basis.

Mayor Fagg asked for an actual versus budgeted amount for 2012.

City Manager Llewellyn stated he would get that for him.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that he would like to have a work session for the 2014 CIP on May 1, 2013. He stated that this is the first session in the budget process which city staff hopes to complete in mid-July. He also stated that board appointments would be done in that meeting.

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 9:05 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 - 0.

Mayor Michael Fagg reconvened the regularly scheduled commission meeting at 9:05 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 9:06 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO SPECIAL CITY COMMISSION MEETING

May 1, 2013

The El Dorado City Commission met in special session on May 1, 2013, at 4:00 p.m. in the Commission Room with the following present: Mayor Michael Fagg Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Kurt Bookout	220 E 1 st	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Jason Hughey	220 E 1 st	El Dorado, KS
Curt Zieman	220 E 1 st	El Dorado, KS
Mary Ann Monzani	220 E 1 st	El Dorado, KS
Joe Haag	220 E 1 st	El Dorado, KS
Steve Little	Box 151	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Michael Fagg called the May 1, 2013 Special City Commission meeting to order.

ADVISORY BOARD APPOINTMENTS

Mary Ann Conrad, Administrative Assistant to the City Manager, presented the applications for advisory board appointments.

The City Commission agreed to place the applications received on the next regularly scheduled meeting.

CIP PRESENTATIONS

City department heads from Public Works, Public Utilities, Engineering, Fire, Police, Parks and Recreation and Prairie Trails were present to discuss CIP items for the next five years.

ADJOURNMENT

Commissioner Bill Young moved the meeting be adjourned at 6:27 p.m.

Commissioner David Chapin seconded the motion.

Motion Carried 5 – 0.

City Clerk Tabitha Sharp

Mayor Michael A. Fagg

The El Dorado City Commission met in regular session on May 6, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
John Templin	515 N West	Leon, KS
Keith West	1820 W 3 rd	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Marlene Avery	219 Hillcrest	El Dorado, KS
Ed Gard	601 NW 30 th	El Dorado, KS
Tom Kaleko	9225 Ward Pkwy	Kansas City, MO
George Fagg	320 N Atchison	El Dorado, KS
Glenn Hobson	1100 Towanda Ave	El Dorado, KS
Jeff Buckley	128 N Vine	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the May 6, 2013 meeting to order.

INVOCATION

City Manager Herb Llewellyn opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PROCLAMATIONS

Mayor Michael A. Fagg read a proclamation declaring May poppy month in El Dorado, Kansas, as an expression of gratitude to the men and women of this country who have risked their lives in defense of the freedoms which we continue to enjoy as American Citizens.

Mayor Fagg read a proclamation for public servants' week, honoring those who serve the public in our society.

PERSONAL APPEARANCE

Marlene Avery, El Dorado Municipal Band, requested that the contract between the City of El Dorado and the Municipal Band be continued.

Ms. Avery announced several performance dates, most of which are Thursday evenings and are held at the band shell at Forest Park.

Commissioner Bill Young encouraged the citizens to go out and support the band.

Mayor Michael Fagg asked how much the contract was.

City Manager Herb Llewellyn stated that it was \$7,000.

Mayor Fagg asked if a motion was needed.

City Manager Llewellyn stated that he would look over the contract and let him know.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were none.

CONSENT AGENDA

Approval of the City Commission minutes from April 15, 2013.

Approval of Appropriation Ordinance 04-13 in the amount of \$1,334,397.97.

City Manager Herb Llewellyn stated that there were some corrections made to the minutes in regards to the conversation about the fire engine, the corrected copy was attached to the agenda before the meeting.

Mayor Michael Fagg thanked staff for the new version of the appropriation ordinance.

Mayor Fagg asked the City Manager to explain the line item for personnel in the stormwater fund.

City Manager Herb Llewellyn stated that it was pays portions of several employees' salaries that work with our stormwater system.

Mayor Fagg asked what the contractual cost under the Industrial Mill Levy was.

City Manager Llewellyn stated he would find out and get back to the Mayor, he believed it might be for the spec building the City was doing with El Dorado Inc.

Mayor Fagg asked about the contractual cost in the special park and recreation fund.

City Manager Llewellyn stated he would also have to look at that charge.

Mayor Fagg asked about the encumbrance in the construction fund.

City Manager Llewellyn stated he would have to see what was ordered.

Mayor Fagg asked about the charges in personnel in the data processing fund.

City Manager Llewellyn stated that it was for the clerks in the administration department that process billing, etc...

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

Commissioner Bill Young seconded the motion.

Motion carried 5 - 0.

ADVISORY BOARD REAPPOINTMENTS AND NEW MEMBER APPOINTMENTS

Mayor Michael Fagg asked if they needed to read the appointments.

City Manager Herb Llewellyn stated they just needed to read the motion.

Mayor Fagg stated that they are reappointing sixteen people to boards and committees and appointing three new people to these boards.

Commissioner Bill Young moved to approve the advisory board member reappointments and new member appointments as specified here within.

Commissioner Chase Locke seconded the motion.

Mayor Fagg asked if any other Commissioners had spoken to interested people.

Commissioner Locke stated that he had some interested parties; however they were concerned about meeting times.

City Manager Llewellyn stated that there were only two or three boards that meet before five.

Mayor Fagg asked that if any applications are received at city hall that the administrative assistant send them via e-mail to the Commission.

Commissioner David Chapin asked how many positions were left to fill.

City Manager Herb Llewellyn stated that there were approximately five or six more.

Commissioner Bill Young stated that it was a great way to get involved in the City.

Motion carried 5 - 0.

INTEREST RATES FOR THE LEASE ON ENGINE #8

Mayor Michael Fagg asked if the new truck would be engine #8.

City Manager Herb Llewellyn stated that he was not sure how they were numbered; it was more accurately the lease on the new pumper truck.

City Manager Llewellyn stated that the City Commission instructed staff to move forward with a five year lease on the new pumper truck. He stated that they have received bids and that the lowest bid was Intrust Bank.

Commissioner David Chapin stated that it was a basic lease.

City Manager Llewellyn stated he was correct.

Commissioner Chapin asked if we would own the truck when the lease was up.

City Manager Llewellyn stated we would.

Mayor Fagg asked if the pumper truck was in the budget as well as the CIP.

City Manager Llewellyn stated it was not. He stated that if it was in the budget, it would have assumed a cash payment.

Mayor Fagg asked if the lease payment was in the budget.

City Manager Llewellyn stated that it was in next year's budget.

Finance Director Tammy Schaffer stated that the payment would be \$8,088.27.

Commissioner Chapin asked when we would take possession.

City Manager Llewellyn stated that it would be the end of the year.

Mayor Fagg asked what the interest earning on our reserves was.

City Manager Llewellyn stated it was approximately a quarter percent.

Mayor Fagg asked how much was in reserves.

City Manager Llewellyn stated that there was approximately \$8,000,000.

Mayor Fagg stated that he figured the interest on the lease to be \$12,259 the first year. He asked why the City would lease the truck if they had cash in reserves and could save the interest.

Commissioner Nick Badwey stated they were using a lease purchase on the fire truck in order to save the cash in reserves to purchase the aerial truck in two years.

Mayor Fagg stated that they could take the money they were paying to the lease and save it for the larger truck. He stated that the amount saved could buy a police car.

Commissioner Chase Locke asked how much the aerial would cost.

City Manager Llewellyn stated it would be at least a million dollars.

City Manager Llewellyn stated that the decision was up to the Commission. He stated that it would empty the equipment reserves.

Commissioner Bill Young stated that he did not want to be in the position in two years requiring a lease on a million dollar piece of equipment as opposed to a lease on a smaller piece of equipment.

City Manager Llewellyn stated that previously the city has done well paying cash for equipment; this is the first piece of equipment that is being recommended for a lease.

City Manager Llewellyn stated he did not have qualms about leasing a fire truck because it does not depreciate at the same rate as a smaller piece of equipment.

Commissioner Chapin stated that he relied on city staff to explain how they arrived at the decision to lease the vehicle because they are more familiar with the city's finances. He stated that he believed that staff know how best to manage the money.

City Manager Llewellyn stated that staff would rather pay a lease on the smaller truck because they could reduce the price of the aerial truck by saving money over the next two years.

Commissioner Chapin stated that both options seemed good, but asked what staff thought would be better.

City Manager Llewellyn stated that the Commission would defer an interest payment by not leasing the current truck.

Commissioner Chapin confirmed that they may defer a larger interest payment on the aerial if they save money.

City Manager Llewellyn stated that if more cash comes in then expected and the City continues to operate frugally, they will put more money in equipment reserve to be able to better afford the larger truck. He stated the interest expense would either be incurred now or in 2015 with the larger cost, although he did not believe that interest rates would increase significantly over those two years.

Mayor Fagg stated he believed in 2015, there would then be two payments.

Commissioner Chase Locke stated he could see both sides, the million dollar truck was a lot of money.

Mayor Fagg stated that temporary notes were not expensive.

City Manager Llewellyn stated that the expectation of a temporary note was to go to bond. He stated that most bonds were twenty years and he did not believe it was a good idea to pay for a vehicle that would depreciate for that many years.

Commissioner Chapin asked about our current financial rating.

City Manager Llewellyn stated we still had an A plus rating, and would meet with Standard and Poor later this month to be rated for the bond.

Commissioner Nick Badwey stated he liked having the reserve, but if paying cash was a better deal, that would be alright.

City Manager Llewellyn stated that the reality is that they will not know if it was a good deal until 2015 because they only know that interest rates are low now.

Commissioner Young asked about the status of the current aerial truck.

City Manager Llewellyn stated it was supposed to be repaired last week. The larger issue with it has not been scheduled for repair yet.

Commissioner Young stated he was concerned about the aerial being out for maintenance and did not want to be in the position of not being able to purchase the aerial in a few years when it was necessary for fighting fires downtown and in the industrial park.

Commissioner Chapin stated he was in favor of the lease.

City Manager Llewellyn stated that this is the first year they have been able to put that much back for a truck.

Commissioner Chapin stated that he hated to spend the reserves down when they might be necessary for projects in the near future.

City Manager Llewellyn stated that there is nothing to stop the City from paying it off earlier if the Commission is comfortable with the level of reserves after the bond issue is passed.

Commissioner David Chapin moved to approve the lease agreement with Intrust Bank.

Commissioner Nick Badwey seconded the motion.

Motion carried 3-2. (Mayor Fagg and Commissioner Locke voted against the issue.)

GENERAL OBLIGATION BOND SALE

Tom Kaleko, Springsted Financial Advisors, stated that they take bids on the City's general obligation bonds. He stated that they also provide economic development advisement.

Mr. Kaleko stated they will be holding a site visit later this month, the sale will be June 3rd, and the bond will be completed on June 27th.

Mr. Kaleko stated that the bond will finance eight internal improvement projects for a total of \$2,700,000. They will also be refinancing the 2006 bonds for a total of \$2,600,000 and the 2008 bonds for a total of \$1,800,000. These bonds were used for street improvements, sidewalks, curb and gutter, benefit district improvements, the North Main bridge and a public building.

Mr. Kaleko stated that the bonds would be paid with special assessments, utility funds and some tax money.

Mr. Kaleko stated Springsted is showing approximately \$347,000 savings in interest by refinancing these bonds, which are subject to interest rates.

Mayor Michael Fagg asked how many years and the estimate on rate.

Mr. Kaleko stated on the new money portion there was an estimate of 1.9% true interest at 15 years. The 2006 bonds have an estimate of 1.2% and the 2008 bonds have an estimated true interest cost of 1.5%. He stated it would be 1.6% overall for the issue.

Mayor Fagg asked if Springsted receives a set fee.

Mr. Kaleko stated that they do, and that they were selected through a bid process.

Mayor Fagg asked if Gillmore and Bell were selected by Springsted.

City Manager Herb Llewellyn stated they were also bid.

Mr. Kaleko stated that Springsted is regulated by the municipal securities rule-making board. They have changed the rules so that an entity cannot serve as a financial advisor and purchase bonds.

Mayor Fagg asked if the City had a debt policy.

City Manager Llewellyn stated that the City does and that he could provide it.

Mayor Fagg asked why staff were not including the three million dollar internal loan that had been done for the stadium.

City Manager Llewellyn stated that there were two reasons: the first being that it would put us over \$10,000,000 and that makes the interest rates different; and second, by loaning ourselves money, the rate is greater than what we can get by investing the money for the lake debt.

Mayor Fagg stated he would like to keep the lake reserve debt separate from City funds. He stated that if they paid off the first note, it would be down to two notes.

City Manager Llewellyn stated that by loaning the money to ourselves, we are increasing the interest potential on the lake debt fund.

Commissioner Nick Badwey moved to approve Resolution No. 2714, a resolution of the City of El Dorado, Kansas, authorizing and providing for the public sale of the City's General Obligation Bonds, Series 2013A, in an amount not to exceed \$7,815,000; setting forth the details of said public sale and providing for the giving of notice thereof.

Commissioner David Chapin seconded the motion.

Motion carried 4 - 1 (Mayor Fagg voted against the issue.)

NEW BUSINESS

6TH AND MAIN

Commissioner Bill Young asked about 6th & Main's southbound traffic turning west on to 6th street.

City Manager Llewellyn stated that the minimum design curve is 45 feet and ours is designed at 65 feet. He stated we have looked at a few steps, including moving the stop bar in the turning lane on the east bound side of 6th street which is being done tonight.

City Manager Llewellyn asked the public to please be patient while staff figure out how to fix it.

Commissioner Young asked about left turn signals on North and South bound Main Street.

City Manager Llewellyn stated that the ability to have those signals is there, it is faster to do without the turn signals.

Commissioner Young stated that he was at the light through three cycles because he was behind a semi that could not turn left due to traffic.

Scott Rickard, Assistant City Engineer, stated that the timing of the lights right now is on a little bit of a learning curve while we figure out the best way to time the lights.

Commissioner Young stated he knew that there would be a learning curve.

Mr. Rickard stated the thought was to move traffic as quickly as possible. The City had discussed it with KDOT and the traffic at that light does not meet the standards for a protected left turn at that light.

City Manager Llewellyn stated we hope to continue and upgrade our system.

Mr. Rickard stated that the way of thinking for the MUTCD is for a green arrow or a flashing yellow arrow.

TRAFFIC ON CENTRAL

Mayor Michael Fagg stated he has received a call about the corner at Arthur and Central. The citizen asked if the timing of lights at Oil Hill and Summit could help to open up that intersection.

City Manager Llewellyn stated that the light at Oil Hill is triggered by traffic. He stated that it is important to keep Central Avenue moving at all times, so the side streets are triggered by traffic as opposed to being timed.

Mr. Rickard stated that in the future they are looking at placing a stop light at Arthur or Orchard to help with the traffic from side streets onto Central.

TOWANDA AND SUMMIT

Mayor Fagg stated that he received another call about Towanda and Summit. The caller asked if the city would consider a four way stop there.

City Manager Llewellyn stated they would look at accidents on Towanda and report back.

LAKE DEBT TRANSFERS

Mayor Fagg stated when looking at the 2013 budget, he saw a schedule of transfers from the refuse, water, sewer, industrial revenue and economic developments funds, and he wanted to know what the transfers to the lake debt were.

Finance Director Tammy Schaffer stated that the smaller amounts were the repayment on the internal loan. The larger amounts were the payment for the year.

EL DORADO BRONCOS BASEBALL

Mayor Fagg stated he had been contacted by the El Dorado Broncos and stated that host families were needed for the players.

Commissioner Young and City Manager Llewellyn stated that it is a great experience.

CITY MANAGER’S REPORT

City Manager Herb Llewellyn stated that a few weeks prior, staff had asked the Commission about increasing our liability insurance limits to one million dollars. Staff have researched other cities and their limits.

City Clerk Tabitha Sharp stated that she had only heard from a few cities, they only had the \$500,000 limit. ICI, the City’s insurance broker provides a million dollar limit to all but two of the cities they serve.

The City Commission stated they were fine with whatever decision staff came to.

City Manager Llewellyn stated he would just leave the limits at \$500,000.

EXECUTIVE SESSION

Commissioner Bill Young 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 9:05 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 - 0.

Mayor Fagg reconvened the regularly scheduled City Commission meeting at 9:05 p.m.

Commissioner Bill Young requested an additional 25 minutes for executive session.

Commissioner Chase Locke seconded the motion.

Motion carried 3 - 0. (Commissioners Badwey and Chapin remained in the conference room.)

Mayor Fagg reconvened the regularly scheduled City Commission meeting at 9:36 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 9:38 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO SPECIAL CITY COMMISSION MEETING May 15, 2013

The El Dorado City Commission met in special session on May 15, 2013, at 4:00 p.m. in the Commission Room with the following present: Mayor Michael Fagg Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, and City Clerk Tabitha Sharp.

VISITORS

Ashley Roedel	425 Random	El Dorado, KS
Vicky Bell	823 E 12 th	El Dorado, KS
Vic Auer	522 Post	El Dorado, KS
David Sundgren	840 Par Dr	El Dorado, KS
Steve Little	Box 151	El Dorado, KS
William Kloeblen	1770 Country Club Rd #2	El Dorado, KS
Kristi Jacobs	1275 S Topeka	El Dorado, KS
Linda Jolly	201 E Central	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Michael Fagg called the May 15, 2013 Special City Commission meeting to order.

OUTSIDE AGENCY BUDGET REQUESTS

Directors from the Library, Main Street, Broncos Baseball, and the CVB/El Dorado Inc./360El Dorado were present to present their budget requests for 2014.

ADJOURNMENT

Commissioner David Chapin moved the meeting be adjourned at 6:03 p.m.

Commissioner Bill Young seconded the motion.

Motion Carried 5 – 0.

City Clerk Tabitha Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

May 20, 2013

The El Dorado City Commission met in regular session on May 20, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Glenn Hobson	1100 Towanda	El Dorado, KS
Brooke Ryan	5734 SW Haverhill	El Dorado, KS
Victoria Gricol	1834 Leonard Ct	El Dorado, KS
Chandler and Clarice Bolen	511 W Central	El Dorado, KS
Alli Bieberle	1629 Arizona St	El Dorado, KS
Jim Gardner	930 Fairway Ct	El Dorado, KS
Ken Lassmann	415 S Haverhill	El Dorado, KS
Jim Poffenberger	Susan B Allen	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the May 20, 2013 meeting to order.

INVOCATION

Pastor Bill O'Connell, First Presbyterian Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PERSONAL APPEARANCE

Pastor O'Connell discussed Mission El Dorado, a volunteer opportunity that helps low income individuals make improvements to their homes. He stated that it would be taking place on

Youth Commissioner, Chandler Bolen, presented the City Commission with an update of the Youth Commission's activity over the past year.

Commissioner David Chapin thanked Jim Gardner, the sponsor for the Youth Commission, for all of his work.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were none.

CONSENT AGENDA

Approval of the Special City Commission Meeting Minutes from May 1, 2013 and the City Commission Meeting Minutes from May 6, 2013.

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

Commissioner Nick Badwey seconded the motion.

Motion carried 5 - 0.

2014-2019 CAPITOL IMPROVEMENT PLAN – PUBLIC HEARING

City Manager Herb Llewellyn stated that each year as part of the budget process, staff develops a six year capital improvement plan. This plan is presented to the Planning Commission in order to see if it follows the City's Comprehensive Plan.

City manager Llewellyn stated that this is part of the budget process; all items will be modified and brought back before the City Commission before any project is begun.

Commissioner Bill Young stated that the City Commission reviewed this plan a week ago as part of the budget process.

City Manager Llewellyn stated that this is the final public hearing; there have already been hearings with the Planning Commission and the City Manager.

Mayor Michael Fagg confirmed that this is not a final approval.

City Manager Llewellyn stated that every item will come back before the City Commission as part of a budget approval process or a capital project approval process.

Mayor Fagg asked if there would be any benefit to publishing the CIP.

City Manager Llewellyn stated it would be costly to do so, but otherwise beneficial to the public.

Mayor Fagg asked if it could be placed on the website and the website published in the paper.

City Manager Llewellyn stated that it could be done.

Mayor Fagg asked if the football stadium was on the CIP before it was done.

City Manager Llewellyn stated that he did not believe it was.

Scott Rickard, Assistant City Engineer, stated that portions of the stadium infrastructure were on the CIP in earlier years.

Commissioner Bill Young stated that the Gordy Park Improvements were a good example of a project that would be in the budget for approval by the City Commission prior to being done.

City Manager Llewellyn stated he was correct.

Commissioner Chapin stated that he looks at the CIP as a list of things that are needed and wanted. The needs are addressed first, and wants are addressed if money is available.

City Manager Llewellyn stated that he was correct; it is a plan for the future.

Mayor Fagg stated it is important to make sure that things are on there that need to be done, for example Towanda Avenue and Douglas Road.

City Manager Llewellyn stated that Towanda Avenue and streets like it were taken off because the property owners have opted out of the improvement.

Mayor Fagg stated that he believed it needed to be part of a plan.

City manager Llewellyn stated there is nothing that prevents it from being part of the plan.

Mayor Fagg asked about storm sewers.

Mr. Rickard stated that there are some on the plan for 2015, and others have been pulled because the maintenance work has already been done.

Mayor Fagg stated that at one point there was a list of items that needed to be completed within the stormwater utility.

Mr. Rickard stated they could produce an annual stormwater report to show the City Commission what has been done.

Mayor Fagg asked about how we take care of the streets that are not on the street program.

City Manager Llewellyn stated that they do mill and overlay according to the street policy. He stated that some streets have been turned into gravel so that they can be maintained better.

Mayor Fagg asked if there was a budget for that.

City Manager Llewellyn stated that City Staff reuses millings from other projects and so there are only labor and equipment costs. He stated that the City Commission would have to change the street policy in order to do work to other streets.

Mayor Fagg asked if that needed to be placed in the CIP.

City manager Llewellyn stated that it did not; it was just part of our everyday work.

Mayor Fagg opened the public hearing.

There were no comments.

Mayor Fagg closed the public hearing.

Commissioner Nick Badwey moved to approve the 2014 – 2019 Capital Improvement Plan.

Commissioner Chase Locke seconded the motion.

Motion carried 5-0.

GENERAL OBLIGATION BOND SALE

City manager Herb Llewellyn stated that staff inadvertently left off a temporary note for \$1.2 million from the bond sale resolution for last week, the new total is \$8.55 million.

Mayor Michael Fagg asked how many temporary notes the city has.

Finance Director Tammy Schaffer stated that this was the only temporary note.

Mayor Fagg asked if the City Manager could explain why the football stadium was not on this bond.

City Manager Llewellyn stated that the City Commission at the time did not want to use property tax funds to do the project. He also stated that there were not investments available at the interest rate needed for the lake debt. Lending the money to ourselves allowed the City to make the interest needed to build the lake debt fund.

Mayor Fagg stated his calculations showed that the City would save more money using a GO Bond, he asked if there was a rule against using the general obligation bonds.

Tom Kaleko, Springsted Financial Advisors, stated that under Kansas Statute, a sports facility must be voted on by the people to use general obligation monies.

City Manager Llewellyn stated that the discussion amongst the Commission at the time was centered on not raising the mill levy and building interest on the lake debt. He stated that if the money for the water fund is not made through interest, rates have to be increased in order to ensure that the payments on the lake can be made.

Commissioner Bill Young moved to approve Resolution No. 2715, a resolution of the City of El Dorado, Kansas authorizing the offering for sale of General Obligation Refunding Bonds, Series 2013A and repealing Resolution No. 2714.

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

RECEIVE THE PETITION – PROJECT NO. 416 – PAVING 4TH (SCHOOL TO BOYER)

Assistant City Engineer Scott Rickard stated that 20 of the 30 residents on 4th from School to Boyer have requested that the street be improved. He stated that staff are requesting to move forward with the project.

Mayor Fagg asked Mr. Rickard to explain the process.

Mr. Rickard stated that a file is put together for each property and a letter is sent to the property owner with the estimated cost. Once the project is approved, plans are made and bids are

received, the bids are brought to Commission for approval, the project is completed, and then the assessments are spread on the tax rolls by the Commission.

Mayor Fagg asked if the budget was affected because this was originally on the 2015 CIP.

Mr. Rickard stated that there was more interest in this project than in the one originally planned for 2014.

Mayor Fagg stated that the bike path could be taken off in order to allow funding for this project.

Mr. Rickard stated that as they have stated before, the bike path is a project that is only completed if the City receives a grant that covers approximately 80% of the funding necessary to complete it.

Commissioner Bill Young moved that Resolution No. 2716, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Paving Improvements./Project No. 416).

Commissioner Nick Badwey seconded the motion.

Commissioner David Chapin and Bill Young stated they were very happy to see this project initiated by the residents.

Motion 5 - 0.

RECEIVE THE PETITION – PROJECT NO. 417 – PAVING 5TH (SCHOOL TO BOYER)

Assistant City Engineer Scott Rickard stated that nine of the fifteen property owners requested these improvements on 5th Avenue from School Road to Boyer.

Commissioner Nick Badwey moved that Resolution No. 2717, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Paving Improvements/Project No. 417).

Commissioner David Chapin seconded the motion.

Commissioners David Chapin and Bill Young stated this is another great improvement.

Mayor Fagg stated he saw this on the 2016 Capital Improvement Plan.

Mr. Rickard stated that by placing this project with the previous one, the City is not exceeding the amount originally requested for the Hunton Road project in 2014. This also allows for more continuity in our projects.

Mayor Fagg asked if residents could petition out of this.

Mr. Rickard stated that once a sufficient petition is received, the project is approved. The residents can come to the Commission and request to be released from the project individually.

City Manager Herb Llewellyn stated that

Mayor Fagg asked if the bill was higher than originally thought, the resident would be stuck with it.

Mr. Rickard stated that all costs will go through the Commission for approval.

City Manager Llewellyn stated that everyone is made aware of the costs the project, and that if the bid for the project comes in over the Engineer's estimate, the cost to the property owner will go up.

Mr. Rickard stated that the City cannot go over the cost without coming back to the residents and the City Commission. He stated that discussions are held with the Commission and the residents to ensure that everyone is aware of what the bids are and how that affects the cost of the project.

Mayor Fagg confirmed that the costs would be spread over 20 years.

Mr. Rickard stated that he was correct.

Mr. Rickard stated that sometimes costs increase because residents ask for wider driveways or other items that are not figured in the original estimate.

Motion carried 5 - 0.

RECEIVE THE PETITION – PROJECT NO. 358 – CURB & GUTTER 300 BLOCK N. ATCHISON

Assistant City Engineer Scott Rickard stated that residents in the 300 block of North Atchison have requested new curb and gutter. He stated that staff are asking for approval to move forward with plan development and bidding on the project.

Mr. Rickard stated that this street is a brick road and that the curb and gutter is in bad shape.

Mr. Rickard stated that the City pays half of the cost of the project in accordance with policy.

Mayor Michael Fagg stated he would like to check on the condition of the street before moving forward with this project so that residents are not charged twice.

Mr. Rickard stated that it is his opinion that the street here is good, if the street does fail, the city will be able to pour the asphalt between the curb cuts.

Mr. Rickard stated that the City's share of this project will use sales tax monies.

Mayor Fagg asked if the area where Atchison crosses Second Street could be repaired.

Mr. Rickard stated that they're considering another method of repairing it to allow for better flow over the bricks.

Commissioner Chase Locke moved that Resolution No. 2718, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Curbing & Guttering Improvements/Project No. 358).

Commissioner Bill Young seconded the motion.

Mayor Fagg abstained because he has family that lives in the proposed repair area.

Motion carried 5 - 0. (An abstention follows the majority vote.)

APPLICATION TO REZONE 123 E PINE FROM C-2 CENTRAL BUSINESS DISTRICT TO C-1 GENERAL BUSINESS DISTRICT (CASE NO. 13-002-REZ)

Assistant City Engineer Scott Rickard stated that the property owner asked for the property be rezoned from C-2 to C-1 in order to place a car lot on the corner. He stated that the Planning Commission voted to recommend the rezone.

Commissioner Bill Young confirmed that this was east of the Four Square church.

Mr. Rickard confirmed that he was correct. They would have an entrance off of Vine and will remodel the existing building for an office.

Commissioner Nick Badwey moved that the recommendation of the Planning Commission to approve Case No. 13-002-REZ requesting a rezoning of property located at 123 E Pine, be accepted and that Ordinance No. G-1149 be approved.

Commissioner David Chapin seconded the motion.

Commissioner Young stated that the City was still looking for members for the Planning Commission to assist with items like this.

Mayor Fagg stated that he likes the staff report that accompanies Planning Commission items.

Mayor Fagg asked if people in the area are informed of the change.

Mr. Rickard stated that every property within 200 feet of the property is notified.

Commissioner Young asked if there were any comments.

Mr. Rickard stated that there were none.

Mayor Fagg asked if he could have a copy of the comprehensive plan.

City Manager Herb Llewellyn stated that he would get one for him.

ROLL CALL VOTE

	Mayor Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	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 OFF-SITE PARKING ON PROPERTY LOCATED AT 217 N. ATCHISON

Assistant City Engineer Scott Rickard stated that Susan B. Allen Hospital has requested permission for off street parking at 217 N Atchison. The proposed lot contains 41 potential spaces and will be reached from an existing curb cut. He stated that the Planning Commission approved the application.

Jim Poffenberger, Susan B. Allen, stated that have bought the property there in order to alleviate parking on the street and the problems associated with the parking congestion in that area.

Commissioner Badwey asked if they are going to tear the house down.

Mr. Poffenberger stated that they would once the Special Use Permit has been approved.

Commissioner David Chapin asked if letters had been sent to all of the property owners in the area.

Mr. Rickard stated that there was one resident who was concerned with the on street parking, he was in support of the parking lot.

Commissioner Young stated that this would go a long way in reducing that problem.

Commissioner Nick Badwey moved that the recommendation of the Planning Commission to approve Case No. 13-001-SUP requesting a Special Use Permit to allow an off-street parking lot at 217 N Atchison Street be accepted and that Ordinance No. G-1150 be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL VOTE

Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Michael Fagg	Yes

PROPOSED ZONING TEXT AMENDMENTS – TRANSITIONAL HOUSING

Assistant City Engineer Scott Rickard stated that the Planning Commission held a public hearing to discuss proposed text amendments to allow transitional housing in El Dorado. The

facility is defined as having not more than 30 residents, staff members will be provided as needed, and it will assist homeless individuals and families to permanent housing, provide job training, counseling and other necessary training.

Mr. Rickard stated that the housing will be allowed in R-3, C-1 and O-I zoning districts, with supplemental regulations allowing only one transitional home in each zoning district, no transitional housing in industrial areas, and the approval of a management plan.

Mr. Rickard stated that the text amendment was approved by the Planning Commission with a vote of 4-3.

Commissioner Bill Young asked how notification was handled for the public hearing.

Mr. Rickard stated that it was published in the El Dorado Times.

Commissioner Nick Badwey stated that there were numerous meetings attended by many people from the City of El Dorado. He stated that he was in support of this.

Commissioner David Chapin stated he believed this was a proper fit for the transitional housing.

Mayor Fagg asked if the homeless initiative was in support of the amendment.

Commissioner Badwey stated he believed they were in support of this based on their attendance at the meetings.

City Manager Llewellyn stated that he has not heard anything derogatory from them on this idea.

Commissioner Young stated that he felt it has been discussed thoroughly and that the plan is a positive one. He stated that he believed the Butler Homeless Initiative is ready to move forward.

Commissioner Nick Badwey moved to approve Ordinance No. G-1151, an ordinance amending Article 6 and Appendix A of the zoning regulations of the City of El Dorado.

Commissioner Chase Locke seconded the motion.

Commissioner Chapin stated that this was a good example of how the City officials and the people in El Dorado are able to work through an issue.

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 Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes

REDESIGN OF THE CONVENTION AND VISITOR'S BUREAU

City Manager Herb Llewellyn stated that the City Commission has been discussing moving the Convention and Visitor's Bureau to city hall, under the purview of the City Manager, in order to better market the City of El Dorado.

City Manager Llewellyn stated that this item would allow staff to notify the interested parties so that a new Memorandum of Understanding can be developed for the 2014 budget year.

Commissioner Chase Locke stated he thought this would be a positive change for the City and El Dorado Inc.

Commissioner Bill Young stated that over the last ten years, there have been opportunities to promote our facilities and this movement allows this to happen.

Commissioners Nick Badwey and David Chapin agreed as well.

Commissioner Chapin stated that they appreciate the work that El Dorado Inc has done.

Mayor Fagg stated he also agreed with the rest of the Commission. He stated he thought this would make the CVB more accountable to the tax payers.

Commissioner Bill Young moved to direct staff to provide notice to amend the aforementioned MOU as per section two of same and to work to have function to City immediately per section six.

Commissioner Chase Locke seconded the motion.

Commissioner Young stated he would like to reiterate what

Motion carried 5 - 0.

NEW BUSINESS

Commissioner Chase Locke stated that his thoughts and prayers were with those in Oklahoma. He also thanked the staff members that were at City Hall last night during the storms.

Commissioner Locke asked about lights at the intersection of 1st and Main.

City Manager Herb Llewellyn stated that the City Commission has asked about this previously. The State of Kansas has stated that the City cannot replace the signals; the City would have to request it from the State in order to put them up again.

Assistant City Engineer Scott Rickard stated that it would have to be addressed by the Secretary of Transportation.

Mayor Michael Fagg stated that the State analyzes this with traffic counts and the number of accidents. He also stated that there is a cost with having a signal there.

Mr. Rickard stated that the on street parking created some sight obstruction, yet the businesses downtown do not wish to cut those parking places from the front of their businesses.

City Manager Llewellyn stated that the parking near the intersections is closer than it should be. He also stated that the City had performed its own study to ask for the signal back, and our study also indicated that the signal was not necessary.

Commissioner Young stated that he liked that it was not signaled as well. He stated it could be a possibility to reduce the number of spaces closer to the intersection.

Commissioner Locke asked how many spots would be lost if the spaces closer to intersection were eliminated.

Mr. Rickard stated he could put something together to show the Commission.

Commissioner Locke congratulated the El Dorado High School Drama Department was nominated for fourteen Jester awards through the Music Theater of Wichita, and took home ten of them.

Commissioner Bill Young congratulated all of the graduates from the past weekend and wished them luck in the future.

Commissioner Nick Badwey asked how the work on the wind turbine was doing.

City Manager Llewellyn stated that they are scheduled to do the work this week. They have stated that it is not as bad as it looks.

Commissioner Badwey also said that his thoughts and prayers were with those in Oklahoma as well.

Commissioner Chapin also echoed the comments on Moore and graduation.

Mayor Michael Fagg asked what places were open in case of emergency.

City Manager Llewellyn stated that the Senior Center and City Hall are both open. If the storm is during library operating hours, the library is open as well.

Mayor Fagg asked when the building opens.

City Manager Llewellyn stated that we open when a warning is in effect.

Mayor Fagg stated that he thought it would be helpful to see a financial statement, tax return and letter of good standing for outside agencies when their budgets are presented.

Mayor Fagg asked if the City Commission sits in on the audit.

City Manager Llewellyn stated that the auditors meet with the City Commission.

Mayor Fagg stated that he saw the balance of the lake debt reserve was around \$4,500,000. He asked why it was not used to pay off the other note.

City manager Llewellyn stated that it was for a different debt stream. He stated that the \$2.2 million is for an active storage area. The sinking fund is for the future payment on the larger debt.

Mayor Fagg stated he thought the City could save money by paying that earlier.

City Manager Llewellyn stated they would bring information back to the Commission at the next meeting.

Commissioner Locke reminded citizens to apply for spaces on the various advisory boards and commissions.

CITY MANAGER'S REPORT

BUTLER SOFTBALL

City Manager Herb Llewellyn stated that Butler's Ladies Softball team went to the national championship. He congratulated them on their success.

4TH OF JULY

City Manager Llewellyn stated that El Dorado has had a celebration at Forest Park every year for the 4th of July. He stated that in addition fireworks have also been shot at several locations.

Kevin Wishart, Parks and Recreation, stated that there are various games geared each year towards children for the 4th of July celebration including a free swim and free lunch. He stated there have been other activities that have been attempted. Bands have been tried, but not well received. He stated that the recreation staff try to keep it family oriented.

City Manager Llewellyn stated that Commissioner Young had requested City Staff to take a look at the current celebration to see if it can be improved.

City Manager Llewellyn stated a decision needed to be made about where to shoot fireworks this year, the last indication was that they should be shot from the Legion property this year.

Commissioner Young stated that he has had many citizens come to him regarding the expansion of the celebration. He stated that people are missing some of the all day events that used to be present in El Dorado. He felt that there were businesses that would be willing to support the event.

Commissioner Badwey asked if we could get permission to shoot from the Corp of Engineers to shoot off of the dam.

City manager Llewellyn stated that the Corp of Engineers has promised to send the form seeking permission to shoot at the lake.

Commissioner Locke asked if the stadium was an option.

City Manager Llewellyn stated that it was for the fireworks.

Commissioner Young stated that he did not feel that there was enough space at the stadium for the events.

Mr. Wishart stated that there was a lot of shade and places to sit and the pool at Forest Park.

Commissioner Locke stated he believed the stadium would be good for the fireworks.

Mr. Wishart stated that in order to go to the lake ball diamonds, electrical issues would have to be addressed to handle a concert.

City Manager Llewellyn stated that upgrades would have to be made in order to handle a larger event at the lake diamonds. He stated that if it were moved to the lake diamonds, it would take time to get everything done. Any event held this year would be significantly smaller than events that are budgeted for in terms of time and money in later years.

Commissioner Badwey asked if a park pass was required.

City Manager Llewellyn stated that one was necessary to drive into the beach area.

Commissioner Locke asked how many kids walk or ride their bikes.

Mr. Wishart stated that those in the area do, most come with a parent or guardian.

Commissioner Chapin stated that he thought it was a good idea for the new marketing person. He asked where the fireworks would be shot.

City Manager Llewellyn stated that if the Commission would like to have them at the dam, and we are able to get a permit, they will be set them off at the dam; if not, they will be set off from the same place they were at the opening of BG Stadium.

Commissioner Chapin asked about parking at the lake.

City Manager Llewellyn stated that there is more parking at the lake diamonds than at Forest Park.

Commissioner Chapin stated that he believed more of the City could see the fireworks from the stadium than at the dam.

Commissioner Badwey stated he believed everyone had to go somewhere to see the fireworks due to sight obstructions. He was in support of trying to do them off the dam this year to see what the response is.

Commissioner Locke asked if the pool would still have free admittance if the celebration was moved.

City Manager Llewellyn stated it would.

Commissioner Locke stated he was in support of shooting them at the lake.

Mayor Fagg stated that he was concerned about shooting off fireworks where citizens have to pay to see them. He stated that he thought the fireworks would be nice at the stadium and it would showcase our facility.

Mayor Fagg also was concerned about the elderly and the lack of shade at the lake.

Commissioner Young thought by moving the celebration, it would allow for more events and attendance which would bring the community together.

City Manager Llewellyn stated he would work with staff and come back to the Commission with a plan.

EXECUTIVE SESSION

Commissioner Bill Young 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 10:05 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5-0.

Mayor Fagg reconvened the regularly scheduled City Commission Meeting at 10:10 p.m.

Commissioner Nick Badwey asked for another 15 minutes, to return at 10:25 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 4 - 0. (Commissioner Chapin had to leave)

Mayor Fagg reconvened the regularly scheduled City Commission Meeting at 10:34 p.m.

City Manager Herb Llewellyn stated that the City of Wichita has asked about the availability of water from El Dorado to Wichita. Staff are asking approval to respond.

Mayor Fagg confirmed that there would be no commitments.

City Manager Llewellyn stated this is just responding to a query, no commitments will be made.

Commissioner Nick Badwey moved to direct the City Manager to respond to the queries of the City of Wichita after the review of outside counsel.

Commissioner Chase Locke seconded the motion.

Motion carried 4 – 0.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 10:38 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0. (Commissioner David Chapin left during the executive session.)

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

June 3, 2013

The El Dorado City Commission met in regular session on June 3, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young (left at 7:55 p.m.), Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
George Fagg	320 N Atchison	El Dorado, KS
Lt. Tim Baker	EPD	El Dorado, KS
Brad Meyer	222 E 2 nd	El Dorado, KS
Vicki Bell	823 E 12 th	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
JT Autrey	El Dorado Broncos	El Dorado, KS
Eric Scheuermann	El Dorado Broncos	El Dorado, KS
Alex Posey	El Dorado Broncos	El Dorado, KS
Jake Luebbe	El Dorado Broncos	El Dorado, KS
Dylan Wisniewshi	El Dorado Broncos	El Dorado, KS
Chance Cotton	El Dorado Broncos	El Dorado, KS
Tom Kaleko	9229 Ward Pkwy	Kansas City, MO

CALL TO ORDER

Mayor Michael A. Fagg called the June 3, 2013 meeting to order.

INVOCATION

Herb Llewellyn, City Manager, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Players from the El Dorado Broncos baseball team led the pledge of allegiance.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were none.

CONSENT AGENDA

Approval of the Special City Commission Meeting Minutes from May 15, 2013 and the City Commission Meeting Minutes from May 20, 2013.

Approval of Appropriation Ordinance 05-13 in the amount of \$1,442,019.16.

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

Commissioner Bill Young seconded the motion.

Motion carried 5 - 0.

GENERAL OBLIGATION BOND SALE SERIES 2013A

City Manager Herb Llewellyn stated that on May 20, 2013, the City Commission set the bond sale date for today. He stated that the bids were received and that Tom Kaleko from Springsted Financial Advisors was present to discuss the bids.

Tom Kaleko, Springsted Financial Advisors, stated that bids were received, and the lowest and best bid went to UMB with a true interest rate of 1.9%. He stated the City will save approximately \$185,000 by combining the bonds.

Mr. Kaleko stated that the amount of the bond was reduced to \$8,555,000 because with rising interest rates and prepayments on special assessments, it was no longer in the best interest of the City to include the 2008 general obligation bond.

Mr. Kaleko stated that after the tour of the City of El Dorado with Standard and Poor, the City received a rating of A+.

Mayor Michael Fagg asked what the estimated rate was.

Mr. Kaleko stated that it was 1.6%, rates increased over the week prior and then settled back down to the 1.9%.

Mayor Michael Fagg asked if there were call features in the bond.

Mr. Kaleko stated that there was a ten year call.

Commissioner Bill Young stated that the City did a good job with the tour for Standard and Poor. Mayor Fagg and Commissioner David Chapin agreed.

RECEIVING THE BIDS

Mayor Michael A. Fagg asked that the bids be spread on the record.

MOTION ONE

Commissioner Nick Badwey moved to award the firm of UMB the sale of General Obligation Bond Issue, Series 2013A with an average interest rate of 1.830 with a total interest of \$895,816.86, and authorize the Mayor and City Clerk to execute the bid form.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

MOTION TWO

Commissioner Nick Badwey moved that Ordinance No. G-1152, an ordinance authorizing and providing for the issuance of General Obligation Bonds, Series 2013A, 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 Bill Young 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 Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes

MOTION THREE

Commissioner Bill Young moved that Resolution No. 2719, a resolution authorizing and directing the issuance, sale and delivery of General Obligation Bonds, Series 2013A, 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 Chase Locke seconded the motion.

Motion carried 5 – 0.

STORMWATER UTILITY PRESENTATION

Assistant City Engineer Scott Rickard and Public Works Director Brad Meyer presented a slide show of the work that has been done on the City’s stormwater system.

Mr. Rickard stated that the stormwater crew focuses on remediation in order to avoid spending large amounts of money.

Commissioner David Chapin asked how city staff feel about the ability of the current system to handle a large rain.

Mr. Meyer stated that inspections are done routinely to ensure that flow is maintained during a storm.

Commissioner Chapin asked how the flow was in Constant Creek during the last storm.

Mr. Rickard stated that he went down and checked during the storm and it was flowing very well. He stated that he would still like to do work at Arthur and Finney in order to ensure that the area remains clear.

Mayor Michael Fagg asked about the original list of stormwater problems.

Mr. Rickard stated that the properties he covered in the presentation are from that list. He stated that probably half the list has been completed through the maintenance program.

Mr. Meyer stated that if maintenance is done continually, it will prevent the City from spending more money on a larger project.

Mayor Fagg asked if leaves were a problem in the storm sewers.

City Manager Herb Llewellyn stated that leaves and grass were not supposed to be sent down the storm drains according to city ordinance.

Mayor Fagg asked if the leaves could be picked up by staff in the fall.

City Manager Llewellyn stated it was something they could look into.

NEW BUSINESS

WIND TURBINE

Commissioner Nick Badwey asked if the wind turbine was running again.

Public Utilities Director Kurt Bookout stated that they were testing it, and they are still waiting on the new vibration monitor to arrive.

CONDEMNED AND DILAPIDATED PROPERTIES

Mayor Michael Fagg asked if the City tore down or demolished homes.

Assistant City Engineer Scott Rickard stated that we do, \$16,000 is set aside in the budget each year for dilapidated building demolition.

Mr. Rickard stated that two homes on Emporia have been condemned this year and will be torn down.

Public Works Director Brad Meyer stated that both of those properties are out for bid.

Mr. Rickard stated that dilapidated properties are purchased from the owners when it is possible for the value of the land. He stated that condemned homes are torn down and the costs are assessed to the property taxes.

Mayor Fagg asked if the City owns land.

City Manager Herb Llewellyn stated that there are a few pieces of land owned by the City of El Dorado. These pieces are often sold to adjacent property owners.

Mr. Rickard stated that some of the homes are part of the flood plain and are being cleared as part of a mitigation plan with FEMA.

Mayor Fagg asked if he could receive a map of properties owned by the City.

TOWANDA AND SUMMIT TRAFFIC

Mayor Fagg asked for a report on the traffic at Towanda and Summit.

MISSION EL DORADO

Mayor Fagg reminded citizens to volunteer with Mission El Dorado throughout the week.

STORM SHELTERS

Mayor Fagg asked if it would be possible for a city employee to open the library during severe weather.

City Manager Llewellyn stated that city staff would discuss it again with the library board.

Brad Meyer, Director of Public Works, stated that it is important to decide which shelters would be open and continue with that plan so that people are not confused about which shelters are open in an emergency situation. He also stated that there is more space at City Hall now that the fire science program has been moved to the substation.

Commissioner David Chapin emphasized that it is important for people to plan ahead so that they are not out driving around looking for shelter when a storm is coming.

Mr. Meyer also stated that storm warning slides would play on Channel 7 in case of an emergency, and that these are updated by the individuals in the emergency operations center.

LAWN CARE

Mayor Fagg thanked the citizens who take care of their yards. He challenged those who were able to help their neighbors so that all yards in the City of El Dorado looked nice.

FINANCIAL REPORT

Mayor Fagg asked if there was a quarterly financial report.

Finance Director Tammy Schaffer stated that it was published in the paper quarterly.

MIDDLE SCHOOL INFRASTRUCTURE

Mayor Fagg asked if the City was responsible for the middle school infrastructure.

Scott Rickard, Assistant City Engineer, stated that we were.

Mayor Fagg asked if the water line had already been put in.

Mr. Rickard stated that it had.

Mayor Fagg asked why the City put in the line because that area is served by Rural Water District 3.

City Manager Llewellyn stated that the Rural Water District was unable to provide the service and that because the property was annexed into the City of El Dorado, it was our responsibility.

Mr. Rickard stated that city staff met with the RWD #3 board and they were unable to do the work at the time.

TREES

Mayor Fagg asked about the trees behind the Senior Center on Vine, he stated that they did not look healthy.

City Manager Llewellyn stated that it is hard on the trees to be shipped, but they would be planted soon.

Mayor Fagg asked where the trees came from.

City Manager Llewellyn stated that they came from Tennessee. The trees are bid each year we purchase them. He stated that the city attempts to purchase them locally, but have been unable to do so.

Mayor Fagg asked if they come from a certified nursery.

City Manager Llewellyn stated that the city has to follow the regulations of the region they are in. He stated that the trees purchased by the city have the correct paperwork.

Mayor Fagg asked if there was trouble with Japanese Beetles.

City Manager Llewellyn stated that there was not a problem amongst our trees.

Brad Meyer, Public Works Director, stated that the group from the USDA that set the traps for Japanese Beetles stated that more beetles were found in the compost site than were found around town.

Mayor Fagg asked if the trees came from a quarantine area.

City Manager Llewellyn stated that he was unsure.

Mr. Meyer stated that the trees were set to be planted tomorrow, locates came back for them today.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that the article in the Wichita Eagle over the weekend stated that sales tax collections in El Dorado would be negatively affected by selling water to Wichita.

City Manager Llewellyn stated that according to sales tax collections in El Dorado, there is no correlation between sales tax collections and the lake visits.

Mayor Michael Fagg stated that the article was incorrect about an offer having been made, no offer has been made.

City Manager Llewellyn stated that the Mayor was correct, no offer has been made.

City Manager Llewellyn stated that the Mayor had asked if the Broncos money has been taken out of tourism. He stated that it is taken out of tourism.

City Manager Llewellyn stated that the Black and Veatch study results are on the City's website and that there will be public meetings over the next few weeks to inform the citizens of those results.

City Manger Llewellyn stated that so far, the City of El Dorado has only answered questions from the City of Wichita on availability of water.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO SPECIAL CITY COMMISSION MEETING

June 3, 2013

The El Dorado City Commission met in special session on June 3, 2013, at 6:30 p.m. in the Commission Room with the following present: Mayor Michael Fagg Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard and City Clerk Tabitha Sharp.

CALL TO ORDER

Mayor Michael Fagg called the June 3, 2013 Special City Commission meeting to order.

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 6:58 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Michael Fagg called the meeting back to order at 7:00 p.m.

ADJOURNMENT

Commissioner Chase Locke moved the meeting be adjourned at 7:00 p.m.

Commissioner David Chapin seconded the motion.

Motion Carried 5 – 0.

City Clerk Tabitha Sharp

Mayor Michael A. Fagg

EL DORADO SPECIAL CITY COMMISSION MEETING

June 5, 2013

The El Dorado City Commission met in special session on June 5, 2013, at 4:00 p.m. in the Commission Room with the following present: Mayor Michael Fagg (arrived at 5:00 p.m.), Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Brad Meyer	220 E 1 st	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Jason Hughey	220 E 1 st	El Dorado, KS
Steve Little	Box 151	El Dorado, KS
Curt Zieman	220 E 1 st	El Dorado, KS
Joe Haag	220 E 1 st	El Dorado, KS
Marci Fugarino	220 E 1 st	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
Mary Ann Conrad	220 E 1 st	El Dorado, KS

CALL TO ORDER

Vice Mayor Bill Young called the June 5, 2013 Special City Commission meeting to order.

ADVISORY BOARD APPLICATIONS

Mary Ann Conrad, Assistant to the City Manager, reviewed the applications that had been received for advisory boards.

2014 BUDGET REVIEW

Department heads were present to present the 2014 budget requests.

ADJOURNMENT

Commissioner Bill Young moved the meeting be adjourned at 6:12 p.m.

Commissioner Nick Badwey seconded the motion.

Motion Carried 5 – 0.

City Clerk Tabitha Sharp

Mayor Michael A. Fagg

The El Dorado City Commission met in regular session on June 17, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Nick Badwey, Commissioner David Chapin, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: Commissioner Bill Young and City Manager Herb Llewellyn.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
James Powell	323 W Carr	El Dorado, KS
Curt Zieman	128 Vine	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Ken Lassmann	415 S Haverhill	El Dorado, KS
Brad Meyer	220 E 2 nd	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the June 17, 2013 meeting to order.

INVOCATION

Commissioner Nick Badwey opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

James Powell, 323 W Carr, stated that the retaining wall on the west side of the library is in need of repair.

Mr. Powell also commented that there were problems with speeding around the library and asked that something be done to slow the traffic in that area.

Commissioner Nick Badwey asked if a ticket could be written if a citizen reports speeding.

Interim Police Chief Curt Zieman stated that if the witness was willing to sign a complaint and testify in court, a ticket could be written.

CONSENT AGENDA

Approval of the Special City Commission Meeting Minutes from June 3, 2013, June 5, 2013 and the City Commission Meeting Minutes from June 3, 2013.

Approval of Airport Advisory Board minutes from February 7, 2013 and April 4, 2013.

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

Commissioner Chase Locke seconded the motion.

Motion carried 4 - 0.

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 7:22 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 4 – 0.

Mayor Michael Fagg reconvened the regular Commission meeting at 7:25 p.m.

ADVISORY BOARD NEW MEMBER APPOINTMENTS

Tabitha Sharp, City Clerk, stated that at the June 5, 2013 Special City Commission meeting, the Commission reviewed new member applications to various City boards. The following new member appointments were reviewed favorably by the City Commission.

Board	Name	Term Expiration
Recycle	Eric Bird	5/1/16
Planning Commission	Gerald Watson	5/1/16
Planning Commission	Brad Long	5/1/16
Library Board	Nancy Wagner	5/1/17
Library Board	Angie Deaver	5/1/17
Library Board	Susan Holthaus	5/1/17

Ms. Sharp stated that there are still positions open on the Planning Commission, El Dorado Inc., Recycle and Prairie Trails boards. She stated that the El Dorado Inc. position was the Mayor’s appointment.

Commissioner Chase Locke confirmed that the Planning Commission seat had to be outside the city limits yet still in the three mile zoning area.

Ms. Sharp stated he was correct.

Mayor Michael Fagg thanked those who applied.

Commissioner Chase Locke confirmed that the information was still available on the City’s website.

Ms. Sharp stated that it was.

Commissioner Chase Locke moved to approve the advisory board member appointments as specified here within.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

OMNIBUS CONTINUING DISCLOSURE UNDERTAKING

City Clerk, Tabitha Sharp, stated that the City was required by the SEC to complete a yearly report on each bond issue. This report shows that each project included in the bond is still being used for the purpose stated in the original bond text. For example, the 2011 Bond Series included the fire substation. Each year a report is done stating that the fire substation is still being used for the purpose for which it was built.

Ms. Sharp stated that the omnibus continuing disclosure undertaking combines those reports so that only one report is required each year.

Mayor Fagg confirmed that this report would enhance efficiency as well as track the money spent from each bond.

Ms. Sharp stated that it would.

Mayor Fagg asked if this report was done by every city.

Ms. Sharp stated that it was; that she and the Finance Director had attended training with several other public entities last year.

Commissioner Nick Badwey moved to approve Resolution No. 2720, a resolution providing for the adoption of an omnibus continuing disclosure undertaking relating to obligations issued and to be issued by the City of El Dorado, Kansas.

Commissioner David Chapin seconded the motion.

Motion carried 4 – 0.

PROJECT NO. 358 – CURB & GUTTER ATCHISON ST. (2ND – 3RD)

Assistant City Engineer Scott Rickard stated that the City received a petition for this project requesting curb and gutter be replaced. There was one bid on the project, Cornejo & Sons came in under the Engineer's estimate at \$25,376.

Commissioner David Chapin asked if any residents opposed the project.

Mr. Rickard stated that no one opposed it.

Mayor Michael Fagg asked if the curb and gutter would have to be replaced if the brick street was replaced with asphalt at a later date.

Mr. Rickard stated that the curb and gutter was being poured so that in the future the street could be repaired without tearing up the new curb and gutter.

Commissioner David Chapin moved that as Cornejo & Sons has submitted the lowest and best bid for project no. 358 of \$25,376.00 was under the Engineer's Estimate, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Chase Locke seconded the motion.

Motion carried 4 - 0.

PROJECT NO. 412 – 2013 SALES TAX RESURFACING (10TH, TAYLOR, 12TH – 14TH, & LINDA LANE)

Assistant City Engineer Scott Rickard stated that this is part of the annual street rehabilitation and maintenance program. The Engineer's estimate was \$241,051.30 and APAC Kansas submitted the lowest and best bid for \$205,150.36. Cornejo and Sons also submitted a bid for \$244,922.11.

Mayor Michael Fagg confirmed the area to be resurfaced: Taylor (10th to 14th), 14th (Taylor to Topeka), 13th (Taylor to Topeka), 12th (Taylor to Joyce), Joyce (12th to 13th) and Linda Lane.

Mr. Rickard stated that this area has original pavement, and there has not been significant maintenance since its origination.

Commissioner David Chapin asked if Taylor had been replaced from 6th to 10th.

Mr. Rickard stated that he believed that had been done. He stated that the two projects tonight are the only two large areas that have not been done since the creation of the project.

Mayor Fagg asked if it was a good time to redo water and sewer systems while the street work is done.

Mr. Rickard stated that both are considered as street projects are done so that streets are not torn up multiple times.

Commissioner Chase Locke moved that as APAC-Kansas has submitted the lowest and best bid for Project No. 412 of \$205,150.36 was under the Engineer's Estimate, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 - 0.

PROJECT NO. 413 – 2013 SALES TAX RESURFACING (LAWNDALE, MEADOW, SKYVIEW, DELMAR, BELMONT, JAMAICA)

Assistant City Engineer Scott Rickard stated that this is also a sales tax project. He stated that the Engineer's estimate was \$286,960.99, and APAC Kansas submitted the lowest and best bid at \$237,864.65. Cornejo and Sons also submitted a bid for \$287,171.47.

Mr. Rickard confirmed the area to be resurfaced was: Lawndale (Warren to Meadow), Meadow (Terrace to Ridge), Skyview (Country Club to Hazlett), Delmar (Country Club to Hazlett), Belmont, Jamaica and Arlington (Skyview to Delmar).

Mayor Michael Fagg asked about bidding asphalt yearly.

Mr. Rickard stated that the City has discussed that because of the good asphalt prices.

Commissioner Nick Badwey moved that as APAC-Kansas has submitted the lowest and best bid for project no. 413 of \$237,864.65 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 Chase Locke seconded the motion.

Motion carried 4 - 0.

NEW BUSINESS

Commissioner David Chapin stated that the street marking looks good.

Commissioner Nick Badwey encouraged citizens to check on elderly and pets in the heat.

Commissioner Badwey asked about the turning lane on 6th and Main.

Assistant City Engineer Scott Rickard stated that they have been monitoring the situation still. He stated that it is difficult to widen the lanes because people will try to drive two cars down one lane. He also stated that they are considering lowering the curb.

Mr. Rickard stated that by cutting the lanes down, they will be unable to add two left turn lanes in the future.

Commissioner Badwey stated that he had not considered the increased traffic when the middle school is finished.

Mr. Rickard stated that traffic often backs up over the rail road tracks. He stated that if the lane sizes were increased, the risk that cars would try to drive side by side in one lane would increase.

Commissioner Badwey asked if the sign that says stop here is permanent.

Mr. Rickard stated that they might be able to put a flashing light or flags on the sign to draw attention to it.

Mayor Michael Fagg stated that he would also like to see something done at 6th and Main.

Commissioner Chapin stated he thought they could move the curb back or add an acceleration lane.

Mr. Rickard stated that the trucks will take whatever they are given plus more, it is difficult to accommodate trucks within the City limits.

Commissioner Chase Locke congratulated the community on the success of the Relay for Life.

Mayor Fagg asked if the timing at the stop light at Village and Central could be reviewed, as well as the light at Oil Hill and Central.

Mayor Fagg asked if the police department auctioned off guns that have been confiscated.

Interim Chief Curt Zieman stated that the police department is not allowed to sell them. They must use them in the department or trade them to a dealer.

Mayor Fagg asked how they determine who gets them.

Chief Zieman stated that he could check into how they are bid out.

Mayor Fagg stated that he read an article over the weekend stating it would cost 2.1 billion to repair the water lines in Wichita. He asked if the City was a member of the National Water Works Association.

Public Utilities Director Kurt Bookout stated that we were.

Mayor Fagg stated that the National average for water breaks was 27.7 per 100 miles, he asked what the average for El Dorado was.

Mr. Bookout stated that he did not know what the average was, but that there was a significant increase in water breaks last year due to the heat.

Mayor Fagg asked how much money was in reserve fund for water and sewer.

Mr. Bookout stated that there is a water and sewer fund, it has been spent down due to repairs and an increase in work on the infrastructure which can be seen in the annual report.

Mayor Fagg asked if there could be an annual meeting reviewing the state of the water and sewer systems.

Mr. Bookout stated that there is an annual report, but it could be reviewed at a work session or at the regular Commission meeting.

Mayor Fagg stated that an annual review of every program would be good.

Commissioner Chapin stated that Mr. Bookout's department has done a good job taking care of the City's water and sewer system.

Mayor Fagg asked about the bid on the back up generator fire substation.

Commissioner Badwey stated that originally the fire department cut the generator from the substation budget to save money, but when the project was completed, there was money available for the generator. The generator is being bid now.

Mr. Bookout added that KAKE news interviewed him today about the fish kill at East park pond. He stated that many city ponds are a repository for domestic ducks and geese that are dumped there as well as wild geese and ducks. He stated that after talking to the fisheries biologist, it appears that the dissolved oxygen in the pond was caused by the surplus of duck and geese feces. They are flushing the pond in order to clarify it.

Mayor Fagg stated he believed that there are too many ducks and geese at the pond there.

Mr. Bookout stated that they are being relocated.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:04 p.m.

Commissioner David Chapin_ seconded the motion.

Motion carried 4 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

July 1, 2013

The El Dorado City Commission met in regular session on July 1, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, 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

Julie Clements	El Dorado Times	El Dorado, KS
Brad Meyer	222 E 2 nd	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Curt Ziemann	128 N Vine	El Dorado, KS
Max Brown	220 E 1 st	El Dorado, KS
Linda Jolly	El Dorado Inc	El Dorado, KS
Josh Goodmanson	El Dorado Inc	El Dorado, KS
Jason Hughey	220 E 1 st	El Dorado, KS
Bill Kloebler	Bradford Memorial Library	El Dorado, KS
Kristi Jacobs	Bradford Memorial Library	El Dorado, KS
Karen Lynn	Berberich, Trahan & Assoc.	Topeka, KS

CALL TO ORDER

Mayor Michael A. Fagg called the July 1, 2013 meeting to order.

INVOCATION

Pastor Mark Habluetzel, Hope Covenant Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The El Dorado City Commission led the pledge of allegiance.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the City Commission minutes from June 17, 2013.

Approval of Appropriation Ordinance 06-13 in the amount of \$1,620,363.41.

Mayor Michael Fagg asked what the contractual services were under Prairie Trails.

Tabitha Sharp, City Clerk, stated that contractual services included items such as port-a-pots and repairs that are performed by other agencies.

City Manager Herb Llewellyn stated that it also included the lease on two mowers.

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

Commissioner Chase Locke seconded the motion.

Motion carried 5 - 0.

AUDITOR PRESENTATION

Karen Lynn, Berberich Trahan and Associates, presented the 2012 audit. She stated that the City of El Dorado received no significant findings in the audit, and has repaired findings from previous audits.

Ms. Lynn stated that the City did receive a minor finding for the number of Journal Entries that are done each year, but those have decreased in number from past years.

Ms. Lynn stated that there have been some changes in the way that the audit is presented in order to follow the generally accepted accounting procedures.

Commissioner Young confirmed that in the previous year there were three deficiencies, and this year two of them have been corrected by staff and the third is in the process of being corrected.

City Manager Herb Llewellyn stated that a big part of the audit involves the auditors telling City Staff how they can improve the financial process.

Commissioner Bill Young confirmed that the comprehensive annual financial report is available on the City's website.

City Manager Llewellyn stated that he was correct.

Ms. Lynn confirmed that he was correct.

Mayor Michael Fagg asked if the auditors look at budgets versus actual.

Ms. Lynn stated that they do not look at how the budget is put together.

Mayor Fagg asked if the auditors review financial policies and debt management policies.

Ms. Lynn stated that they do review those.

Mayor Fagg asked if the auditors review the timeliness of how those policies are updated.

Ms. Lynn stated that if there is something that is very out of date, they might recommend an update.

Mayor Fagg asked if the money owed for the sports complex was reviewed.

Ms. Lynn stated that she was not sure, she could look at it and get back to them.

Mayor Fagg clarified that they had not seen a written note on the stadium debt.

Ms. Lynn stated that it was possibly available in a budget document, but they had not reviewed it.

City Manager Llewellyn clarified that the Mayor was referring to a loan document.

Mayor Fagg stated that there were schedules, but nothing outside of those schedules.

City Manager Llewellyn stated that they had not prepared an actual loan document.

Ms. Lynn stated that she wanted to follow up with the City Commission on some questions that had been asked in a previous meeting regarding the level of cash on hand and debt ratios.

Ms. Lynn stated there are not recommendations as far as cash on hand, instead there are recommendations on fund balance. She stated that the State has a requirement on the fund balance.

Ms. Lynn stated that there is a requirement for fund balance in the City policies, and based on that policy, the general fund balance is congruent with that policy.

Ms. Lynn stated that the City's debt management policy looks at the ratios of debt to income. She stated that it is also in accordance with expected practices.

Ms. Lynn stated that the charts on pages 101 and 103-104 address the debt ratio of the City of El Dorado.

Mayor Fagg asked if the lake debt that was borrowed to pay for the stadium was included in these pages.

Ms. Lynn stated that it depended which page was being looked at. She stated that there are many different ways of looking at the debt ratio, and it depends upon how the City would like to examine it and the targeted debt of the City.

Mayor Fagg asked if the policy should dictate the high and low of the ratio.

Ms. Lynn stated that many policies say that the debt should not exceed, it is up to the City how they want to do it. The State does provide some guidelines for the policy.

The Commission thanked City Staff for the work they had done.

Mayor Fagg asked if the report could be given to them for review earlier.

City Manager Llewellyn stated that the City Commission received the report a month or two ago in a draft form.

Mayor Fagg confirmed that there had not been any changes in the draft.

City Manager Llewellyn stated that he was correct.

PRESENTATION OF BRADFORD MEMORIAL LIBRARY RENOVATIONS

Bill Kloeblen, Bradford Memorial Library Board President, and Kristi Jacobs, Library Director provided background on the library's history and usage.

Mr. Kloeblen stated that the renovations in the library began with the need for new carpet. After further investigation, it appeared that HVAC and roofing were also in need of updating.

Mr. Kloeblen stated that they received input from the public, library staff, the board, and the Friends of the Library group. These groups identified issues that needed to be addressed from parking to restrooms to new technology.

Mr. Kloeblen stated that the local engineering firm, PKHLS, designed a renovation project based on the needs perceived by the groups previously listed.

Ms. Jacobs showed a virtual tour of the library renovation proposal.

Mr. Kloeblen stated the overall cost of the project is about \$1,197,121. He stated that the library has an existing capital account of \$200,000, an endowment fund of \$100,000, and are asking the City to fund \$485,000 that will be repaid to the City through the library mill levy over ten years. The final portion of the funding will come through public fund raising.

Mr. Kloeblen stated that Phase 1 of the project would be the parking, upper level, window replacement, mechanical work and roofing at a cost of \$915,000. Phase 2 would be the lower level and site development at a cost of \$282,121.

City Manager Herb Llewellyn stated that the resolution is provided by bond counsel and anticipates that the library will go to the five mill cap allowed by ordinance. He stated that the library has cut spending to support this project.

City Manager Llewellyn stated that the capital account receives money each year that is not spent and is used to fund large expenses, the endowment is controlled by the library, and the public funds would be the anticipated bonded indebtedness of \$485,000. The fund raising will be led by the endowment group.

Commissioner Nick Badwey stated he was in favor of the project and believes the library is a great asset for the community.

Commissioner Chase Locke stated he was also in favor of it. He asked if the facility could be adapted for the future library needs.

Ms. Jacobs stated that the stacks will be able to be removed to add new tables and chairs, and the plan already includes more tables and chairs for the use of laptops or other electronic media.

Commissioner Bill Young stated that the library board and PKHLS have put a lot of thought into this project and the renovations are needed. He stated that he was happy that a large portion of the funding would come from fund raising and the endowment.

Commissioner Badwey asked what other cities had libraries.

Ms. Jacobs stated Andover, Augusta, Rose Hill, Towanda each have one, as well as a few smaller towns who have libraries open one or two days a week.

Commissioner Badwey stated that the number of patrons at the library was amazing considering the number of libraries in the county.

Commissioner David Chapin echoed the rest of the Commission's comments.

Mayor Michael Fagg stated that it was a good project, but he was not in favor of issuing more debt. He stated that he would like to see if the people of El Dorado were in support of the renovations through their fund raising efforts.

City Manager Herb Llewellyn stated that the money will not be borrowed until the bids are opened. He also stated that fund raising would have to be done prior to the start of the project or phase one cannot be completed. He stated that if the library cannot complete the fund raising, then they will be unable to do the project at all.

Mayor Fagg stated that the actual revenue from property tax was \$414,000 for the library, in the 2014 budget there is a ten percent increase. He asked if that was the money being set aside for debt payments.

City Manager Llewellyn stated he was correct.

Commissioner Young confirmed that there will be no debt incurred until the rest of the money is in place due to the limits on the resolution.

City Manager Llewellyn stated that they will not need the money until they have come to the City with the final plans and funding.

Mr. Kloeblen stated that if the fund raising is not successful, there can also be adjustments to the two phases of the project.

Mayor Fagg asked if the resolution had to be done in order for them to begin the project.

City Manager Llewellyn stated that they did not; there is the possibility that all of the money could be raised.

Mayor Fagg asked why the resolution has to be passed if they do not need it.

City Manager Llewellyn stated that the resolution shows the library board that the City Commission is committed to the project and will issue bonds and support the project.

Commissioner Nick Badwey moved that Resolution No. 2721, a resolution authorizing and providing for the construction of improvements to the public library, an existing public building in the City of El Dorado, Kansas; and providing for the payment of the costs thereof in an amount not to exceed \$485,000 (amended to add this a few minutes after the motion).

Commissioner Chase Locke seconded the motion.

Commissioner Chapin asked how many years it would take the library to save money to pay for the project.

Ms. Jacobs stated that they are allowed to put aside 10% each year, so at \$45,000 per year, it would take ten years to save the portion they wish to borrow from the City.

Commissioner Chapin stated that if they waited and paid cash, it would take them longer.

Mayor Fagg stated that the resolution was committing the City to the money now.

Commissioner Young stated that based on the wording of the resolution, the City was only committed to up to \$485,000 based on the money raised by the library.

Commissioner Chapin asked if the bids come in higher, will the project move forward or be rethought.

Ms. Jacobs stated they would have to rethink the project.

Commissioner Chapin stated if they raise more money, the City only has to fund a portion of the \$485,000. He stated that the money will not be given to them until the project goes to bid.

Motion carried 4 - 1 (Mayor Fagg voted against the resolution).

VACATION OF NORRIS DRIVE

Scott Rickard, Assistant City Engineer, stated that at the request of an adjacent property owner, staff are asking to vacate a portion of Norris Drive. He stated that the right of way has not been used previously and this will allow for the use of the right of way for utilities.

Mayor Michael Fagg asked if this has been an issue previously.

Mr. Rickard stated that it had.

Commissioner David Chapin confirmed that both property owners owned through the center of the drive.

Mr. Rickard stated that they would once the City files with the register of deeds.

Mr. Rickard stated that other roads have been constructed around Norris Drive and there is no longer a need for that access through the two properties.

Mayor Fagg asked who owns the property.

Mr. Rickard stated that it is owned equally by the two owners.

Mayor Fagg asked if there have been any complaints.

Mr. Rickard stated that when this was done previously, some property owners did complain because they use it to gain access to their back yards.

Mayor Fagg asked if they could still access it.

Mr. Rickard stated that it is against the municipal code to drive in the right of way.

Mayor Fagg asked how many complained.

Mr. Rickard stated there were three.

Commissioner Bill Young stated that those complaints were from when the whole drive was going to be vacated, which is the reason the vacation will stop at the North end of John K. Fisher.

Commissioner Chapin asked if they would still be able to drive there.

Mr. Rickard stated he did not want to agree to that because of the code issue.

Commissioner Chapin stated that it has not been an actual road in the years it has been there.

Mr. Rickard stated that it is actually just a right of way.

Commissioner Chapin asked if there was a street that accesses the area.

Mr. Rickard stated that Milheiser Road provides access.

Commissioner Chapin asked if Milheiser could be made into a street up to third street.

Mr. Rickard stated if they wanted to plat it they could.

Mayor Fagg asked why this did not go through the planning commission.

Mr. Rickard stated that it has always been done this way, in the future they could look at going through the planning commission.

Mayor Fagg asked if there were other utilities using this easement.

Mr. Rickard stated that there is electrical utility in this area. He stated that it is a change in the usage from a right of way to an easement, all utilities will still have access.

Commissioner Bill Young moved that Ordinance No. S-1328, an ordinance relating to and providing for the vacation of right of way of Norris Drive from Central Ave; thence north 571.1feet of the City of El Dorado, Kansas be approved.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

Mayor Michael Fagg

Yes

UPDATE OF QUORUM PROVISIONS TO THE MUNICIPAL CODE

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

City Manager Llewellyn stated that this is done in order to make it easier for the Commission to talk to one another without the danger of being considered a meeting.

Commissioner Chase Locke moved that Ordinance No. G-1152, an ordinance adding quorum provisions to Title II, Chapter 2.04 of the City of El Dorado Municipal Code, be approved.

Commissioner Bill Young seconded the motion.

ROLL CALL VOTE

	Mayor Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

UPDATE OF FEMA REGULATIONS

City Manager Herb Llewellyn stated that City Staff wanted to make sure that citizens and the City Commission were aware of some new flood regulations from FEMA.

Scott Rickard, Assistant City Engineer, stated that in 2012, the United States Congress passed the flood reform act. He stated that the new law makes sure that flood insurance actually reflects the cost of flood repairs.

Mr. Rickard stated that those people who have had previous flood claims will see a 25% increase for the next four years until their insurance reflects actual costs. Those homes who have not previously made a claim will remain the same until either they file a claim or sell their home.

Mr. Rickard stated that individuals who have questions should contact his office. He stated that FEMA has provided a handout to citizens so that they can understand the changes.

Mr. Rickard stated that they will set up a meeting with local insurance agents and realtors so that they can also be informed.

Commissioner David Chapin stated that he has had some experience with this in a previous home.

Mr. Rickard stated that there are elevation certificates on file in the engineer's office, so citizens should contact him before contacting anyone else.

Commissioner Chapin stated that rebuilding Skelly School helped some properties because it changed the landscape of that area.

Mayor Michael Fagg confirmed that 13 homes in El Dorado will be affected by the increase immediately, the remainder of the 65 homes affected by this policy will not experience rate increases unless they file a claim, fail to make a payment, or sell the home.

Mr. Rickard confirmed he was correct.

Mayor Fagg asked if the map was updated.

Mr. Rickard stated that FEMA will be remapping the City; the current map is from 2009. He stated that because the Commission did not pay to certify the levee, FEMA will list it as an unprotected levee.

City Manager Llewellyn stated that some city property will be affected by this and be in the flood plain.

NEW BUSINESS

Commissioner Nick Badwey encouraged citizens to keep the fire fighters from Arizona in their prayers.

BLOCK PARTY

Commissioner Chase Locke asked about the block party fee.

City Manager Herb Llewellyn stated that City Staff have looked for the background on this issue, but have only been able to recall the discussion. He stated that he believed it was due to the amount of work required by City Staff, and so it was decided that the City would charge the fee that has always been in place.

Tabitha Sharp, City Clerk, stated that there are anywhere from 20 to 30 block parties a year, and up to fifteen on the July 4th holiday.

Commissioner Nick Badwey asked how many there are this year.

Ms. Sharp stated that she was not sure how many there are this year; many people have stated that they do not wish to have the barricades because of the fee.

Brad Meyer, Director of Public Works, stated that block parties produce more trash and so the fee pays for that cost as well.

Commissioner Bill Young stated that the concern was not the fee, but the amount of the fee. He stated that a dump truck fee was only \$15, but this fee is \$100.

City Manager Llewellyn stated that the value of the dump truck to the City is more because people are cleaning their properties. He stated that the value was more important than being revenue neutral.

Commissioner Young stated that he believed the fee discourages block parties.

Commissioner Locke stated that he hated to punish those people who do clean up and take care of their neighbors. He also stated that he put a higher value on keeping children safe.

City Manager Llewellyn stated he believed that it was an appropriate question for the board to consider. He stated that the previous discussion was based around being revenue neutral.

Commissioner David Chapin stated he believed the fee came from the amount of trash that was produced by the block parties.

Commissioner Chapin stated he believed there should be a deposit and a portion given back if the block is cleaned up.

Commissioner Young stated that the trash is an issue. He stated that other individuals are leaving an equally large mess.

Mayor Fagg believed it was good for public relations. He also stated that he liked the form that is provided to the City so that we know who is responsible for the mess.

There was consensus that the fee should be changed to \$25.

Commissioner Nick Badwey moved to change the fee for block parties to \$25.

Commissioner Bill Young seconded the motion.

Motion carried 5 - 0.

Commissioner Young asked when the change would take effect.

City Manager Llewellyn stated it would be retroactive for this year.

4TH OF JULY

Commissioner Locke asked about 4th of July celebrations.

Kevin Wishart stated that the wiffle ball tourney begins at nine a.m.; the free swim is 1 to 4 p.m. Fireworks will be at dark on the dam.

Commissioner Locke asked about the times for shooting fireworks in the city limits.

Tabitha Sharp, City Clerk, stated that fireworks may be shot from 10 a.m. to 10 p.m. from June 27 thru July 3rd, 8 a.m. to midnight July 4th and 10 a.m. to 10 p.m. on July 5th.

Commissioner Locke asked if that was a rule.

Ms. Sharp stated it was per city ordinance.

City Manager Llewellyn stated that police department goes out after ten to ensure that people do not set off fireworks after that. He stated that the youth commission put out a flyer showing the times allowed.

Mayor Fagg asked to review the policy after the holiday.

SPORTSMANSHIP

Commissioner Young stated that there have been concerns over the year about sportsmanship in the recreation leagues. He stated that the recreation staff and facilities have received many compliments over the softball season.

WIND TURBINE

Commissioner Chapin asked if numbers could be provided on the production of the wind turbine.

City Manager Llewellyn stated that he would get an update. He stated that staff are working on an application for the website to show the production.

REMOVAL OF DILAPIDATED HOME

Commissioner Chapin appreciated the hard work of city staff to remove a dilapidated home.

BALL PARK RESTROOMS

Mayor Fagg asked about the cleanliness of bathrooms at the ball parks.

Kevin stated that they are cleaned daily by recreation staff. Tournament hosts are responsible for the cleanliness of the restrooms throughout their tournament. Recreation staff clean them before and after the tournaments.

CITIZEN COMPLAINT

Mayor Fagg asked about a sewer lid on North main.

Mr. Rickard thought it was an AT&T manhole, but said he would check.

TAX ABATEMENTS

Mayor Fagg asked what NTE meant in regards to tax abatements.

Ms. Jolly stated that it meant not to exceed.

Mayor Fagg asked how Industrial Revenue Bonds are related to tax abatements.

Ms. Jolly stated that tax abatements accompany the IRB's.

Mayor Fagg asked what constitutional meant in terms of tax abatements.

Ms. Jolly stated that these tax abatements are granted per the State constitution.

Mayor Fagg asked if there were any without IRB's.

Ms. Jolly stated that the constitutional one did not have an IRB.

Ms Jolly stated that the state allows the abatements to be granted through IRBs or constitutional methods.

GOLF CARTS

Mayor Fagg asked about golf carts he saw on the course after dark.

Jason Hughey, golf course general manager, stated that they were personal carts because the City's carts do not have lights.

Mayor Fagg stated he wanted to make sure someone was aware.

CITY MANAGER'S REPORT

Kurt Bookout, Director of Public Utilities, stated that the State has asked that citizens park at the city facilities or at the amphitheater area for the fireworks. He stated a sticker would be required to park at the state park. The City has requested that the correctional facility open the honor camp parking as well, but have not heard back. People will need to stay behind Boulder Bluff road in order for the fireworks to be shot safely.

EXECUTIVE SESSION

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

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

Mayor Michael Fagg reconvened the regular Commission meeting at 9:50 p.m.

Commissioner David Chapin moved to extend Executive Session until 10:10

Commissioner Chase Locke seconded the motion.

Motion carried 3 - 0. (Commissioners Bill Young and Nick Badwey remained in the conference room).

Mayor Fagg reconvened the meeting at 10:20 p.m.

FINAL BUDGET REVIEW

Mayor Michael Fagg asked if the Commission needed to talk about the budget tonight.

City Manager Herb Llewellyn stated that the budget needed to be discussed but did not have to tonight.

Mayor Fagg stated he had many questions, but did not think the meeting needed to continue this evening.

Commissioner David Chapin stated that if the budget was not going to be discussed this evening, the Commission should have told staff at the beginning so that they did not have to be present for the whole meeting.

Mayor Fagg stated that they could discuss it this evening.

Commissioner Nick Badwey pointed out that two of the individuals were not City staff and needed to be addressed now.

City Manager Herb Llewellyn stated that the Commission has reviewed the budget previously in detail and that this session was strictly for questions, not a line by line review. He stated that the only new items on the budget were the increase in water and trash revenues due to the increase in charges for service.

Mayor Fagg stated he would like to have a conversation about the budget with the City Commission. He asked about the total expenditures.

City Manager Llewellyn stated he was not sure.

Mayor Fagg asked if it was still \$27 million as in the draft.

City Manager Llewellyn stated that he believed it was still close to that.

Mayor Fagg stated that he believed the budget was staff driven and was not very conservative.

Tammy Schaffer, Finance Director, stated that there was a meeting the previous week that only two Commissioners were present for. She stated that staff are running out of time because it has to be entered in the State forms and approved at the first meeting in August.

Mayor Fagg asked if a meeting could be had later this week because he did not believe that they had spent enough time on the budget.

Commissioner Chapin stated that he was present for the meeting last week and that he does not have time for another evening meeting. He also pointed out that staff already work all day and to ask them to put more time in during the evening is not respectful of their time.

More discussion was held on the time that another meeting could be held.

Mayor Fagg stated if the rest of the Commission was comfortable with the budget, they could approve it.

Commissioner Chapin stated that his concern had been addressed at the first budget meeting.

Commissioner Chapin asked if the Mayor could send the questions to the City Manager and copy the other Commissioners so that they could be answered and responded to without trying to schedule another meeting.

Mayor Fagg stated that he just received the budget and spent the weekend reviewing it.

Commissioner Nick Badwey stated that they have had the budget for three weeks.

Ms. Schaffer confirmed that he was correct; they have had it for three weeks.

Commissioner Chase Locke asked what the realistic options were.

Mayor Fagg stated that there were not many options left. He stated that this is why he asked to start on the budget early. He believed that if staff set a number, the Commission needs to justify it.

Ms. Schaffer stated that the budget process began in December.

Mayor Fagg stated that was when staff began to see it.

City Manager Llewellyn stated that staff have been providing the Commission with information on the budget process since December.

Mayor Fagg reiterated that the budget is staff driven.

City Manager Llewellyn stated that according to the City's charter, the City Manager provides the Commission with a budget that staff prepares. He stated that if the Commission would like to change it, they need to change the charter.

Mayor Fagg stated that there needed to be more public meetings.

Commissioner Badwey stated that the public did not attend the meetings.

City Manager Llewellyn stated that the meeting the previous week had been scheduled at four according to the schedule the Mayor provided of times he could make the meetings.

Mayor Fagg stated that last week was not on the list.

Ms. Schaffer stated that it was because the original meeting was not on a day he could make it, so they had rescheduled it to last Monday so that the Mayor could attend on time.

Mayor Fagg stated that he received a call at ten after four cancelling the meeting.

City Manager Llewellyn stated that he believed the call was made closer to 4:30.

Commissioner Locke asked if they could move on and discuss the budget, nothing could be done about the meeting that was cancelled.

Mayor Fagg asked about the difference in the expenditures listed in the budget and the actual amount spent.

City Manager Llewellyn stated that the State of Kansas requires us to keep a certain fund balance available in the budget; even though the City does not actually spend the entire amount budgeted. He stated that there is typically a trust between the Commission and staff that the extra money will not be spent so that we are in compliance with the law of the State of Kansas.

Mayor Fagg stated he was not comfortable with this because then staff have the ability to spend more. He stated that he was trusting, but would like to verify.

City Manager Llewellyn pointed out that the expenditures of the city are only \$20 million and not \$27 million, which shows staff are trustworthy. He pointed out that the budget is done with the idea that every position is full, which almost never happens. He stated that the City also budgets as if every employee has family insurance. He stated that there is extra in those areas because those things rarely happen. If we do not budget those, and the position is filled, there is a budget shortfall.

Ms. Schaffer stated that account number 5218 is the line item that shows fund balance so that it is apparent.

Commissioner Locke asked if it would be to the Commission's benefit to hear the information from the two staff members mentioned earlier.

City Manager Llewellyn stated that it was important to know about the increases in utility rates, but it hadn't been televised previously. It has been communicated to the Commission via e-mail and in work sessions.

There was consensus amongst the Commission to hear the information about rate increases.

Kurt Bookout, Director of Public Utilities, stated there has not been a water or sewer rate increase since 2006. He stated that a sewer rate survey was distributed at the last meeting. The 8% increase in the sewer rate will move us to 8th lowest as opposed to 4th lowest. The water rate is based on a declining block rate structure. KDHE encourages an inclining block rate structure to encourage conservation. Staff are proposing to drop the second tier which will mean we have one flat rate. The primary impact would be felt by the largest water users.

Commissioner Badwey confirmed this was for treated water.

Mr. Bookout stated that the increase for water will also be approximately 8%. It would increase from \$1.63 to \$1.76 per month.

Commissioner Chapin asked how much it would increase an average bill.

Mr. Bookout stated about four dollars for a fifty dollar bill.

Commissioner Chapin confirmed the reason for the increase was repair on the lines.

Mr. Bookout stated that staff were spending down the fund by doing all of the repairs in town to lines, fire hydrants, etc... The increased flow keeps our ISO down as well.

City Manager Llewellyn stated that fuel costs were also driving the increase.

Mr. Bookout stated that fuel costs have increased \$200,000 and the city has been absorbing the cost, they are no longer able to absorb those costs without cutting services.

Mr. Meyer stated the last refuse increase was in 2006, with the new system in 2009 we told the commission we could go three years without an increase. That was last year. We are driven by fuel costs, and can no longer absorb those. We are the lowest rate for the

services provided. The new budget also includes single stream recycling at the curb which will save some money.

Mr. Meyer stated that some equipment would also have to be replaced soon.

Commissioner Chapin asked about the dumpster rate.

Mr. Meyer stated it would be proportionate for that level of service.

Mr. Meyer stated that the increase is about 10% to \$14.11 from \$12.60.

Commissioner Young stated that after reviewing the budget it was apparent that the departments work hard to keep expenses low even though the cost of business has increased significantly. He stated that the work of the staff is the sole reason that the mill levy has not had to be increased and other fees have not been increased.

Commissioner Badwey agreed.

Ms. Schaffer stated that we are all tax payers as well.

City Manager Llewellyn stated that the budget is a reflection of the desires of the citizens and the desires of the City Commission to provide the services that citizens request.

Commissioner Young stated that we have great services such as trash, police, streets, etc...; and that we are able to keep those costs low, is to be comended.

Commissioners Badwey and Locke and Mayor Fagg agreed.

Mayor Fagg stated that we have to be diligent to go over the budget and make sure the budget is done well. He used the increase in Economic Development from one year to another as an example.

City Manager Llewellyn stated that the economic development fund was a perfect example of following state statute by keeping a certain amount of money, but not spending it without the permission of the Commission. We always budget to spend the fund balance, but did not spend any because the Commission and Staff did not see an appropriate opportunity.

Mayor Fagg asked why we do it this way.

City Manager Llewellyn stated that it was required by state law to have cash reserves.

Mayor Fagg asked what other cities do.

City Manager Llewellyn stated that other cities do it the way we do, but some others do not wish to have as much in the fund balance.

Ms. Schaffer stated that staff cut eight mills before the Commission saw the completed budget. She stated that the staff still want to explain it so that the Commission understands.

Mayor Fagg stated he wanted to see the budget at another time.

Commissioner Chapin recommended the next day, he stated that he was not available in the evening.

Mayor Fagg stated he did not believe this was fair to his employer to be gone during the day.

Commissioner Young stated that when he took the job of Commissioner he confirmed with his employer that it would be ok to attend some daytime meetings. He stated that he also has commitments in the evening and commitments to his family.

Commissioner Young asked if the Mayor could send his questions to the City Manager during the time he requested to meet tomorrow night, that way the questions could be answered.

Mayor Fagg stated that if the Commission could not meet together, he didn't think that it was necessary.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 11:05 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

July 15, 2013

The El Dorado City Commission met in regular session on July 15, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: City Manager Herb Llewellyn.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Matt Perez	220 E 1 st	El Dorado, KS
James Cook	719 Fredrick	El Dorado, KS
David Stewart	101 S Star	El Dorado, KS
Norm Wilks	1320 McCollum	El Dorado, KS
Brad Meyer	2012 Chelsea Dr	El Dorado, KS
Broderick Bean	300 S Main Apt 3	El Dorado, KS
Ashley Roedel	425 Random Rd	El Dorado, KS
Max Brown	1111 Cave Springs	El Dorado, KS
Ted & Alice Farmer	1635 Pennsylvania	El Dorado, KS
Gerald Dixon	205 S Main	El Dorado, KS
Suzie Locke	1463 SW 60 th	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the July 15, 2013 meeting to order.

INVOCATION

Tabitha Sharp, City Clerk, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PERSONAL APPEARANCE

Ashley Roedel, El Dorado Main Street Director, presented information on the upcoming Frontier Western Days Celebration. She invited everyone to come out and participate and thanked the City for all of their help.

Commissioner Nick Badwey asked where it would be held.

Ms. Roedel stated that it would be held at the Civic Center, East Park and the 4-H Building.

Commissioner Badwey asked if you had to have a button to get in.

Ms. Roedel stated that the events at the Civic Center required a button.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were none.

CONSENT AGENDA

Approval of the City Commission Meeting Minutes from July 1, 2013.

Approval of the Cereal Malt Beverage License for the Frontier Western Days Celebration.

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

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

30TH STREET NAME CHANGE

Scott Rickard, Assistant City Engineer, stated that staff are asking to change the name on the road adjacent to the new middle school in order to be consistent with our current system. He stated that Carter Road had been suggested in honor of the previous owners of the property.

Commissioner Chase Locke stated he didn't feel strongly about any of those names, but thought it was appropriate to name it after the Carter family.

Commissioner Nick Badwey stated he knew the family and believed it would be fitting to name it after the Mr. Carter.

Commissioner David Chapin stated he was indifferent as well.

Mayor Michael Fagg suggested that the various organizations around town run a contest to name the road.

Mr. Rickard stated that the turn around on this had to be quick because the construction of the school sign was waiting on the decision.

Commissioner Locke asked how quickly those organizations could return the decision.

Mayor Fagg asked how long they had to make the decision.

Norm Wilks, USD 490, stated that they were waiting on doing the sign and printing materials until the decision is made. He thought that if it could be done by September or October at the latest, it would be ok.

Commissioner Badwey suggested that a vote be held by the second meeting in August.

Mayor Fagg suggested that a list be narrowed down to five before the vote.

Commissioners Chapin and Young agreed with the Mayor. They believed it could be done using 360eldorado and the Times.

Julie Clements, El Dorado Times, stated an online survey could be done on the Times website.

Ashley Roedel, Main Street El Dorado, stated that they could place a booth at the festival and send out an online survey as well.

Commissioner Chapin stated he believed it needed to be something appropriate for future expansion.

There was a consensus that the Commission would wait to name the road until suggestions had been received from the public.

STORM WATER UTILITY RATE CHANGE

Scott Rickard, Assistant City Engineer, stated that staff have reviewed the storm water utility costs and have provided a few recommendations. He stated if it is the desire to lower the rates, they could do so and remain status quo.

Mr. Rickard cautioned that the City has received notice that a new permit will be issued to the City in the fall and could possibly increase our costs with new treatment requirements.

Mr. Rickard stated that if the existing structure is left in place, it allows staff to keep up with permits, maintenance and staffing. He stated that there is concern that if it is lowered and the costs go up, we will have to return to Commission and ask for additional money.

Mr. Rickard stated that staff have offered two options: first, lower the non-residential from \$1080 to \$810 and residential from \$36 to \$27; and option two includes only reducing non-residential properites from \$1080 to \$626.

Commissioner David Chapin stated that he supported reducing this fund because it has become larger than he believed necessary.

Mr. Rickard stated that the \$3.00 ERU was set up based on the projects that needed to be completed in the stormwater fund. He stated that maintenance has been important and has solved a lot of issues.

Commissioner Nick Badwey stated he was in favor of the second option.

Commissioner Chase Locke stated he was in favor of reducing the fund as well.

Commissioner Bill Young stated he was in support of relieving the community of the additional charge as long as we are able to keep up with the stormwater system. He confirmed he was in favor of the option that reduces the fee for residents and commercial.

Mayor Michael Fagg asked what the balance in the account was.

Brad Meyer, Director of Public Works, stated that it was approximately \$400,000.

Mayor Fagg asked if everyone pays this charge.

Mr. Rickard stated that everyone but the City pays it because it is a utility fee instead of a tax.

Mayor Fagg stated the plan was a good one. He stated that it was a good way of spreading out the cost. He was in support of leaving it for a year and re-evaluating in one year. He stated that he did not believe that all of the work was complete yet.

Commissioner Chapin confirmed that this did not protect from flooding. He stated that it was a fee set up to take care of the infrastructure and believed that most of the issues have been addressed. He stated that the fund was built up and he believed we could take care of any future issues.

Commissioner Chapin stated he believed that commercial properties were carrying the burden of this utility, and that was unfair to them. He stated that if the City watches the money spent and takes care of issues before they become urgent, the fee can be cut.

Commissioner Chapin stated that if stricter regulations were passed, the fee could be increased later.

Mayor Fagg stated he believed that the City had not had the opportunity to really test the system, and lowering the fee prematurely could be detrimental.

Commissioner Locke stated he felt confident that the projects that have been completed, and that the commercial fees were excessive and should be reduced.

Commissioner Young stated he agreed with the Mayor that it is unique in that everyone must pay the fee. He stated that he felt confident that if staff are comfortable with reducing the fee and maintaining the status quo, he was in support of reducing it.

Mayor Fagg asked if the stormwater issue has been solved.

Mr. Rickard stated that it had not been. He stated that many things have been repaired with maintenance.

Mr. Rickard stated that the stormwater utility will not help with a large flooding rain; it was created by the board that was appointed by the Commission to help with maintenance issues.

David Stewart, 101 S Star, asked if an exemption element was put into this for new properties that have added in a stormwater filtering process.

Mr. Rickard stated that there is a decreased rate for those properties.

Mr. Stewart stated that a significant portion of new commercial property would be exempted because they are dealing with their own stormwater through the filtering process.

Mr. Rickard stated he was correct.

Commissioner Chapin stated that the exemption is not helpful for older commercial properties.

Mr. Rickard stated that if those property owners wanted to contact the City, they could discuss ways to decrease their stormwater utility.

Commissioner Nick Badwey moved that Ordinance No. G-1153, an ordinance lowering fees on all properties and amending title 13, chapters 13.03.050 & 13.03.075 of the El Dorado Municipal Code relating to stormwater service rates and charges be approved.

Commissioner Chase Locke seconded the motion.

Mayor Fagg stated that he would still like to see it wait for a year.

Commissioner Chapin stated that he has been impressed by the stormwater process and the success of the staff in getting the projects done.

ROLL CALL VOTE

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Michael Fagg	No
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes

ANNEXATION & FINAL PLAT OF BELMONT HEIGHTS THIRD ADDITION – R-1 RESIDENTIAL, LOW DENSITY (CASE NO. 13-001-PLAT)

Scott Rickard, Assistant City Engineer, stated that Ted and Alice Farmer are seeking approval for the final plat of Belmont Heights Third Addition. As part of the request, they are also asking to be annexed into the City limits.

Commissioner Nick Badwey asked how many lots.

Mr. Rickard stated that there were twelve.

Mr. Farmer stated that they have been pleased to work with City staff on projects such as this in the past.

Commissioner David Chapin stated they appreciated the Farmers platting this property.

Mayor Michael Fagg stated that he also appreciated the Farmers contributions.

Mayor Fagg asked how much the city property tax payer will pay on this.

Mr. Rickard stated that Mr. Farmer has paid for all of the costs up to this point. He can petition the City to add in streets. The City will pay for street intersections, stormwater, and water lines.

Mayor Fagg asked if there was research done on stormwater and sewer service.

Mr. Rickard stated that as part of the platting process a preliminary drainage plan was provided. He stated that there is also a lot of work done to make sure the sewer service is put in correctly.

Mr. Rickard stated he anticipated that the petition would be received to develop the property very soon.

Mayor Fagg asked if the City should consider taking more than just one piece in order to square up the boundaries.

Mr. Rickard stated that the City limits are not square, and we could not annex the rest of his property without him asking.

Commissioner Chase Locke moved that Ordinance No. G-1154, an ordinance adding to and extending the city limits of the City of El Dorado, Kansas, by adding to and enlarging and extending the city limits to include certain territory herein described be approved.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

PLAT MOTION

Commissioner Bill Young moved to approve Case No. 13-001-PLAT, the final plat of Belmont Heights Third Addition, and to direct the Mayor and City Clerk to sign the Final Plat.

Commissioner Nick Badwey 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 Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes

Commissioner Young stated he appreciated the Farmers opening up this land for development.

NEW BUSINESS

Commissioner Chase Locke stated that the Recreation staff did a good job with 4th of July celebrations.

Commissioner Bill Young stated that there were a lot of people out there this year. He stated that discussion amongst people was that it was nice to have extra room for it to grow.

Commissioner Young stated the fireworks were also really good.

Commissioner Chapin stated that there was a lot of boats behind the dam watching the fireworks.

Commissioner Badwey stated he believed it was a successful event.

Commissioner Locke stated that his thoughts and prayers were with Edith Pershall in the passing of her husband and previous Commissioner Steve Pershall.

Commissioner Chapin stated that the fireworks all over town were very good.

Commissioner Chapin asked about turn signals at 6th and Main.

Scott Rickard stated that 6th Street on both sides has protected left turns, Main Street does not.

Commissioner Chapin stated that he has been asked if the turn signals would be put in.

Commissioner Young stated that there is significant concern with the beginning of school that they will be needed.

Mr. Rickard stated that it is set up to allow for turn signals, but does not currently meet the warrants from KDOT.

Mr. Rickard stated that the City is trying to move over some of the pavement markings to get a larger west bound lane.

Mayor Fagg seconded the thoughts on Mr. Pershall.

Mayor Fagg asked if Scott looked at the spot on North Main.

Mr. Rickard stated that he had looked at it, it is an AT&T manhole, and he stated that they could grind down the sides a bit to help.

Mayor Fagg asked about the stop lights in town.

Brad Meyer stated that they have been to all of the stop lights mentioned to ensure they are working correctly.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:09 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

August 5, 2013

The El Dorado City Commission met in regular session on August 5, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, Finance Director Tammy Schaffer, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: City Attorney, Jim Murfin.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Macy Gaines	333 Dellway	El Dorado, KS
Julia Davis	605 S Denver	El Dorado, KS
Bruce McCabe	2333 SE Munson Hill Rd	El Dorado, KS
Curt Ziemann	128 N Vine	El Dorado, KS
Wes Barnett	220 E 1 st	El Dorado, KS
Ken Huffman	220 E 1 st	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Daniel Jones	128 N Vine	El Dorado, KS
Jonnetta Miller	415 Norris Dr	El Dorado, KS
Corey Landreth	Real Life Church	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the August 5, 2013 meeting to order.

INVOCATION

Corey Landreth, Real Life Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PROCLAMATION

Mayor Michael Fagg read the proclamation for support of the Americans with Disabilities Act.

PERSONAL APPEARANCE

City Manager Herb Llewellyn stated that he spoke to Jonnetta Miller earlier last week. Ms. Miller found a chicken by the turnpike last week and after checking with her neighbors to see if the chicken was theirs, she found that most of them were interested in owning chickens.

City Manager Llewellyn stated that with the direction of the City Commission, City Staff would bring information back regarding the subject.

Commissioner David Chapin stated that he had researched some other areas that allow chickens. He stated that he noted one main complaint is the smell, but of course that would come with larger numbers.

Commissioner Chapin stated he would like to see what other cities do to monitor chickens within the city limits.

Commissioner Bill Young stated he has talked to quite a few citizens about allowing chickens. He stated that he would also like to see the regulations of other cities.

Commissioners Nick Badwey and Chase Locke also supported looking into the issue.

Mayor Michael Fagg stated that he read a recent article about the City of Wichita allowing chickens. He stated that he was also in favor of looking into allowing chickens in town.

City Manager Llewellyn stated that he believed it is probably more common for cities to allow chickens within the city limits.

Commissioner Chapin stated he would like to stay away from allowing roosters not only because of the noise, but because of the possibility of rooster fights.

City Manager Llewellyn stated that they would look at what other cities do and provide that to the City Commission.

Mayor Fagg asked how often the animal ordinance is looked at.

City Manager Llewellyn stated he believed the ordinance was reviewed about five years ago. He stated that he could provide it to the City Commission for their review.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

City Manager Herb Llewellyn stated that the appropriation ordinance went out late today, and if the City Commission would like more time to review it that it could be approved another time.

There was consensus amongst the Commission that it had been reviewed and could be approved.

Approval of the City Commission Meeting Minutes from July 15, 2013.

Approval of Appropriation Ordinance 07-13 in the amount of \$1,389,450.11.

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

Commissioner Chase Locke seconded the motion.

Motion carried 5 - 0.

RECEIVE THE PETITION ON PROJECT NO. 418-2013 RESIDENTIAL SIDEWALKS

Scott Rickard, Assistant City Engineer, stated that city staff have received a petition to improve residential sidewalks in the following areas: 507 N Atchison, 611 N Topeka, 327 N Atchison, 325 N Atchison, and 1404 W Towanda.

Commissioner David Chapin asked if this amount was normal.

Mr. Rickard stated that it was comparable to other projects.

Commissioner Bill Young asked if this was part of the voluntary sidewalk program.

Mr. Rickard stated that it was. He stated that this program looks at sidewalks that residents request to be repaired. He stated that the sidewalks are financed through bonds over a ten year period.

Commissioner Young stated that it was a good opportunity to get their sidewalks fixed.

Mayor Michael A. Fagg stated that it was good for both the property owner and the larger city.

Commissioner Bill Young moved that Resolution No. 2721, 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 (sidewalk improvements/project no. 418).

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

ADOPTION OF THE 2014 CITY BUDGET

Finance Director Tammy Schaffer stated that she was pleased to present the 2014 budget in a total amount of \$28,865,534 with an estimated mill levy of 47.320. She stated there is no projected increase in the mill levy.

Commissioner Bill Young stated that he would like to thank city staff for all of the hard work that they do on the budget in order to ensure that there is no increase in the mill levy during the hard economic times.

City Manager Herb Llewellyn stated that it was difficult because the property evaluation actually decreased over the past year. He stated that he would like to see some growth in the City.

Commissioner Nick Badwey stated that it was commendable to keep the mill levy even while providing the same services.

City Manager Llewellyn stated that it was the goal of staff to provide good service as inexpensively as possible.

Commissioner David Chapin stated that as a tax payer, it is hard to grasp the amount of money needed to run the City. He stated that as a Commissioner he has learned that it takes a lot to make sure that the services are provided. It is a great thing to be able to say that we are honest about the budget and that the City works hard for the people.

Commissioner Chase Locke stated that it has been a learning experience, and he thanked Ms. Schaffer for helping him understand the budget.

Mayor Michael Fagg stated that it is commendable that the valuations are down and yet the mill levy has not changed.

Mayor Fagg stated that property tax is such a small portion (13%) of our budget, but it is the portion that is most concentrated on.

Mayor Fagg asked about the increase in expenses at Prairie Trails.

Ms. Schaffer stated that it was partly due to the transfer from the general fund, if they keep their expenses down, the entire transfer will not be used.

City Clerk Tabitha Sharp stated that it was due to the restaurant being budgeted for in 2014 when it has not been budgeted for in the last two years in anticipation of someone else running the restaurant.

Mayor Fagg asked where the money was that was going to be saved for the fire engine to be purchased in 2015.

Ms. Schaffer stated that we do not budget the transfer, we wait until the end of the year and if there is money left, we transfer it to equipment reserve.

Mayor Fagg asked why the ending fund balance and beginning fund balance did not match.

Ms. Schaffer stated that staff include auditors' adjustments and so they will not always be the same.

City Manager Llewellyn stated that he would check into it and get back to him.

Mayor Fagg asked why there was an increase in the cemetery budget.

City manager Llewellyn stated that over the last few years the cemetery had been spending down the balance of the lawsuit funds, and now it is operating on its' own.

Mayor Fagg asked about the economic development fund balance.

City manager Llewellyn stated that the bulk of that was for the \$250,000 in relocation funds for BG Products.

Mayor Fagg asked how long that was supposed to be available.

City Manager Llewellyn stated he was not sure.

Mayor Fagg asked about the increase in contractual services at Prairie Trails.

Ms. Schaffer stated that it was the contingency reserve.

Mayor Fagg asked how much the city collects on new developments.

City Manager Llewellyn stated that the developer either gives land or money to the city.

Scott Rickard, Assistant City Engineer, stated that

City Manager Llewellyn stated it depends on the lot, but he would take a look at that.

Mayor Fagg asked about the increase in water services revenues.

Ms. Schaffer stated that it was personnel expenses; she did not believe anything had been changed.

Commissioner Young pointed out that it was over a two year period.

Mayor Fagg stated that he would like to see a breakdown of the lake debt reserve.

Mayor Fagg asked how much is in the budget for employee raises.

City Manager Llewellyn stated that there is 3% in the budget for merit raises; the city does not give out cost of living increases. He stated that he prefers to look at our positions as they relate to other cities every few years.

Mayor Fagg asked about retirement funds in the legal/judicial budget.

City Manager Llewellyn stated that it was KPERS.

Mayor Fagg asked about the ICMA funds.

Ms. Schaffer stated that the ICMA funds are for the clerks that come out of that budget.

City Manager Llewellyn stated that when the fire and police departments switched to KP&F, ICMA was introduced for other employees so that it was fair for all employees.

Mayor Fagg asked about safety incentives.

City Manager Llewellyn stated that the entire organization gets a safety incentive per department if there are no lost work days.

Mayor Fagg asked about the cash balance in the Industrial Mill Levy and Tourism funds.

City Manager Llewellyn stated he would check on how those funds could be spent and get that back to him.

Mayor Fagg stated that he would like to see less spent on economic development, more on streets and trimming trees over the streets.

City Manager Llewellyn stated that we have just hired a part time tree trimmer for that reason.

Mayor Fagg opened the public hearing.

Mayor Fagg closed the public hearing.

Commissioner Nick Badwey moved to approve the 2014 Operating Budget in the total amount of \$28,865,534, providing for an estimated mill levy of 47.320 mills and to certify the same to the County Clerk.

Commissioner David Chapin seconded the motion.

Mayor Fagg stated that city staff did a good job, and that he would like to see them spend a little more time next year reviewing it.

City Manager Llewellyn stated that staff and the Commission will meet in November to begin discussions and we would also provide the new members of the Commission a calendar for the budget year.

Motion carried 4 – 1 (Mayor Fagg voted against).

NEW BUSINESS

Commissioner Chase Locke stated that his thoughts and prayers were with the Stewart family in light of Stan's passing.

Commissioner Bill Young echoed the thoughts on Stan and stated he was a great role model for the community.

Commissioner Young stated that the Frontier Western Days Celebration went very well.

Commissioner Young moved to appoint Commissioner Chase Locke to the Educational Facilities Authority of Butler County board.

Commissioner Nick Badwey seconded the motion.

Mayor Michael Fagg asked if they could report back on the meetings.

Commissioner Young stated that they would.

Motion carried 5 - 0.

Commissioner Badwey commended Public Works and Public Utilities on their work during the heavy rains. He stated that flooding problems were avoided due to the hard work of the stormwater utility and the quick response of our employees.

City Manager Herb Llewellyn stated that there were some flooding problems that caused a bridge at the bike path to close and some problems downtown. He also stated that we have become aware of some problems in some ditches and other areas as well that we have not seen in a few years.

Mayor Fagg asked which bridge was closed.

City Manager Llewellyn stated it was the one under the highway.

Commissioner David Chapin asked about 6th and Main.

City Manager Llewellyn stated that trucks are still having trouble making the curve to go west even though it has been designed above minimum standards.

City Manager Llewellyn stated that he has instructed Public Works to prepare to narrow the east bound lanes one foot each and widen the west bound lane that amount.

Assistant City Engineer Scott Rickard stated that they will only be shifting the double yellow and one of the white solid lines. He stated that lane width can be anywhere from ten feet to more. We will still be within the guidelines.

City Manager Llewellyn stated that this option allows us to maintain the lanes that are currently available and hopefully this will help the trucks make the turn.

Commissioner Badwey stated that the biggest problem is that people are not stopping behind the bar.

Commissioner Young asked about the stoplights at that intersection.

City Manager Llewellyn stated that they are looking at the signals as well.

Commissioner Young asked when the Commission could expect a proposal.

City Manager Llewellyn stated that they would go out and look at signals again once the lanes had been repainted.

Commissioner Young stated that he is hearing a lot of concerns about the increased traffic at that intersection with the beginning of school.

Mayor Fagg asked about the bump on North Main.

City Manager Llewellyn confirmed that they were talking about the manhole and asked if Mr. Rickard had talked to AT&T.

Mr. Rickard stated that he had not, but they had discussed grinding it down.

City Manager Llewellyn stated that grinding will minimize the bump; the City will need to talk to AT&T about it. He stated that to fix it correctly, it would be a big project.

Mayor Fagg referred to an article in the Wichita Eagle that talked about El Dorado selling water to Wichita. He stated that the statement in the article regarding the option of only selling pottable water while Wichita wanted to buy raw water was not true because the City of El Dorado has not made any specific agreements or demands.

City Manager Llewellyn stated that the City of Wichita asked only four questions, and nothing definite has been decided.

Mayor Fagg stated that the article also says that the City of El Dorado will build a line all the way from El Dorado to the City of Wichita's plant.

City Manager Llewellyn stated that there is an option to do that, there is also an option to buy directly from our plant in El Dorado. He stated that there is a continuum of services that could be offered, but nothing has been done.

Mayor Fagg asked if staff are meeting with Wichita staff the first week of August.

City Manager Llewellyn stated that in June, Wichita City Manager Bob Layton said that after budgets are finished he would like to be present for all meetings about water sales.

City Manager Llewellyn stated that Wichita staff requested a meeting, and it has been set for August 14th.

Mayor Fagg asked for a principal interest breakdown on the lake debt.

City Manager Llewellyn stated they would provide it for him.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn presented the budget award the City of El Dorado received for the 2013 budget year.

Finance Director Tammy Schaffer stated that previous Finance Assistant Jared Cobb worked very hard on the budget to get the award.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:27 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

August 19, 2013

The El Dorado City Commission met in regular session on August 19, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, 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
Suzie Locke	220 E 1 st	El Dorado, KS
Ted & Alice Farmer		El Dorado, KS
Matt Perez	220 E 1 st	El Dorado, KS
Curt Zieman	128 N Vine	El Dorado, KS
Martin Goedecke	2369 SW 60 th	El Dorado, KS
Dan Jones	128 N Vine	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the August 19, 2013 meeting to order.

INVOCATION

Pastor John Harms, First Southern Baptist Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were no public comments.

APPLICATION TO REZONE LOTS 6, 7, 8 & 10, BLOCK 2, GORDON’S ADDITION FROM C-1 GENERAL BUSINESS DISTRICT TO I-1 INDUSTRIAL LIGHT DISTRICT (CASE NO. 13-003-REZ)

Assistant City Engineer Scott Rickard stated that David Sundgren and Dave Callaway are requesting a rezone of the property in Gordon’s Addition from C-1 to I-1. The case was reviewed by the Planning Commission who voted in favor of the change 4 – 0 with 1 abstention.

Commissioner David Chapin asked if the people in the area have been notified.

Mr. Rickard stated that as part of the rezone process, letters were mailed to all property owners within 200 feet of the proposed change. He stated that there was no one at the public hearing and there has not been any written communication received.

Commissioner Chase Locke stated that one of the adjacent property owners was in favor of the change.

Mr. Rickard stated that he was correct.

Commissioner Locke stated that he believed with the prospective tenant, there could be the potential for growth.

Commissioner Nick Badwey asked if they knew how long the property had been vacant.

Mr. Rickard stated that it has been vacant since he was very young, but was unsure of the year.

Mayor Michael Fagg asked how the property would be changed to be comparable to the future use map.

Mr. Rickard stated that the future use map is a plan of how the Commission wants to see the City of El Dorado grow. He stated that this property is in an area that has a mixture of uses and therefore falls within the comprehensive plan.

Mr. Rickard stated that primarily the City looks at how the property owners want to use the land in the future. If the property changes hands, the new owners can propose a change in use, and it will be reviewed like the current case.

City Manager Llewellyn stated that the property does not have to change hands to change uses, the use is proposed by the current property owner.

Commissioner Bill Young stated that he was fortunate to have been on the Planning Commission when the comprehensive plan was developed. He stated looking at the current map; he believes that the proposed use is consistent with the adjacent properties. He stated that he is in support of the proposed use.

Mayor Fagg stated that according to the comprehensive plan, all zoning changes should be done with long term land use in mind.

Commissioner Young pointed out that the current map shows light industrial as an acceptable use for the area.

Mayor Fagg stated he believed that the future use does not include light industrial.

City Manager Llewellyn stated that as Mr. Rickard read earlier, that zone does include light industrial in the future.

Mayor Fagg stated he believed the issue was with how the property would be used if the current property owners sold it in the future. He stated that the rezone should not be based on the current owners' plan for the property.

City Manager Llewellyn stated that he is correct; the rezone is not based on what the current owner wants to do with the ground today. He stated that in the south end of the Main Street area there has historically been light industrial properties and there are light industrial properties currently.

Mayor Fagg asked why a special use would not be considered for this property.

Mr. Rickard stated they felt a rezone made more sense and he would have to look at if a special use permit would be allowed in this situation.

Mayor Fagg stated that he was concerned that this would open the City up to spot zoning.

Commissioner Young stated that it was not spot zoning because of the light industrial properties adjacent to the one in question.

Mayor Fagg stated that his concern is not with the proposed use; his concern is with the future use.

Commissioner Locke stated that he believed the current owners are trying to develop the area, and that this is a good opportunity for the City.

Mayor Fagg stated he also believes it is a good opportunity, but a special use permit would be more applicable.

Commissioner Young stated that he might be interpreting the comprehensive plan differently; he read it as being a mixed use area that allows light industrial.

Matt Perez, Planning and Zoning Coordinator, stated that the prospective tenants have requested some uses that would not be allowable by special use permit.

Mayor Fagg asked about the noise in the area for those staying at the small hotel on the trafficway.

Mr. Rickard stated that noise is limited by the definition of light industrial use.

Commissioner Young stated that he would like to add in to the motion that any storage materials are kept hidden by fence, to keep the property looking nice.

Mr. Rickard stated that Mr. Sundgren planned to build a fence on the property for that reason.

Commissioner Chase Locke moved that the recommendation of the Planning Commission to approve Case No. 13-003-REZ requesting a rezoning of Lots 6, 7, 8, 9 and 10, Block 2, Gordon’s Addition, be accepted and that Ordinance No. G-1155 be approved.

Commissioner Bill Young seconded the motion.

Mayor Fagg stated that he questioned the Planning Commission meeting because it was so short. He did not believe they had the time to review the request in regards to the plan.

Commissioner Locke pointed out that the Comprehensive Plan is available to the Commission on the dropbox.

Commissioner Young stated that the Comprehensive Plan is also available on the City’s website to anyone who wishes to read it.

ROLL CALL VOTE

Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Michael Fagg	No

RECEIVE THE PETITION ON PROJECT NO. 421 – PAVING BELMONT HEIGHTS 3RD ADDITION – PHASE 1

Assistant City Engineer Scott Rickard stated that the City has received a petition to pave phase 1 of the Belmont Heights 3rd Addition. Staff are asking to proceed with plan development and bidding.

Commissioner David Chapin asked if there were any properties outside the development that would be assessed costs.

Mr. Rickard stated that there is one property that will be assessed a cost for their driveway, and a City of El Dorado property that has a water tower on it.

Mr. Rickard stated that the total estimated project costs are \$264,353.66, the total for the benefit district is \$175,152.64 and the City at Large costs are \$89,201.02. He stated that the City at Large costs include intersections and storm sewers.

Mayor Michael Fagg asked if the City will finance the whole project.

Mr. Rickard stated that the City will pay for the costs through temporary notes and then for long term they will go to bond.

Mayor Fagg stated that he would like the City to consider having a letter of credit from all developers. He asked if there was a development review committee.

Mr. Rickard stated that it is an informal process amongst staff members.

Mayor Fagg stated that the Comprehensive Plan states that the developer pays for storm sewer.

City Manager Herb Llewellyn stated that the developer used to pay for everything, the City Commission changed the ordinance several years ago.

Mayor Fagg asked if the Engineering office had confirmed that water and sewer in the area would be adequate.

Mr. Rickard stated that the purpose of this agenda item was to approve the planning process and that those things would be done during that process.

Commissioner Nick Badway moved that Resolution No. 2723, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Paving Improvements./Project No. 421).

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

RECEIVE THE PETITION ON PROJECT NO. 422 – SANITARY SEWER BELMONT HEIGHTS 3RD ADDITION – PHASE 1

Assistant City Engineer Scott Rickard stated that a petition has been received to extend sanitary sewer to Phase 1 of the Belmont Heights 3rd Addition. He stated that staff are asking permission to proceed with plan development and bidding.

Mr. Rickard stated that total cost for the sewer extension would be \$94,084.30. He stated that this cost would be paid completely by the benefit district.

Mayor Michael Fagg stated he was concerned that the new addition would be dumping more into an already taxed sewer system.

Mr. Rickard stated that in 2008 or 2009 there were repairs made to the sewer system in that area so that increased capacity could be handled.

City Manager Herb Llewellyn stated that staff are also looking at use in other areas of town to assist with future growth.

Commissioner Bill Young moved that Resolution No. 2724, a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Sanitary Sewer Extension Improvements/Project No. 422).

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

Commissioner Young stated that he appreciated the Farmers and their contributions to the development of the City of El Dorado.

STREET NAME CHANGE – 30TH STREET

City Manager Herb Llewellyn stated that because there were two 30th Streets in the City, the street by the school needed to be renamed.

Suzie Locke, Administrative Intern, stated that Mayor Fagg had suggested at a previous meeting that the citizens of El Dorado be polled to see what name they would like. She stated that the top suggestions were Wildcat, Learning, Cat, Givens, Opportunity and Pride. The top suggestion was Wildcat.

Mayor Michael Fagg stated that his only problem with Wildcat is that the middle school's mascot is not the Wildcat.

City Manager Llewellyn stated that the middle school recently changed their mascot.

Mayor Fagg asked what the suffix would be.

City Manager Llewellyn stated he thought Wildcat Way would be appropriate.

Scott Rickard, Assistant City Engineer, stated that because there is no policy, it can be anything.

Commissioner Bill Young stated that amongst the responses to the survey, it was suggested that Wildcat Way could be used in slogans such as “the Wildcat Way is a better way of doing things”, or “the Way of the Wildcat”.

Commissioner Chase Locke moved to rename 30th Street to Wildcat Way.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

Commissioner Nick Badwey moved that Ordinance No. G-1156, an ordinance changing the name of a certain street in the City of El Dorado, Kansas be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL VOTE

	Mayor Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2013

City Manger Herb Llewellyn stated that each year, the State of Kansas changes existing statutes, and those statutes are updated in the booklet. Each City adopts the booklet as opposed to adopting each ordinance separately.

Mayor Michael Fagg asked if the changes could be reviewed.

Curt Zieman, Interim Police Chief, stated that the primary changes are to wording in the driving under the influence ordinances. There were no new ordinances added.

Mayor Fagg asked about the change to the ordinance on stopping to render aid.

Chief Zieman stated that again, it was a change in wording.

Commissioner Bill Young asked if Chief Zieman could go ahead and review the changes to the Uniform Public Offense Code as well.

Chief Zieman stated that the Uniform Public Offense Code was also primarily terminology changes. He stated that prostitution is now referred to as selling sexual relations. He stated that the ordinance referring to criminal use of a weapon, knives were taken out of that statute.

Chief Zieman stated that the Standard Traffic Ordinance concerns street traffic, the Uniform Public Offense Code deals with all other laws.

Commissioner David Chapin confirmed that if the Commission wished to change a statute, they could be more restrictive, but not less.

City Manager Llewellyn confirmed that the City can impose more restrictions, but cannot make a State Statute less restrictive.

City Manager Llewellyn stated that if a law is not uniform in its application, a City can charter out of the law, but if it is uniform, the City cannot charter out of it.

Commissioner Bill Young moved that Ordinance No. G-1157, and 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 2013, be passed and approved.

Commissioner Nick Badwey seconded the motion.

ROLL CALL VOTE

Position No. 4	Commissioner David Chapin	Yes
	Mayor Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes

UNIFORM PUBLIC OFFENSE CODE, EDITION 2013

Commissioner Chase Locke moved that Ordinance No. G-1158, 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 2013, be passed and approved.

Commissioner David Chapin seconded the motion.

ROLL CALL VOTE

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes

FIREWORKS DISCUSSION

City Manager Herb Llewellyn stated that before the 4th of July, the Commission asked staff to review the fireworks policy after the holiday had passed. He stated that all of the background information has been provided, no decision needs to be made, it is primarily a discussion item.

Commissioner Chase Locke stated that he brought it up originally because of the calls he had received with concerns about fireworks. He stated that as previously discussed, the City has already made the statute stricter within the city limits through its’ current ordinance.

Commissioner Bill Young stated that he believed the City and the Youth Commission have done a good job in educating the people on the current laws. He asked if anything has changed that needs to be discussed.

City Manager Llewellyn stated that most concerns surround pets and their reactions to fireworks. He stated that the number of citations and complaints has been reduced over the years.

Commissioner Young stated that there would be people that violate this ordinance just like they do other ordinances. He stated that he believes that the police and fire departments have done an excellent job reducing the problems and that the youth commission has done a good job educating people on the law. He stated that he did not believe there needed to be more done at this point.

City Manager Llewellyn agreed that the Youth Commission was insightful in their solution to the problem. He stated that he did not believe there had been any significant changes to warrant altering the ordinance.

Commissioner Locke stated that knowing the number of complaints and citations had been reduced was enough for him.

Curt Zieman, Interim Chief of Police, stated that the number of complaints has gone down almost half over the last two or three years. He stated that no tickets were written this year for fireworks problems.

Mayor Michael Fagg asked if there had been any fire issues this year.

Chief Zieman stated he did not hear of any issues.

Commissioner David Chapin stated he is sympathetic to those who do not support shooting fireworks, looking around El Dorado during that week, it is apparent that many people do enjoy shooting fireworks. He stated the youth commission has done a good job mitigating this issue.

Commissioner Nick Badwey stated that the city fireworks show is funded by the money received from the fireworks stands. He also stated that several groups benefit from working at the fireworks stands.

Mayor Fagg asked how much is collected in fees.

City Manager Llewellyn stated that he believed it is usually twenty thousand a year and the City spends \$5,000 on the fireworks show.

Mayor Fagg stated he did see a petition against the fireworks, and could appreciate their feelings. He stated that in this case, the majority of the citizens of El Dorado are outweighing the few complaints. He stated he had seen some suggestions that the time to shoot fireworks be shortened.

City Manager Llewellyn stated that the Commission previously discussed shortening the time period, but decided that they would try and work within the limits of the current ordinance before changing it.

Commissioner Chapin stated that shortening the period of time to do fireworks, it sends business to other areas and there is still the problem of people buying them elsewhere and shooting them off on days that are not allowed.

NEW BUSINESS

Commissioner David Chapin asked if staff could look at the lights at Central and Haverhill because the north and south bound lights are timed and are holding up the east and west bound traffic when no one is at the light.

City Manager Herb Llewellyn stated that the City has changed a few of the protected left turn signals throughout town. He stated that he was going to speak to staff about the issue; he thought that it could be changed.

Assistant City Engineer Scott Rickard stated that the signals were placed there by the original engineers and they tried to make sure that all sides of the intersection were given time to get through.

Mayor Michael Fagg asked if Oil Hill and Central could be checked as well because it is running long.

Commissioner Chapin asked if the police patrolled there often.

City Manager Llewellyn stated that they do.

Commissioner Nick Badwey stated that residents should check their sump pumps to see where they are going. They should not be going into the sanitary sewer system. He stated that it is a very inexpensive fix and can prevent future serious problems.

City Manager Llewellyn stated that it can cause backup issues, if not for the resident, then for their neighbors who might be at a lower elevation.

Kurt Bookout, Public Utilities Director, stated that he has developed a draft letter that will encourage citizens to fix this problem. He stated that even if a sump pump kicks on only every few minutes, it can contribute up to 50,000 gallons of water to the sewer system. Storm water does not need to be treated, and it is costing the City to run that water through the system.

More discussion on sump pumps was held.

Commissioner Bill Young congratulated the Broncos baseball team on their 3rd place finish at the NBC tournament.

Mayor Fagg requested the principal and interest on the lake debt over the last five years.

Mayor Fagg asked if the library board has had a discussion about being open during storms.

City Manager Llewellyn stated that he would follow up.

Mayor Fagg stated he would like the place in the road on North Main fixed.

Mayor Fagg encouraged people to help their neighbors with mowing to keep the City looking good. He stated that it would also be good if neighbors can help pick up limbs from the storm.

Mayor Fagg asked when the last time the street policy was reviewed.

City Manager Llewellyn stated that we have a policy on design, payment on new construction, unimproved streets, etc...

Mayor Fagg asked if we could compare our policies to other cities to update them.

City Manager Llewellyn stated that the Commission has discussed and updated portions of the street policy over the last few years.

Commissioner Chapin stated that he has suggested in the past that the costs on streets considered thoroughfares be spread further across the city as opposed to just in that neighborhood.

City Manager Llewellyn stated that historically the Commission has not forced neighborhoods to improve streets if they do not have a majority of property owners in support of it. He stated that this is the reason that roads like Topeka and Towanda have not been improved.

Mayor Fagg stated he would like to see one street policy that combines all of these items.

Mayor Fagg asked if when horses take part in a parade, someone could follow with a shovel before the street sweeper comes through.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that the City is aware of the tall grass in the parks and on our other properties; rain has kept us from taking care of everything.

City Manager Llewellyn stated that the Corp of Engineers has begun to release water from the lake, they have released more in a day than the City of El Dorado uses in a year.

City Manager Llewellyn stated that a list of the responses to the questions about chickens had been sent out. He stated that the majority of cities allow chickens, but not roosters or guineas.

Commissioner David Chapin stated he would like to see an ordinance developed for allowing chickens.

Commissioner Chapin asked about getting a truck specifically for limb pickup.

City Manager Llewellyn stated that it can be discussed with next year's budget. He stated that they will also investigate getting a tub grinder so that we do not have to burn brush.

Mayor Fagg asked if there is a Freedom of Information Officer.

City Manager Llewellyn stated that it was the City Clerk.

Mayor Fagg asked if there was an official open records act policy.

City Manger Llewellyn stated that there was.

EXECUTIVE SESSION

Tabled because the City Attorney was absent.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 9:12 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

The El Dorado City Commission met in a special session on September 4, 2013 at 4:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Matt Perez	220 E 1 st	El Dorado, KS
Diane Solario	248 Warren Rd	El Dorado, KS
Curt Ziemann	128 N Vine	El Dorado, KS
Glen Hobson	1100 Towanda	El Dorado, KS
Pam Bradshaw	112 N Emporia	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the September 4, 2013 meeting to order.

INVOCATION

Mayor Michael Fagg opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PROCLAMATION

Diane Solario, Director of Vintage Place Assisted Living, invited the City Commission to activities at Vintage Place in honor of National Assisted Living Week.

Mayor Michael Fagg read a proclamation declaring it National Assisted Living Week.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

Glen Hobson, 1100 Towanda, stated that he had not received notification of a zoning change on his property on South Main Street. He stated that the notification he received was about a change on Orchard, and when he called the City to question it, he was told by the Planning and Zoning Coordinator that the notification was mailed to him by mistake and that he should have received the one about South Main.

Scott Rickard, Assistant City Engineer, stated that after looking into the matter, it became apparent that four of the fifteen property owners on South Main had received the wrong letter. He stated that Mr. Perez had called those four owners, explained the situation, and no one had objected to the zoning change.

Mr. Hobson stated he would like the Commission to revisit the issue with the input of the four property owners.

City Manager Herb Llewellyn stated that he would have the City Attorney look into the problem and staff would contact all of the affected land owners.

Pam Bradshaw, 112 N. Emporia, stated that she has spoken to staff and the Mayor about purchasing a cemetery lot that is owned by another citizen, and she would like to know what progress has been made.

James Murfin, City Attorney, stated that he has spoken to Ms. Bradshaw about recapturing the plots in the cemetery. He stated that because the City has previously determined that they do not want to go through the cost of going to district court for one individual's request, Ms. Bradshaw could pay the costs and he would do the legal work for free.

Mr. Murfin stated that he felt if the City were to pay for the plots, it would be more cost efficient for them to wait until a number of plots could be repossessed. He stated that there are other lots available to Ms. Bradshaw now.

City Manager Llewellyn clarified that the lots Ms. Bradshaw wants the City to repossess have been purchased by another person.

Mayor Michael Fagg asked how long it would take and what the cost would be to go through this procedure.

Mr. Murfin stated that it would take approximately three months and possibly around five or six hundred dollars. He stated that he could not state the cost for certain at this point.

Mayor Fagg clarified that her options were to pay the fees so that Mr. Murfin could file the paperwork, or she can buy other lots.

Mr. Murfin stated he was correct.

Mayor Fagg asked Ms. Bradshaw if she has spoken to the City Manager.

Ms. Bradshaw stated that she has not.

Mayor Fagg asked City Manager Llewellyn to clarify his previous statement that he had listened to her story.

City Manager Llewellyn stated that he has listened to her story through several staff members. He stated that the best way in his opinion to deliver services is to have the person closest to the issue deal with the problem. That is why he asked the City Attorney to take care of the issue.

Mayor Fagg stated he felt that he felt we owed it to her to listen to her story.

City Manager Llewellyn stated that after listening to the story, he felt it was in the best interests of the City to not spend the money on more plots when there are plenty available in the cemeteries.

Mayor Fagg told Ms. Bradshaw she had the choice to pay the fees or choose a different lot.

City Manager Llewellyn stated that she could go across the hall to speak to someone in the recreation department and they could help her.

CONSENT AGENDA

Approval of the City Commission minutes from August 5, 2013 and August 19, 2013.

Approval of appropriation ordinance 08-13 in the amount of \$2,519,659.29.

Mayor Michael Fagg asked to change the August 5th minutes to state that Jim Murfin was absent.

Commissioner Bill Young moved to approve the consent agenda as amended.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

PROJECT NO. 419-6TH STREET SIDEWALK (METCALF TO ORCHARD)

Scott Rickard, Assistant City Engineer, stated that this section of the 6th Street sidewalks is a sales tax project recommended by the sales tax committee. He stated that 6th avenue is the final road to be completed from the list specified by the City Commission.

Mr. Rickard stated that the Engineer's estimate was \$62,444.50 and one bid was received from Barkley Construction in the amount of \$56,700.00.

Mayor Michael Fagg asked if any City employees work for this company.

Mr. Rickard stated that there were none.

Mayor Fagg asked why no one else bid on the project.

Mr. Rickard stated that Baron Concrete missed the bid date, and the others did not wish to bid the project.

Mayor Fagg asked if the City has a crew that does this work.

Mr. Rickard stated that it was the recommendation of the sales tax committee that the money go to an outside contractor since it was revenue from the sales tax fund.

Commissioner Bill Young asked about the progress on the middle school sidewalks.

City Manager Herb Llewellyn stated that they would begin that project after the Haverhill project is complete.

Mr. Rickard stated that the school district is partnering with the City to complete that project.

City Manager Llewellyn stated that City staff will do the projects at Haverhill, the middle school and on 12th Street.

Mr. Rickard stated that City staff will hold off on the 12th Street sidewalk project until that property is replatted.

Commissioner Chase Locke moved that as Barkley Construction has submitted the lowest and best bid for project no. 419 of \$56,700.00 was under the Engineer's Estimate, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

PROJECT NO. 370 – SE QUADRANT RESIDENTIAL SIDEWALKS

Scott Rickard, Assistant City Engineer, stated that this is part of the project to replace sidewalks in need of repair. There will be special assessments for each property owner, and the city at large will pay the removal costs.

Mr. Rickard stated that the Engineer's Estimate was \$166,173.00 and one bid was received from Barkley Construction for \$158,795.40.

Commissioner Nick Badwey moved that as Barkley Construction has submitted the lowest and best bid for project no. 370 of \$158,795.40 was under the Engineer's Estimate, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

LEAGUE OF KANSAS MUNICIPALITIES VOTING DELEGATE REGISTRATION

City Manager Herb Llewellyn stated that the annual business meeting of the League of Kansas Municipalities will be held in Overland Park, Kansas, on October 12-14, 2013. The City is entitled to three voting delegates and three alternate delegates.

The recommendations for voting delegates from staff are as follows:

- Michael Fagg – voting delegate
- Chase Locke – voting delegate
- Tabitha Sharp – voting delegate
- Curt Ziemann – alternate delegate
- Scott Rickard – alternate delegate
- Marci Fugarino – alternate delegate.

Commissioner Bill Young moved to appoint Mayor Michael Fagg, Commissioner Chase Locke and City Clerk Tabitha Sharp as voting delegates to the annual business meeting of the Kansas League of Municipalities and that Police Chief Curt Zieman, Assistant City Engineer Scott Rickard and Human Resources Director Marci Fugarino be named alternates.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

CHANGE IN THE MUNICIPAL CODE TO ALLOW PERMITTED FOWL

Brad Meyer, Director of Public Works, stated that this is the ordinance the Commission requested regarding allowing chickens in residential areas. He stated that this ordinance will allow up to six chickens/permitted fowl in residential areas.

Mayor Michael Fagg asked which cities were surveyed.

Mr. Meyer stated that they surveyed Wellington, Winfield, Andover, Wichita, Lawrence, Lenexa, Bel Aire, Goddard, Meriam, Overland Park, and several other similar suburban areas.

Mayor Fagg asked if it was comparable to Winfield.

Mr. Meyer stated that it was comparable to Lawrence. He stated that it is actually a compilation of several cities to best fit our needs.

Mr. Meyer stated that this ordinance strictly allows female chickens. He stated that no roosters, guineas, or turkeys will be allowed.

Commissioner David Chapin asked what happens to chickens that get loose.

Mr. Meyer stated that the same policies will be followed as with dogs and cats.

Commissioner Chapin asked about sick or diseased birds.

Mr. Meyer stated that they will follow the same policies for veterinary care as dogs and cats.

Commissioner Chase Locke stated that this is the most he has heard from citizens in his time as Commissioner.

Mr. Meyer stated that there are caveats for the stores that will sell chickens as well as the participants in the 4-H fair.

Mayor Fagg asked where ducks fit with this law and asked how the City has ducks.

Mr. Meyer stated that the ducks at the East Park pond are not ours. They are typically dropped off there by citizens.

Mayor Fagg asked if it is our responsibility to get rid of some of them because of the amount of droppings.

Mr. Meyer stated that we have previously done it, but received many complaints about it from citizens who think we should leave them alone.

Mayor Fagg stated he doesn't mind the ducks at the pond, he believes they should just be thinned out.

City Manager Llewellyn stated that we try to thin them out as often as possible, but it is a very labor intensive process because the ducks don't want to leave the pond.

Mr. Meyer stated there also has to be somewhere to take them when we thin them out.

Commissioner Nick Badwey moved that Ordinance No. G-1159, an ordinance amending the municipal code to allow permitted fowl in the City of El Dorado, Kansas be approved.

Commissioner Bill Young 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 Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes

MODERATE INCOME HOUSING GRANT

Scott Rickard, Assistant City Engineer, stated that the City of El Dorado has been made aware of a possibility for funding for moderate income housing. The City along with El Dorado Inc. sent a request for proposals in August. Requirements included three bedrooms, two baths, and two car garage. Two applications were received and were approved by the committee.

Commissioner David Chapin confirmed that the grant can only be applied for by a government body.

Mr. Rickard stated that he was correct.

Mayor Fagg asked why the Commission had not received a copy of the grant application.

City Manager Herb Llewellyn stated that the two applicants are making corrections.

Mr. Rickard stated that the application process has been rushed because of the late notice on the grant.

Commissioner Chapin confirmed that staff are just asking for permission to apply for the grant.

Mayor Fagg asked what it would cost the city.

Mr. Rickard stated the City would administer it and waive fees for building permits and water and sewer taps. He stated that they would also be eligible for NRP funds. This will be part of our in-kind funds.

Mayor Fagg stated he was concerned about the condition of the streets on the applications.

Mr. Rickard stated that they have signed a development agreement and so if the commission or property owner requests a street improvement, there can be no protest from the builders.

Mayor Fagg asked which income range we are applying for.

Mr. Rickard stated that they just have to fall anywhere within that moderate income range. He stated that if a family of four wanted to rent or buy a structure built with this money, they have to fit within the specified range. If the owner of the property moves someone in that does not fit the criteria, they will have to pay some of the money back.

Mayor Fagg asked if they would be on the property tax rolls eventually.

City Manager Llewellyn stated that they would.

Mr. Rickard stated it was a really good grant opportunity from the State.

Commissioner Chapin stated that the only catch is if the State only gives a small amount of money. Then it will be up to the developer to see if they will follow through.

Commissioner Bill Young stated that housing stock is a challenge in El Dorado.

Commissioner Chapin stated that the City loses a lot of potential residents because of the lack of housing and it is important to support these kinds of programs in order not to be stagnant.

Commissioner Young stated that the developers had a large risk with these developments and was appreciative of them.

Mayor Fagg stated that he hoped these would be viable options to provide housing for new residents.

Commissioner Bill Young moved that Resolution No. 2725, a resolution certifying legal authority to apply for the 2014 Kansas Moderate Income Housing Program from the Kansas Housing Resource Corporation and authorizing the city manager to sign and submit such an application.

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

NEW BUSINESS

Commissioner Bill Young reminded citizens that Butler and El Dorado sports and other activities have begun with the start of school. He encouraged citizens to support the students.

Mayor Fagg asked about the progress of the library as a shelter during storms.

City Manager Herb Llewellyn stated that the library board has discussed it. He stated that they are concerned that there will be no way to secure the library with the remodel and they do not want to open it.

Mayor Fagg stated that it was a public building and he felt that it should be open.

Commissioner Nick Badwey was concerned with consistency and thought we should wait until after the remodel is completed so that no one tries to go during construction. He thought that they might be more receptive to the idea once the remodel was completed and security was in.

Commissioner Young stated he agreed that there should be a shelter on that side of town, he did not want to take police and fire and public works staff off of more important activities during a storm and so someone else would have to be called to open the facility.

City Manager Herb Llewellyn stated that other city staff would have to be present because police, fire, public works and some public utilities employees are already out dealing with the storm. He stated that when the library was open, a librarian was the one to open it.

Mayor Fagg stated he would try and attend a meeting to talk to the board about it.

City Manager Llewellyn stated that after the remodel it will be difficult because of the open floor plan.

Commissioner Chapin stated that the biggest problem is who will hold the key.

Commissioner Chase Locke pointed out that the person would have to be available all the time to make sure there is consistency.

Mayor Fagg asked to see the principal and interest breakdown for the lake debt.

City Manager Llewellyn stated it was ready, the finance director has it.

Mayor Fagg asked for a new copy of the zoning map.

Scott Rickard, Assistant City Engineer, stated that he could get him a copy.

Mayor Fagg stated that the map should be the official one in the book.

Mr. Rickard stated that when there are rezones or amendments, the map in the book changed and so the updated one can be provided on the Commission's ipads.

Mayor Fagg asked if there could be a letter from the auditors stating that the ending and beginning balances did not match and that it is ok with them.

City Manager Llewellyn stated that the auditors do it as part of their process.

Mayor Fagg stated he did not believe that the auditors look at the State budget.

City Manager Llewellyn stated that the question has been asked, and the year end adjustments change the balance.

Commissioner Young confirmed that the auditor certifies the audit.

City Manager Llewellyn stated that they do.

Commissioner Chapin asked the Mayor to confirm what he is asking for.

Mayor Fagg stated that the December 31st numbers do not match the January 1st.

Commissioner Chapin asked if all other cities balance.

Mayor Fagg stated that he thinks they do.

Commissioner Chapin asked if he has checked.

Mayor Fagg stated he had not.

Commissioner Chapin stated that he thought the State would have caught this problem prior to now.

Mayor Fagg stated he believed that staff should be able to update the numbers prior to when the budget is submitted in August.

Commissioner Young pointed out that the City receives an award for the CAFR each year.

City Manager Llewellyn asked if the Mayor had asked someone from the State.

Mayor Fagg stated he has and they said it should match.

Commissioner Badwey asked if the Mayor has talked to the auditors.

Mayor Fagg stated he does not believe that she has looked at the State budget.

Commissioner Locke asked if the Mayor has asked the auditors if they look at it.

Mayor Fagg stated he did not. He confirmed that the auditors look at what we order them to look at each year.

City Manager Llewellyn stated that he was not correct; the auditors have unfettered access to all financials from the year. The auditors tell us what they want to look at based on GAAP and the laws of the State of Kansas.

Commissioner Badwey stated he did not believe that the auditors could do that without reviewing everything.

City Manager Llewellyn stated that it would be extra work and we would be charged for it.

Mayor Fagg stated that they have already done the work, he is just asking for a letter confirming it.

City Manager Llewellyn stated that the question is whether or not the Commission wants to pay for that work.

Commissioner Chapin stated that he could not make a decision without seeing the information that the Mayor is referring to.

Commissioner Locke stated that we needed to begin with asking the auditors if they look at the State budget.

Commissioner Badwey asked if it would cost anything to ask the question.

City Manager Llewellyn stated he didn't believe it would.

Commissioner Badwey stated that if the answer was yes, he did not believe there needed to be a letter.

Mayor Fagg stated he would be ok with asking the question first.

Commissioner Young confirmed that the report this year stated that we have met all of the generally accepted accounting practices in terms of finance. He stated that if we did not meet these, the auditors would share their concerns with the Commission.

Mayor Fagg stated that after talking to the auditor, he had the feeling that they do not look at the State budget form.

Commissioner Young stated that the question whether the City is following procedure has been answered, and the answer was yes the City meets the rules and regulations set forth by the State of Kansas.

More discussion was held.

There was consensus amongst the Commission to direct staff to ask the auditors if they look at the State Budget Form.

Mayor Fagg asked if it would be ok if he participated in the conversation with the City Manager and the auditor.

Commissioner Young stated that the City Manager is responsible for that and he will return with the answer, the Mayor did not need to be part of the conversation.

Mayor Fagg stated that the stormwater issues at First and Main needs to be fixed because it might cause us to lose businesses. He feels that an engineer specialized in stormwater should be contacted.

City Manager Herb Llewellyn stated that would cost money and that the area is designed for a 5 - 10 year flood.

Mr. Rickard stated that the events experienced were 25 year floods.

City Manager Herb Llewellyn stated that it will only withstand the event for which it is designed.

Mayor Fagg stated he would like to get a second opinion.

Commissioner Chapin asked how much the Mayor wanted to spend.

Commissioner Locke stated that there were possibly some other options.

Mayor Fagg thought it would be worth a second opinion to find out what other options are.

Commissioner Badwey stated that the City's Engineer already knew the options.

Commissioner Young stated that he felt that money could better be allocated somewhere else.

City Manager Llewellyn thought it would be well over \$50,000.

Mr. Rickard stated that there had been a study previously and that it is approximately \$1.2 million to provide that new system.

Commissioner Badwey asked if that would create a benefit district.

Mr. Rickard stated that it was recommended to be paid for by the City-at-large.

He stated that there is a study on file that could be reviewed, but it is about cost.

Commissioner Locke reiterated that there might be some more cost effective things that are being considered now.

Herb stated that it is policy related and that the Commission has to decide what they need to design for.

Mr. Rickard stated that if the city were to tackle a project like this a third part would do the design.

Mayor Fagg stated at Kendrick and Post there is a fence down, and a letter needs to be sent out.

City Manager Llewellyn stated that staff are aware of it.

EXECUTIVE SESSION

Mayor Michael Fagg asked if the subject to be discussed in Executive really did fit within trade secrets.

City Manager Herb Llewellyn stated that they will be discussing land acquisition and that the City Attorney has confirmed that everything that will be discussed is permitted under that topic.

Mayor Fagg asked how trade secrets can apply to two municipalities.

City Manager Llewellyn stated that it is subject to debate, and our legal counsel has determined it is ok.

Mayor Fagg stated that he has discussed this with League attorneys and he believed that it was not applicable. He stated in the spirit of openness, it could be discussed in the meeting.

City Manager Llewellyn stated that there is nothing that prohibits the Commission from discussing the topic in the open meeting. He stated that the City Attorney and staff believe that the issue being presented should be discussed in Executive Session. He stated that the topics the Mayor described to the League were not what is going to be discussed in Executive Session and therefore the Mayor and League attorneys cannot make that decision.

Commissioner Bill Young asked if the City Attorney believed the matters to be discussed are covered by the Kansas Open Meetings Act.

City Attorney Jim Murfin stated that they were.

Commissioner Young asked if the league attorneys or Mr. Murfin would be defending us in a court of law.

Mr. Murfin stated that he would defend us.

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 6:35 p.m.

Commissioner Nick Badwey seconded the motion.

Mayor Fagg asked how land acquisitions could come from the letter asking three questions that he has not seen yet.

Commissioner Badwey called the question.

Commissioner Young seconded it.

City Manager Llewellyn stated that they were not discussing that topic.

Mayor Fagg stated that they would leave Executive Session if that was going to be discussed.

Commissioner Young confirmed they would.

Mr. Murfin stated that the items being discussed fell under a legal matter, specifically preliminary land acquisition.

Motion carried 4 – 1. Mayor Fagg voted against it.

Mayor Fagg reconvened the meeting at 6:35 p.m.

Commissioner Chase Locke moved to recess into executive session for the same purpose until 7 p.m.

Commissioner Nick Badwey seconded the motion

Motion carried 3 - 1. Mayor Fagg voted against the motion and Commissioner Chapin left the meeting at six thirty.

Mayor Fagg reconvened the meeting at 7 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 7:04 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 4 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

The El Dorado City Commission met in a regular session on September 16, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Glen Hobson	1100 Towanda	El Dorado, KS
Travis Pierce	128 N Vine	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the September 16, 2013 meeting to order.

INVOCATION

Mayor Michael Fagg opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were no public comments.

UPDATE ON PROPOSED WATER AND SEWER RATE INCREASES

City Manager Herb Llewellyn stated that in the 2014 budget there is an anticipated rate increase to generate revenue. Staff are providing options for the proposed rate increase for Commission to consider.

Public Utilities Director Kurt Bookout stated that it has been eight years since the past change in rates. The last change was actually a decrease in rates by eliminating the first tier of water use.

Mr. Bookout stated that prior to this year, the revenues have been sufficient to cover the work being done. Recently we have begun to do many repairs to keep infrastructure in good condition and this has caused the water fund to deplete.

Mr. Bookout stated that the City has absorbed all costs prior to now and is no longer able to compete with the increase in costs across all industries.

Mr. Bookout stated that the first proposal was to increase rates approximately eight percent.

Mr. Bookout stated that after further review, staff are recommending another option. Residential customers would see a true four percent increase, and the elimination of tiers to a flat rate structure would cause a fifteen percent increase for larger customers.

Mr. Bookout stated that the recommended sewer rate increase will be eight percent.

City Manager Llewellyn stated that this is to provide information to the City Commission, more discussion would be held in November and an Ordinance would be provided to approve.

Commissioner David Chapin confirmed that the average citizen's bill would go up about \$35 per year.

Mr. Bookout confirmed he was correct.

Mayor Michael Fagg asked if the water districts and other cities have different multipliers.

Mr. Bookout stated that only Rural Water District 7 has a different multiplier of two times the in city rate. This was because their contract was written later than the others. We have offered to decrease their multiplier in exchange for cleaning up their boundary lines. He stated that they also believe we should pay additional money for the line on the boundary that is not being metered.

Mr. Bookout stated that the other exception to the rule is Frontier Refinery because they pay an in-city rate.

City Manager Llewellyn stated that Frontier pays a little more than half of what Augusta pays for raw water. He stated Vintage pays the same as Frontier

Mr. Bookout stated that Vintage and Frontier pay 32 cents per thousand and Augusta pays 58 cents per thousand.

City Manager Llewellyn asked what the Greens pays.

Mr. Bookout stated that they also pay 32 cents per thousand.

Mayor Fagg stated that he had read in the paper that Wichita sells raw water to one district for 99 cents, so our rate was very good at 32 cents.

Mr. Bookout stated that the average for the state is 37 cents, but it was projected to go up with the level of debt currently associated with water.

Commissioner Bill Young stated that this only affects pottable water rates, not raw water rates.

Mr. Bookout stated that he is correct. Holly Frontier is on a year to year contract and there is no set rate for the city. He stated that staff will be reviewing their rate again soon.

Commissioner Young stated he appreciated the advance information so that they could discuss it at length prior to looking at the ordinance.

Mr. Bookout stated that last week was the inspection for the sewer maintenance program, and the inspector was very impressed with how we were proactive in taking care of our system.

Mayor Fagg confirmed that they were increasing the sewer revenue of \$137,000 and increased water revenue of \$226,000.

Mr. Bookout stated that he was correct.

Mayor Fagg confirmed that those outside of town would have a larger increase because of the out of city multiplier.

Mr. Bookout stated that he was correct.

Mayor Fagg asked if an increase in rates would cause a decrease in water sales.

Mr. Bookout stated that it could happen, but the increase was minimal. He stated that other cities have conservation rates that are affective at reducing consumption because their tiers are so dramatic.

Mayor Fagg stated he was surprised at the number of water wells in the area.

Mr. Bookout stated that he has friends in Andover with \$200-\$300 water bills, and a typical City of El Dorado water, sewer and trash bill is a quarter of that.

Commissioner Young asked how we compare to other cities.

Mr. Bookout stated that the sewer rate would go from fourth lowest up maybe three places to sixth or seventh out of approximately 32 cities of the same size.

Mr. Bookout stated that water was more difficult because of conservation rates in other cities. He stated that compared to Wichita, even our outside city rates are less expensive than them.

Mayor Fagg confirmed that there was nothing causing the cost increase.

Mr. Bookout stated that it is a combination of the time that has passed since the last increase and the effort to fix our aging system. He stated that there is also an effort to replace lines that are too small throughout the city with larger functional lines.

Commissioner Chapin asked how much infrastructure would be able to be replaced over the next few years with the revenue from this increase.

Mr. Bookout stated that he did not have a good answer for water lines, possibly \$250,000 over the next ten years would be close. If the City spends \$250,000 per year over the next ten years, the sewer system would be caught up.

City Manager Llewellyn asked how many red hydrants the City has.

Scott Rickard, Assistant City Engineer, stated he was not sure, but a lot of work had been done by the water department to rid the City of the low flow red hydrants to better our ISO rating.

Mr. Rickard stated that he received a message from Gary Taylor saying there were about ten left.

Commissioner Chapin stated he knew that there had been a lot of work done, and also that there was a lot left to do.

Mayor Fagg stated that in the 2013 Budget it states that the City Commission borrowed three million dollars from lake debt reserve. He stated that when he added up the amounts to be paid back from each fund, he didn't come up with the right amount. He stated he would like to see the correct schedule.

Mayor Fagg stated that he did not think it was fair for water and sewer customers outside of El Dorado to pay on the football field.

Mayor Fagg stated that 45% of the sewer increase would go towards the payment on the football field, 65% of the repayment comes from the water and sewer funds.

Mayor Fagg stated that he added up the ICMA expenses and it was \$198,000 across the funds. He would like to know what other cities do for retirement plans. He stated that the City contributes to KPERS, and that has increased from 7.4% to 8.94%. He thought that if those things were cut, there would not have to be an increase.

Mayor Fagg stated he felt there were better ways to pay off the football field.

NEW BUSINESS

Commissioner Nick Badwey stated it was nice to have cooler weather and the rain.

Commissioner Bill Young congratulated the middle school sports programs on their successes last week. He also congratulated Butler Football on their win on Saturday.

Commissioner Chase Locke asked if we could look at a street light on Delmar.

Scott Rickard, Assistant City Engineer, stated that it was a Westar issue, but encouraged citizens to call the Engineering department with any issues.

City Manager Herb Llewellyn stated if they could get the pole number as well it would be helpful. He stated that often it is a problem with cycling and other maintenance issues.

Commissioner Badwey stated that the pole number was on the silver strap on the pole.

Mr. Rickard stated that the closest address is also helpful.

Commissioner Locke stated that the Vision 20/20 program was looking for more volunteers to read at the schools. He encouraged people to call the Chamber for more information.

Mayor Michael Fagg asked who was responsible for alley upkeep.

City Manager Llewellyn stated that it depends on where it is. Many of them are utility easements and not actually alleys. The city does not work on easements.

City Manager Llewellyn stated that the road work in El Dorado is done according to traffic flow; alleys have little flow and so are not high up on the list. He stated that if someone calls about a pothole or gravel problem, we will come out and repair it. The City will also trim trees if there are problems getting our vehicles down them. Public Works staff will take calls regarding alleys.

Mayor Fagg asked if police could monitor the trucks on Sixth and Boyer.

City Manager Llewellyn stated that he has asked the police to focus on trucks off route, and we will send people that direction as well.

Commissioner Young stated that right after the project was completed we had to increase patrol and it seemed to help.

Mayor Fagg stated that citizens were worried they would have to pay for the wear and tear on that road from the trucks. He stated he informed them that once the initial assessment is done, the City takes care of repairs.

City Manager Llewellyn stated that he was correct. He asked Mr. Rickard how that was designed.

Mr. Rickard stated that it is built like an arterial or for higher volume with nine inches of pavement with a reinforced base.

Mayor Fagg asked about the change at Sixth and Main, he stated it did not look correct.

City Manager Llewellyn stated that his original solution was to take off a foot of each lane. He stated that the workers responsible for the project did a traffic study and discussed it with Groendyke. He stated that they only took two feet from the middle lanes.

Mr. Rickard stated that they moved the double yellow over two feet and the next lane over one. He stated that it was about trying to preserve the arrows painted on the street because there would be extra cost to repaint those.

Mayor Fagg asked if it was possible to fill in the dirt on the corner.

City Manager Llewellyn stated that it is in the plan.

Mayor Fagg asked if the City Attorney has checked into the mistake in zoning on South Main.

Jim Murfin, City Attorney, stated that he had. He stated there was a mistake in the mailing. His suggestion is to send the letter to the property owners again. Then bring it back to City Commission for approval.

City Manager Llewellyn stated that it will return to the Planning Commission in October and to City Commission in November.

Mayor Fagg asked about the principal and interest breakdown on the lake debt.

City Manager Llewellyn stated that he was mistaken earlier in the year. He stated that he gave the cash balance instead of the payment amount. The actual amount paid is \$2,857,136.90.

City Manager Llewellyn stated that the City is paying on two of the water storage areas. Space two is \$125,535.58, and space three is \$315,817.59. He stated that O&M varies from year to year with a low of approximately \$74,000 to a high of \$180,000.

Mayor Fagg asked if the O&M is put in the lake debt reserve.

City Manager Llewellyn asked if he wanted to put it in a different line item.

Mayor Fagg said he would just like to see where it is tracked.

Kurt Bookout, Director of Public Utilities, stated that he tracks the O&M separately. He stated that as he has seen the bills increase, the City has joined a group that represents entities who own water over the US and are looking into the issue.

CITY MANAGER'S REPORT

City Manger Herb Llewellyn stated that at the last meeting, the Mayor asked if the auditors review the State Budget Form when they perform the audit. Staff called the auditors, and they do look at the State forms.

City Manager Llewellyn stated that we pulled three random cities and asked if their ending balance was different than what was in the State Budget. He stated that all three had differences.

Mayor Fagg confirmed that it was the prior year that they review because they are here before the State Budget is completed.

City Manager Llewellyn stated he was correct.

City Manager Llewellyn stated that he had the information for the letters that were sent to the property owners on the rezoning on South Main if they wanted to see them.

Commissioner Bill Young asked about the left turn signals at Main Street.

City Manager Llewellyn stated that the traffic study is in place right now.

Commissioner Young asked where the process was.

City Mananager Llewellyn stated that he would bring the results to the Commission, but if the Commission would prefer to have them up now, we could do that.

Commissioner Young stated that the questions he has received were primarily concerned with the fact that the turn signals were there before and now they are not.

City Manager Llewellyn stated that they will do whatever the Commission wants. He stated that with an increase in signals, there will be more accidents, but they will be less severe. He also stated that there will be more time spent at the intersection while signals cycle through.

Mr. Rickard stated that more regulation causes lights to be less efficient, less regulation makes them more efficient.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:06 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

October 7, 2013

The El Dorado City Commission met in a regular session on October 7, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Chandis Boone	702 S Washington	El Dorado, KS
Ashia Rogers	702 S Washington	El Dorado, KS
Megan Parsley	349 State St	El Dorado, KS
Judy Rohr	215 Oil Hill Rd	El Dorado, KS
Bert Patty	1669 SE Bluestem Rd	El Dorado, KS
Rachel Noonan	1639 Arizona	El Dorado, KS
Max Brown	1111 Cave Springs	El Dorado, KS
Fahryn Black	211 N Gordy Apt 3-9	El Dorado, KS
Linda Beard	211 N Gordy Apt 3-7	El Dorado, KS
Heather Riverson	925 SE River Rd	El Dorado, KS
James Elrichs	200 N Gordy Apt 5-1	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the October 7, 2013 meeting to order.

INVOCATION

Mayor Michael A. Fagg opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Ms. Shum’s third grade class from Grandview Elementary lead the pledge of allegiance.

PROCLAMATION

Mayor Michael Fagg read the proclamation for Fire Prevention Week 2013.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

Public comments were in regards to the Pedestrian Parking agenda item, so the Commission opened that discussion.

PEDESTRIAN PARKING – 200 BLOCK OF NORTH GORDY

James Elrichs, 200 N Gordy, approached the City Commission with concerns about the speed limit on Gordy Street between Heritage House and Gordy Square. Mr. Elrichs also requested an increase in the number of signs on the street and improved crossing.

Mayor Michael Fagg asked if Mr. Elrichs felt there was an adequate police presence.

Mr. Elrichs said that yes, the police do monitor the area.

Fahryn Black, 211 N Gordy, also spoke to the City Commission regarding changing the crossing area to include speed bumps or a light so that the residents could safely cross the street.

Scott Rickard, Assistant City Engineer, stated that in 2009, there were upgrades made to the signage in that area. He stated that after talking with the residents about their concerns this year, the Engineering department did a traffic study. The results of the traffic study showed that 85% of the traffic was doing the posted speed limit. He stated that the average speed limit for those over the posted limit was 29 mph and the highest recorded was 35 mph.

Mr. Rickard stated that based on the information they have received from the traffic study and the residents, staff are focusing on changing the crosswalk to allow more visibility. He stated that the recommendations are the removal of on street parking, which includes the addition of a fire

lane. This addition will assist with emergency response as well as make the crosswalk more visible. Staff will also remove a tree to help with visibility.

Commissioner Chase Locke asked how common speed bumps are.

City Manager Herb Llewellyn stated that speed bumps are against the law on streets like this. They are also a bad idea because of insurance liabilities.

Commissioner Bill Young asked about the possibility of an elevated crosswalk.

City Manager Llewellyn stated that the least that can be done and still reach your objective is the best because it prevents the City from spending money on extreme changes when smaller changes will accomplish the goal. He stated that a signal is not recommended because motorists are not used to a light that is not on all the time and will run it, and pedestrians don't watch for cars because of the sense of security a light provides.

Commissioner Nick Badwey asked if it was possible to paint the speed limit on the street.

Mr. Rickard stated that a sign stating that there is a crossing ahead would be more appropriate.

Commissioner Locke stated that he was in support of anything that would increase visibility and awareness of the crossing.

Commissioner Young asked where the speed limit signs are located.

Mr. Rickard stated that he was unsure where the current ones are located, but that staff are recommending upgraded signage.

Commissioner David Chapin stated that he was in support of an elevated crosswalk, removal of the parking and painting the street brighter.

Mr. Rickard stated that he would check the MUTCD to see what they could paint on the street.

Commissioner Badwey asked about the possibility of a flashing yellow light.

City Manager Llewellyn stated that we would have to start a new service for the light since that area is not metered.

Commissioner Young stated that he supported the elevated crosswalk, increased signage, removal of on street parking and the tree, and the flashing light.

City Manager Llewellyn stated that there would be increased signage with the elevated crosswalk.

Commissioner Young suggested using a solar powered flashing light.

Mayor Fagg stated that he supported painting the crosswalk brighter, more signage and removal of on street parking. He stated that he believed the City should gradually step into the increase to see what works best.

City Manager Llewellyn stated that staff also support gradually stepping into the changes. He stated that if an elevated crossing is added, eventually there will be less traffic because motorists will not want to cross it.

Mayor Fagg asked if the elevated crosswalk would be wide enough that those in wheelchairs and walkers would not fall off.

Mr. Rickard stated that it will be very wide and that all of the slopes will meet ADA requirements.

Ms. Black thanked the Commission for their consideration.

Commissioner Badwey asked the residents to report back in a few months on the changes.

Commissioner Young asked how the phases would work.

Commissioner Chapin stated that the paint, signs and parking could be done now, but the elevated crosswalk would take time.

City Manager Llewellyn stated that staff will bring a design to Commission on the crosswalk.

Mr. Rickard stated that he will review the pavement marking and flashing light and bring it back to Commission.

Commissioner Chapin stated that he just returned from a City with very good painted crosswalks and they had speed bumps with indicators.

Mayor Fagg stated that he would like to see the cost of a light.

City Manager Llewellyn stated that staff will bring back the information on the cost.

Commissioner Young and Mayor Fagg thanked the citizens for their input.

Commissioner Chapin stated that these changes will be needed in this area for years to come due to the large population in those apartments.

Commissioner Bill Young moved to allow City staff to implement the requested improvements to increase the visibility of the crosswalk in the 200 block of North Gordy.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

CONSENT AGENDA

Mayor Michael Fagg pointed out a misprint in the minutes from September 4th and a misspelling in the minutes from September 16th.

Approval of the City Commission Minutes from September 4, 2013 and September 16, 2013.

Commissioner Bill Young moved to approve the consent agenda as amended.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

Commissioner Chase Locke stated he had received a petition from a group of citizens regarding the fireworks ordinance. He stated that he thought it could be revisited in the future.

Mayor Michael Fagg asked if staff could see if the League of Kansas Municipalities has anything from the class they taught on fireworks.

City Manager Herb Llewellyn stated that the overriding theme during the last discussion on fireworks is that the majority of citizens do not want to further limit the fireworks ordinance. He stated that he thought the first step was to look at the policy again.

Mayor Fagg stated he thought that staff have already been through a good process on this topic.

Commissioner Locke stated that the police department had stated that things were not as bad this year.

City Manager Llewellyn stated that the police and fire departments work hard to be very visible during that time of year which discourages citizens from disobeying the law.

Commissioner David Chapin stated that he would like another one of the Commissioners to serve on the Youth Commission. He stated that he has done it for several years and that he is very busy and does not have the time to contribute to the Youth Commission adequately.

Commissioner Bill Young nominated Commissioner Chase Locke to serve on the Youth Commission.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

Commissioner Young thanked Commissioner Chapin for his many years of work and leadership on the Youth Commission.

Commissioner Chapin stated that the advisor, Jim Gardner, works very hard with the kids to make the group work well.

Mayor Fagg asked about the property owned by the City at 827 S Washington since March of 2012. He asked why the property was purchased, how much it was purchased for, and if there was a vote to decide on the purchase. He stated that the property is in disrepair, and that City Staff needed to make sure that they are taking care of all City properties as well as they expect citizens to take care of theirs.

Scott Rickard, Assistant City Engineer, stated that it was purchased as part of the demolition program.

City Manager Llewellyn asked who was supposed to tear it down.

Mr. Rickard stated that the City's Public Works department won that bid.

City Manager Llewellyn stated that this is a property that was purchased as part of the budgeted demolition program and therefore the Commission does not vote on it.

Mr. Rickard stated that it was a condemned property, and there are also significant drainage issues on the property.

Mayor Fagg asked about the property at 127 N Griffith.

City Manager Llewellyn stated that it was purchased for the police department to be used as records storage.

Commissioner Nick Badwey stated that it had been voted on.

Mayor Fagg asked the Commission and City Staff to go look at the property located at 124 N Jones.

Mayor Fagg asked about the requirement in the Municipal Code, Chapter 2 regarding the Administrative Code.

City Manager Llewellyn stated that it is done every year during the last City Commission meeting. He stated that all positions and pay are brought to the Commission during that meeting.

Mayor Fagg asked if the Commission would consider meeting with the other related entities on repairing Towanda Avenue.

Commissioner Locke asked about the status of the road.

Commissioner Badwey stated that it would be expensive to complete.

City Manager Llewellyn stated that primary deterrent is not the expense, but that it takes County approval to repair. The City approached the County about the issue, and they said they would approve it if the El Dorado Township approved it. The Township stated that the City needed to discuss it with the primary property owner in the area, Fred Kropf. Mr. Kropf has not responded to the request.

Mayor Fagg stated that he would like to try the process again. He also asked who would have the responsibility of the bridge.

Mr. Rickard stated that the bridge is split between the County and the City. The City did the last inspection.

City Manager Llewellyn stated that if a bridge was included, the cost would double.

Mayor Fagg stated that there is no crosswalk going to the college from that area, and he would like to see one added in.

Mr. Rickard stated that it should be wide enough to have a pedestrian lane on the side.

Mayor Fagg asked if there is enough clearance below the bridge to help alleviate flooding issues.

Mr. Rickard stated that if he wanted to remove the structure, a study would have to be performed.

City Manager Llewellyn stated that he had seen the bridge during flooding, and it is adequate right now.

Commissioner Locke stated he would like to be a part of the process.

Commissioner Chapin stated it was important to discuss the issue of Towanda Avenue.

Commissioners Young and Badwey agreed that it needs to be addressed.

Commissioner Young stated that the City would have to consider how they would pay for the repairs.

City Manager Llewellyn asked if the Mayor wanted to contact the other entities.

Mayor Fagg stated he could do it if it was the proper way to do it.

Commissioner Young stated that he would like the City Manager to contact the other entities and get everything scheduled.

City Manager Llewellyn stated that he would send a letter out.

Mayor Fagg asked if the City should meet with the County, the Township and Mr. Kropf first.

City Manager Llewellyn stated that they should also include the Adelsbergers.

Commissioner Locke stated that he felt the City Manager should decide those who will attend.

City Manager Llewellyn stated that it was important not to leave out other smaller property owners.

Mayor Fagg stated he felt that the government entities should talk first, and he thought if they could be reached first, then the property owners could get on board.

Commissioner Chapin stated that those to the West of Haverhill should also be included.

City Manager Llewellyn stated that the past college President had wanted to extend the road improvements to their property line.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn showed the Commission an example of some of the pipe being replaced throughout the City.

City Manager Llewellyn stated that the water department has been doing a burn out of the water system for the last week using chlorine and ammonia to rid the system of the taste issues. He stated that the water is still fine to drink.

City Manager Llewellyn asked if the Commission would be available for a work session on October 16th to discuss board appointments.

City Manager Llewellyn stated that the Supreme Court is currently hearing a case challenging cities who have invocation at their meetings. He stated he would follow the case and report back to the Commission.

Commissioner Young asked for clarification on the work session.

City Manager Llewellyn stated that there were openings on the Youth Commission and Recreation Board as well as a few others.

Commissioner Young stated there had been a resignation on the Recreation Board and that he knew an application for that spot had been turned in. He stated that over the next few weeks, the Recreation Board would engage in some important discussions and wanted to go ahead and appoint the individual who had applied.

City Manager Llewellyn stated that policy is to review applications at a work session, but the Commission could appoint someone now if they wished.

Commissioner Young stated he would like to make the appointment so that the individual is ready for the upcoming meetings.

Mayor Fagg asked if the position had been advertised.

City Manager Llewellyn stated that the positions are advertised year round and that applications are always accepted.

Commissioner Young stated that the only application received is from Kenny Eaton.

Commissioner Chase Locke moved to appoint Kenny Eaton to the recreation board.

Commissioner Nick Badwey seconded the motion.

Mayor Fagg asked if the application had been in for awhile.

City Manager Llewellyn stated he was unsure.

Commissioner Locke stated that he had spoken to two other individuals who were interested, but they did not turn in an application.

Motion carried 5 – 0.

Mayor Fagg asked staff to go look at the potholes on Towanda Avenue.

City Manager Llewellyn stated that they would.

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 8:45 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

Mayor Michael Fagg reconvened the meeting at 8:45 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:48 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO SPECIAL CITY COMMISSION MEETING

October 16, 2013

The El Dorado City Commission met in special session on October 16, 2013, at 4:00 p.m. in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, and City Clerk Tabitha Sharp. Absent: City Manager Herb Llewellyn and City Attorney Jim Murfin.

VISITORS

Mary Ann Conrad 220 E 1st El Dorado, KS

CALL TO ORDER

Mayor Michael Fagg called the October 16, 2013 Special City Commission meeting to order.

ADVISORY BOARD APPOINTMENTS AND RE-APPOINTMENTS

Mary Ann Conrad, Assistant to the City Manager, presented the applications for advisory board appointments and re-appointments.

The City Commission discussed the applications and agreed to put them on the next regular meeting agenda.

ADJOURNMENT

Commissioner Nick Badwey moved the meeting be adjourned at 4:28 p.m.

Commissioner Bill Young seconded the motion.

Motion Carried 5 – 0.

City Clerk Tabitha Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

October 21, 2013

The El Dorado City Commission met in a regular session on October 21, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: City Attorney Jim Murfin.

VISITORS

Jim Gardner	930 Fairway Ct	El Dorado, KS
Hannah Haury	1401 Country Club Rd	El Dorado, KS
Megan Kline	1715 Candace Lane	El Dorado, KS
Heather Riddle	921 N Denver	El Dorado, KS
Victoria Gricol	1834 Leonard Ct	El Dorado, KS
Clarice Bolen	511 W Central	El Dorado, KS
Hannah Brock	916 W Pine	El Dorado, KS
Cherokee Reagan	1902 Lakeland Dr	El Dorado, KS
Josh Wolf	1019 Skyview Dr	El Dorado, KS
Belle Rausch	553 SE Poor Farm Rd	El Dorado, KS
Shawn Luehrs	1859 Lawndale Ave	El Dorado, KS
Allen Webster	2853 SE Munson Hill	El Dorado, KS
Debra Work	1210 S Topeka	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Glenn Hobson	1100 Towanda Ave	El Dorado, KS
Marci Fugarino	220 E 1 st	El Dorado, KS
Isaac Haahr	1615 Troon North	El Dorado, KS
Harley Thornton	1035 N Cherokee	El Dorado, KS
Brooke Ryan	5734 SW Haverhill Rd	El Dorado, KS
Matt Perez	220 E 1 st	El Dorado, KS
John Thompson	220 E 1 st	El Dorado, KS
Steve Moody	220 E 1 st	El Dorado, KS
Judith Storandt	105 S Race	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the October 21, 2013 meeting to order.

INVOCATION

Mayor Michael Fagg opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The Youth Commission lead the pledge of allegiance.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the City Commission minutes from October 7, 2013.

Commissioner David Chapin moved to approve the consent agenda as presented.

Commissioner Chase Locke seconded the motion.

Motion carried 5 - 0.

PROJECT NO. 422 – SANITARY SEWER – BELMONT HEIGHTS 3RD ADDITION

Scott Rickard, Assistant City Engineer, stated that bids had been received on the sewer infrastructure to serve Belmont Heights. The Engineer's Estimate was \$41,550, and Nowak

Construction was the low bid at \$40,570. A bid was also received from Alan's Excavating for \$42,555.

Mayor Michael Fagg asked who pays for this improvement.

Mr. Rickard stated that 100% of this will be paid for the improvement district.

Mayor Fagg asked if the developer has paid the parkland development fee.

Mr. Rickard stated that the fee is assessed when the permit is pulled.

Mayor Fagg asked if the developers are aware of the fee.

Mr. Rickard stated it had been practice for awhile, and all of the local builders are aware. He stated there is a parkland development fee and a parkland acquisition fee.

Mayor Fagg stated he believed that more information should be received from the builder to ensure that they will pay back the assessments. He stated that they should discuss it in a work session in order to develop a policy that is consistent for all builders.

City Manager Herb Llewellyn stated that staff are looking into the tax sale next month to see how it will affect us. He stated that we have made the payments on those assessments for the past few years. He stated that special assessments are common in this area of Kansas, there are other ways of doing it that do not involve special assessments so that cities are not held liable when property owners do not hold up their end of the deal.

City Manager Llewellyn stated that bond counsel would be present at the next meeting to present more on this issue.

Commissioner Chase Locke stated he would support putting off this project until this policy could be further discussed.

Commissioner David Chapin asked what the time limit was.

Mr. Rickard stated that because the petition had already been accepted, we would have to start the process over to include such a policy.

Commissioner Nick Badwey stated he did not feel it was fair to change the rules in the middle of the project on a builder who has done what we have asked. He stated he was not opposed to developing a policy for future projects.

Commissioner Bill Young stated he also supported developing a policy for future projects to mitigate future risk.

Commissioner Chapin asked how many of these situations have occurred prior to this land sale.

City Manager Llewellyn stated he did not believe there had been any.

Commissioner Young stated that it was important to have these discussions moving forward, the Belmont Heights issue has already been discussed so we should move forward with it.

Commissioner Locke stated that he felt that was fair, but he would like to revisit the issue.

City Manager Llewellyn asked what the percentage fee was on the letter of credit.

Mayor Fagg stated that it varies. He stated that the policy would state what was required of the builder. He thought maybe a committee would review each application. He stated that he felt the City should be prudent in what they do.

Mayor Fagg stated that he agreed that this builder should get to proceed with his project, and the City should be proactive for future projects.

Commissioner Chapin stated that only a portion of the project had been completed on the land being sold.

Mr. Rickard stated that approximately 1/3 had houses on it already, but some of the street and other work had been done.

Commissioner Chapin stated that the loss would not be as bad as if the whole project had been completed. He stated that he did not want to discourage builders by requiring an extreme amount of credit.

Commissioner Bill Young moved that as Nowak Construction has submitted the lowest and best bid for Project No. 422 of \$40,570.00 was under the Engineer’s Estimate, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Nick Badwey seconded the motion.

Mayor Fagg he just wanted to insure that we were proactive in the future.

City Manager Llewellyn stated that staff would begin looking at other cities to see what they do and bring information back to the Commission.

Mr. Rickard clarified that the developer has also done plans for paving, those will be brought to the Commission soon. This portion was just for the sewer work.

Commissioner Young stated he felt that this project would be ok to move forward, they would look at a policy for future projects.

Motion carried 5 - 0.

SPECIAL USE PERMIT TO ALLOW AN EIGHT FOOT POOL FENCE – 105 S RACE (CASE NO. 13-003-SUP)

Judith Storandt, 105 Race, stated that she has put a pool in at her house and would like to put an eight foot fence around it so that the dogs next door would not get in it and so that her neighbors did not have to deal with the noise and visual. She stated that they have requested an eight foot fence because the property slopes and so on one end it will be eight, but the other end it will be six.

Scott Rickard, Assistant City Engineer, stated that City ordinances state that anything higher than a six foot fence must be approved by the Planning Commission. He stated that the Planning Commission recommended approval 7 - 0.

Mayor Michael Fagg and Commissioner Bill Young thanked Mrs. Storandt for the improvement to that neighborhood.

Commissioner Nick Badwey moved that the recommendation of the Planning Commission to approve Case No. 13-003-SUP requesting a Special Use Permit to allow a 8 foot tall fence around new swimming pool at 105 S. Race be accepted and that Ordinance No. G-1159 be approved.

Commissioner David Chapin seconded the motion.

Commissioner Chapin stated that he believed that the fence was an improvement to the neighborhood and would blend well in the area.

Commissioner Young

ROLL CALL VOTE

Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Michael Fagg	Yes

SPECIAL USE PERMIT TO ALLOW A PUBLIC ASSEMBLY VENUE – 501 S TOPEKA (CASE NO. 13-004-SUP)

Scott Rickard, Assistant City Engineer, stated that the El Dorado Christian Fellowship is requesting a Special Use Permit (SUP) to allow a public assembly venue. He stated that this is the former site of the Assembly of God Church. The property has previously been zoned residential, but to clean it up, staff requested that it go through the Planning Commission. The Planning Commission approved the application 7 - 0.

Mayor Michael Fagg asked if there was a special use prior to this.

Mr. Rickard stated that there was not.

City Manager Herb Llewellyn stated that while it wasn't absolutely necessary for this change because the use is the same, it cleaned up the potential for problems. Prior to the new church moving to this property, the use of the property for a church was grandfathered in before the zoning was done. This Special Use Permit protects the use for the church.

Mayor Fagg asked if parking was an issue.

Commissioner Bill Young stated that from the Planning Commission minutes it appeared that they are willing to pave the parking lot. He stated that it was a nice property and was happy to see it be put to good use.

Mayor Fagg asked if there is enough parking.

City Manager Llewellyn stated that a minimum of 12 spaces was required and they have plenty.

Commissioner Young confirmed that the approval from the Planning Commission was dependent on the paving of the parking lot.

Matt Perez, Planning and Zoning, stated that it was a condition of the approval. He stated they have 6 - 9 months to pave the parking lot.

City Manager Llewellyn pointed out that the ordinance also includes that condition.

Commissioner Chase Locke moved that the recommendation of the Planning Commission to approve Case No. 13-004-SUP requesting a Special Use Permit to allow a public assembly venue at 501 S. Topeka be accepted and that Ordinance No. G-1160 be approved.

Commissioner Bill Young 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 Michael Fagg	Yes
Position No. 1	Commissioner Chase Locke	Yes

ADVISORY BOARD REAPPOINTMENTS & NEW MEMBER APPOINTMENTS

City Manager Herb Llewellyn stated that at the October 16th work session, the City Commission reviewed the applications for each board.

Re-Appointments:

Board	Name	Term Expiration
Rod Seel	Convention & Tourism	5/1/2013
Andrea Van Auken	Convention & Tourism	5/1/2013
Jerry Mandarino	Convention & Tourism	5/1/2013
Jim Gardner	Convention & Tourism	5/1/2013
Steve Reynolds	Convention & Tourism	5/1/2013
Heather Riddle	Youth Commission	6/30/2013
Brooke Ryan	Youth Commission	6/30/2013

EL DORADO CITY COMMISSION MEETING

October 21, 2013

Megan Kline	Youth Commission	6/30/2013
Victoria Gricol	Youth Commission	6/30/2013
Allison Bieberle	Youth Commission	6/30/2013
Clarice Bolen	Youth Commission	6/30/2013

New Appointments:

Board	Name	Term Expiration
Dave Stewart	Board of Zoning Appeals	5/1/2013
Susie Carson	Convention & Tourism	5/1/2013
Becky Walters	Convention & Tourism	5/1/2013
Hannah Brock	Youth Commission	6/30/2013
Isaac Haahr	Youth Commission	6/30/2013
Hannah Haury	Youth Commission	6/30/2013
Shawn Luehrs	Youth Commission	6/30/2013
Belle Rausch	Youth Commission	6/30/2013
Cherokee Reagan	Youth Commission	6/30/2013
Harley Thornton	Youth Commission	6/30/2013
Josh Wolf	Youth Commission	6/30/2013

Commissioner Bill Young stated that it was good to see all of the young people involved in the Youth Commission. He thanked Jim Gardner for his support to the Youth Commission and for shaping the future leaders of our community and others.

City Clerk Tabitha Sharp stated that the expiration dates on the agenda item were incorrect due to a mistake on the agenda.

City Manager Llewellyn stated that the Commission is appointing the individual for the duration of the term specified by that board, the dates can be filled in later.

Commissioner Chase Locke reminded citizens that there are still 2 positions available on the Convention and Tourism Board, one outside City Limits position on the Planning Commission, and one each on Prairie Trails and Recycling. He stated interested citizens should contact the Commission or fill out an application at City Hall.

Mayor Michael Fagg stated that he had thought there were two positions on the library board, but staff found they had already been filled. He apologized to those who he contacted.

Commissioner Young stated that these boards and commissions are invaluable to the City Commission through their contributions to the City.

Commissioner David Chapin thanked Jim Gardner for his service to the Youth Commission and stated that he would miss serving on the board with all of those individuals who have served throughout the years.

Mayor Fagg thanked those who had volunteered.

Commissioner Bill Young moved to approve the advisory board member re-appointments and new member appointments as specified here within.

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

NEW BUSINESS

Commissioner Chase Locke stated that he has received good comments on the work done at Gordy Square.

Commissioner Nick Badwey reminded citizens to watch out for pets left in the cold.

Commissioner David Chapin was also happy with the work at Gordy Square.

City Manager Herb Llewellyn stated there is still more work to be done with painting and signs.

Commissioner Chapin stated that if possible, staff should repaint other crosswalks to make them more visible as well.

Mayor Michael Fagg stated that he stopped by the World War II Center on Central. He stated that it is a pleasant surprise in our downtown area. He stated that he thought it would be good to do something to make those passing through El Dorado aware of the interesting things going on downtown.

Mayor Fagg thanked the Lions Club for picking up trash on the North side of Dillons. He stated that it was nice to see it cleaned up.

City Manager Llewellyn stated that Rotary also does work down there and have asked John Prigmore to design a fence to help catch some of the trash that blows down there. He stated that Rotary has approached Dillons to get their assistance in this project.

Mayor Fagg stated that it makes it look so much better when people help pick it up.

Mayor Fagg asked for a copy of the letter from the City of Wichita and the response from the City of El Dorado.

City Manager Llewellyn stated that the request from Wichita was verbal and the response was written and approved by the Commission. He stated that he would provide it to the Mayor.

Mayor Fagg stated that on page 27 of the annual operating budget and capital improvement plan, there are four financial practices listed that we should do in order to follow the accounting standards. He stated that the City does three of them, but he has not seen the fourth which is a quarterly financial report provided by the finance director.

City Manager Llewellyn stated that the City does do a quarterly report and it is published in the paper.

Tabitha Sharp, City Clerk, stated that due to the expense, it is not published in the paper. She stated that it should be on the City's website.

Mayor Fagg asked if the debt was listed on that report.

Ms. Sharp stated that it was.

Mayor Fagg asked for a copy of the last quarter.

Ms. Sharp stated that the third quarter had not yet been completed because of the change in software systems. It will hopefully be completed soon.

Mayor Fagg stated that he had recently had his trees trimmed. He stated that he was charged and extra ten dollars because the person was unable to take his limbs to the City's compost site since he was a commercial vendor.

Commissioner Badwey stated that commercial trucks are not allowed to dump at the City's compost site.

Commissioner Chapin stated that if we allowed commercial trucks, it would overload the compost site.

City Manager Llewellyn stated when the change was made to not allow commercial trucks because we were unable to keep up with the compost site. He stated that the County allows commercial drop off and it is only a few miles further.

Mayor Fagg stated that if the trees are from within the city limits, he thought they should be able to dump in the city's compost site.

Commissioner Badwey asked how it would be possible to keep track of that.

City Manager Llewellyn stated that there would have to be an attendant. He stated that if the Commission wished for that to happen, they could do it.

Mr. Rickard stated the County accepts limbs and trees at no cost. He also stated that real estate is an issue in that area because we have limited space.

Mayor Fagg asked about the rocks on West Central that had been moved.

City Manager Llewellyn stated that in the past the rocks had been used to prevent parking on that lot. He thought that the rocks were put in by the City. He stated that parking was not allowed in that area.

Mr. Rickard stated that to put in a parking lot, it requires a special use permit.

Commissioner Chapin stated he remembered the discussion and the rocks were a remedy to prevent the parking issue.

Mayor Fagg stated that if the City moved the rocks, they needed to get permission to do so.

City Manager Llewellyn stated he would look into it.

Mayor Fagg stated that the owner of the property said that they were told if they parked on the lot, the city employee would come down and write them a ticket. He stated that he hoped we would have a more helpful to the citizens. He stated he would like to see the rule where it says they cannot park there because parking on vacant lots happens throughout downtown.

City Manager Llewellyn stated that the City has had many discussions about the lots downtown and it is a Commission rule that requires hardened surface for parking. He stated that this is not a rule strictly enforced on that lot, we try to enforce it on every lot downtown.

Mayor Fagg reiterated that he just wanted to make sure that City staff were helpful to the citizens and that a conversation like that did not take place in the future. He stated that he would like to see staff explain the rules to them with a more helpful attitude.

City Manager Llewellyn stated that unfortunately the City Commission is often only presented with half of the actual conversation. He stated that staff attempt to help citizens with their problems and that he hoped we would not have an unhelpful attitude.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that there is a South Central Kansas officials' summit from 6 - 9 this Thursday, he asked if any of the Commission would be willing to go.

Mayor Michael Fagg stated that he would go.

City Manager Llewellyn stated that the Kansas Water Authority meets Thursday and Friday in Manhattan, and so he will be attending that.

Kurt Bookout, Public Utilities Director, stated that there has been a change in the taste of water lately. The change is due to the increase in rain this year. The rain has caused a lot of runoff from fields into the water system as well as some increase in the vegetation and animal life in the lake. As it has begun to cool off, the vegetation has begun to breakdown and emit more things into the water.

Mr. Bookout stated that the water department has increased the carbon used to treat water from the lake and the taste will begin to improve soon.

Mr. Bookout also noted that a system wide clean out had not been done since 2008 because it was not previously necessary. With the changes in the makeup of our water, the staff have decided to release free chlorine into the water system to clean everything out more efficiently. He stated that they are flushing water on the outskirts of town to draw the free chlorine through the system faster. It will be approximately two more weeks before they are done with this project.

Mr. Bookout stated that the water is ok to drink, and the original taste issue should almost be out of the system now.

Mayor Fagg stated he has had some calls regarding the problem, and he appreciated Mr. Bookout's presentation. He questioned how long it would be before it the chlorine taste was gone.

Mr. Bookout stated that once they are done with the flush, the original problem from the lake water should be gone.

Commissioner Young asked how long it will take to turn over in the system.

Mr. Bookout stated that it will probably be about two or three more weeks before the chlorine taste is gone.

City Manager Llewellyn stated that much of the water issue will depend on where a residence is located. If they are at the end of the system, it takes longer to turn over.

Mr. Bookout stated that they are manually turning over the water at the ends of some of the lines to help the process. He stated that because we are using half of the water that was being used during the summer, it is taking longer.

Commissioner Chapin stated that he believed that it is still better here than other areas.

City Manager Llewellyn introduced Steve Moody, the new Fire Chief for the City of El Dorado.

Commissioner Young asked if he has moved to El Dorado.

Chief Moody stated that he has moved to a house here, he is still waiting on his furniture.

The Commission welcomed him.

Chief Moody stated that he has spent his first week visiting with the fire fighters and some of the residents and volunteers. He talked about Rodney Reed, the Volunteer Fire Fighter of the year. He stated that Mr. Reed has served as a volunteer for 20 years and received the award twice.

Chief Moody congratulated Rodney and said he was excited to work with Rodney and the rest of the fire department and to serve the citizens of El Dorado.

City Manager Llewellyn stated that Rodney was also a city employee in the street department. He makes all of the signs for the city.

Mayor Fagg stated that it's important to note that all of that work is volunteer.

Commissioner Chapin stated that Rodney has been a great asset to the City of El Dorado.

City Manager Llewellyn stated that a large part of how a City is judged for their ISO rating is how many people show up to a structure fire. He stated that without volunteers and residents, we would not make the number.

Mayor Fagg stated that 827 S Washington has been cleaned up and confirmed that it was scheduled to be torn down.

City Manager Llewellyn thanked the Mayor for pointing it out, an e-mail that had been sent to inform the crew to tear it down was missed which is why it wasn't done prior to now.

Mayor Fagg confirmed that he will be able to go to the meeting about Towanda Avenue.

City manager Llewellyn stated that the letter that is going out right now is just to try and set up the meeting with the other governmental entities. He stated they will schedule it as quickly as possible and if the Mayor has specific times he is available, to provide those to Mary Ann.

Mayor Fagg stated that he would like to talk to the City Manager before the meeting.

Commissioner Chapin stated he would like to go.

Mayor Fagg stated that he and Commissioner Chapin would represent the Commission so that the other entities are not overwhelmed by the City Commissioners. He stated they would bring any information back to the other Commissioners.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:22 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

EL DORADO CITY COMMISSION MEETING

November 4, 2013

The El Dorado City Commission met in a regular session on November 4, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Bruce McCabe	Rural Water District 3	Butler County
Kim Bell	Gillmore & Bell	Wichita, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Allison Barkus	609 Random Rd	El Dorado, KS
Mark, Jamie and Braden Koontz	1840 Megan Circle	El Dorado, KS
Susan Carson	1415 Chelle Ct	El Dorado, KS
Erin Gomez	510 Post Rd	El Dorado, KS
Erick Hill	1710 Payton Circle	El Dorado, KS
Michelle Mitchell	Grandview Elementary	El Dorado, KS
Brad Meyer	2012 Chelsea Dr	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS
Julie Clements	El Dorado Times	El Dorado, KS
John Thompson	128 N Vine	El Dorado, KS

CALL TO ORDER

Mayor Michael A. Fagg called the November 4, 2013 meeting to order.

INVOCATION

Mayor Michael Fagg opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Ms. Mitchell’s third grade class from Grandview Elementary lead the pledge of allegiance.

PUBLIC COMMENT

Mayor Michael Fagg opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of the City Commission minutes from October 21, 2013 and the Special City Commission Minutes from October 16, 2013.

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

Commissioner David Chapin seconded the motion.

Motion carried 5 - 0.

NEW BUSINESS

Commissioner David Chapin stated that he had heard on the news that the El Dorado Times would now be combined with other Butler County papers into one newspaper.

Julie Clements, Editor of the El Dorado Times, confirmed that the Augusta and Andover papers would be combining with the El Dorado Times for one Butler County paper.

Commissioner Chapin asked if this would change how the City publishes legal matters.

City Manager Herb Llewellyn stated that some things are already done on the internet, the Butler County paper will still be the paper of record for El Dorado.

Commissioner Nick Badwey asked when the change would take effect.

Ms. Clements stated it would be published for the first time the next day.

Commissioner Badwey congratulated the Butler Grizzlies football team.

Commissioner Bill Young confirmed that they would play Hutchinson in the regional championship here in El Dorado on Sunday, November 10th at 1:30 p.m.

Commissioner Badwey reminded citizens to watch for children now that it is getting darker earlier.

Commissioner Young encouraged citizens to come out and watch the football game and if they could not, they can watch on the college website.

Commissioner Chase Locke stated that he had just returned to town and did not currently have anything.

Mayor Michael Fagg asked if staff could clarify the lake debt amounts on the quarterly report. He also asked if staff could explain where the three million owed for the stadium debt was shown on the quarterly report.

Mayor Fagg requested copies of the amortization schedules for the stadium debt and the letter to the City of Wichita from the City of El Dorado.

Mayor Fagg asked where the additional \$130,000 came from that was used for the stadium.

Mayor Fagg asked if the City Manager could respond to the e-mails he had sent from citizens.

City Manager Llewellyn stated that when he received the e-mails, he forwarded them to the appropriate departments for response. He stated when he receives the responses; he will forward them to all of the Commissioners.

City Manager Llewellyn stated that many of them have already received responses from staff and because they did not like the answer they are going to the Commissioners.

Mayor Fagg asked about the application for water rights.

City Manager Llewellyn stated that the City of El Dorado owns all of the water storage in the lake. He stated that water rights are vested from the State of Kansas, and the legal precedent is first in time, first in right.

City Manager Llewellyn stated that we are asking the State for all of the water rights because we own the storage. This will ensure that we are first in right because we are first in time.

City Manager Llewellyn stated that the only cost is a filing fee.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that Kurt Bookout is here to answer any questions regarding the increase in water rates.

Mr. Bookout, Public Utilities Director, stated that staff are recommending a 4% increase in water rates, dropping the second tier of water usage and an 8% increase in the sewer rate.

Mr. Bookout stated that it is the first increase in eight years.

City Manager Llewellyn stated that this is also a policy decision. The State of Kansas recommends that the more water purchased, the more expensive it is. The State recommends this to encourage water conservation. The City of El Dorado currently makes water cheaper, the more that is purchased. Eliminating the second tier of usage would be a step towards doing as the State of Kansas recommends.

City Manager Llewellyn stated the options presented to the City Commission are as follows: eliminate the second tier, which makes the increase for larger customers more or keep both tiers and do one increase across the board.

Commissioner Nick Badwey asked which one staff are recommending.

Mr. Bookout stated that staff are recommending getting rid of the second tier and doing the four percent increase in water rates within the city.

Commissioner David Chapin asked about the first spreadsheet provided.

Mr. Bookout stated that the first shows how the increase will impact the larger customers.

Commissioner Chase Locke stated that he did not have a problem with the proposal; it was what staff have been showing the Commission for the past few months.

City Manager Llewellyn stated that this is primarily about how long it will be before the State forces an inclining block rate. He stated that the Commission has to decide whether or not to impose the small increase on the larger customers now or have a larger increase imposed by the State later.

Commissioner Bill Young stated he appreciated Mr. Bookout's work on the information provided and he appreciated the work staff have done prior to prevent the need for a rate increase.

Commissioner Chapin asked to clarify the percent increase on the larger customers.

Mr. Bookout stated that the percent increase is with or without tiers.

City Manager Llewellyn stated that today the tier two savings is roughly ten percent, so with a four percent increase, the rate will increase a total of 14%. He stated that the information on the larger customers was provided so that the Commission had all of the information.

Mr. Bookout stated that while water is difficult to compare because of declining block rate structures. He stated that according to the survey he had done, our sewer rate would go from fourth cheapest in the state to seventh or eighth out of thirty cities surveyed.

Commissioner Chapin confirmed that the total bill would increase about \$2.50 per month for a residential customer.

Mr. Bookout confirmed that it was about \$2.50 to \$3.00.

Commissioner Chapin asked what the median use was.

Mr. Bookout stated that it was about 5600 gallons per month.

Mayor Michael Fagg asked when the vote would be.

City Manager Llewellyn stated probably the next meeting.

Mayor Fagg thought it was important to let the rural water districts know.

Mr. Bookout stated that they were all aware of the conversation and of the recommended increase. He stated that they are all anxiously awaiting a vote so that they can pass the information on to their customers.

Mayor Fagg stated he is still concerned about the stadium payments from water and sewer funds. He is also concerned about the ICMA payment. He stated that if you add the \$62,000 stadium payment and the \$21,000 ICMA cost that is approximately 61% of the amount the City would receive from the increase.

Mayor Fagg stated that if the payment for the stadium was made from El Dorado Inc. funds. He stated that there are enough jobs in the City of El Dorado and so that money could be better spent on streets and housing.

City Manager Llewellyn stated that Brad Meyer was present to discuss the proposed rent on the new T-Hangars at the airport.

Mr. Meyer, Public Works Director, stated that staff surveyed surrounding airports at Augusta, Andover, Benton, Newton, Wellington, Emporia, McPherson, Kingman and Jabarra. He stated their prices range from \$118 to \$250 for like-size T-Hangars.

Mr. Meyer stated that staff anticipated that they would charge between \$160 and \$170 per month.

Mr. Meyer stated that airport board also checked other airports in areas such as Pittsburg and Fort Scott and found amounts from \$70 to \$115. He stated that a motion was made by the board to charge \$137.50, which is the current charge, and to charge an additional \$25 for a twin engine.

Commissioner Young asked if there would be an increase in cost if the City were to charge \$160.

Mr. Meyer stated that there would not.

City Manager Llewellyn stated that the charge for an out of town resident would be \$170.

Mr. Meyer stated that staff did not discuss charges at the time of the project, it was decided that a survey would be done before opening the hangars.

Commissioner Badwey asked what the reasoning behind the \$25 upcharge was.

Mr. Meyer stated he did not know the reasoning behind that recommendation; it came from the airport board.

Commissioner Young asked how many people were on the waiting list.

Mr. Meyer stated there were seven or eight.

Mayor Fagg asked how many hangars would be available.

Mr. Meyer stated there were ten.

Commissioner Young asked how many people on the airport advisory board were on the waiting list.

Mr. Meyer stated that he thought there were two.

Commissioner Young asked if they had single or twin engine planes.

Mr. Meyer stated he believed they were single engine planes.

Mayor Fagg asked why smaller hangars were not built if they are generating the same amount of money.

City Manager Llewellyn stated they built hangars for twin engine planes because those planes buy more fuel. Fuel brings in more revenue than hangar rent. In order to make the airport more self-sufficient, revenue needs to increase.

Mr. Meyer stated that in the airport's master plan, the primary goal is to get the airport away from a hobby airport and headed in the direction of being a business.

City Manager Llewellyn stated that the next hangars will be smaller.

Commissioner Young asked if these hangars were filled with single engine planes would staff come back and ask for more twin engine hangars because the existing ones were full.

Mr. Meyer stated that how these hangars are filled is dependent upon the hangar rent. If smaller hangars are built, those with single engine planes in the larger hangars might want to switch to a smaller hangar in order to pay less rent.

Mr. Meyer stated that another reason behind the suggestion from the airport board that rent be discounted is because there is not an on-site mechanic. He stated that there are two mechanics on call that come out whenever there is a problem.

Mr. Meyer stated that the El Dorado airport has two runways, the AWOS system, improved taxiways and less air traffic than the Wichita area.

Mayor Fagg asked if staff have looked at other airports to see how many empty hangars they have.

Mr. Meyer stated that staff have checked availability prior to building this set of hangars.

Mayor Fagg stated he believed that the spread on hangar rent should be larger for out of town customers.

City Manager Llewellyn stated that they had discussed making the out of town customers pay more during the last rate increase discussion.

Mayor Fagg stated he supported the staff recommendation.

Commissioner Chapin stated he was abstaining from the conversation because of his use of the airport.

Commissioner Young stated that he supported the \$160 range recommended by staff because that is the best way to pay for the hangars.

Mr. Meyer stated that if staff are able to look for a mechanic in the future, they could raise the rates.

City Manager Llewellyn stated that another possibility would be to rent the hangars to the smaller planes at a cheaper rate; if a twin engine plane came in looking for a hangar, the single engine owner could choose to pay the higher rent at that point or they would have to move out to allow the twin engine plane to rent it.

Mr. Meyer stated that the airport board did not support that suggestion, because they did not think it was fair.

City Manager Llewellyn stated he could look up past discussions regarding the airport and bring those back. He stated that the discussion about in town versus out of town was very lively.

Mayor Fagg asked if staff could provide the information on how many out of town versus in town owners were renting hangars.

Commissioner Young asked if the left turn lights on the east and west bound lanes at 6th and Main were done.

City Manager Llewellyn stated that they were.

Commissioner Young asked if the north and south bound lanes were done.

City Manager Llewellyn stated that they could be done.

Commissioner Young stated that he wanted those to be put up as well.

City Manager Llewellyn stated that he wanted to warn citizens that a letter on health care came out last week; he asked that they do their due diligence and understand the program before signing up.

Commissioner Locke asked what the status was on the rezone on South Main.

City Manager Llewellyn stated that it was on the next meeting.

Commissioner Young asked if staff could put together a scale on the airport hangar rent with the suggestions from the board, staff and a middle range.

City Manager Llewellyn stated he would put it on the agenda.

Mayor Fagg asked about the trucks at 6th and Main. He stated that he thought there needed to be two lanes going east or that the City needed to buy the land on the corner to extend the turning radius.

City Manager Llewellyn stated he has suggested putting out a bell ballard.

Mr. Meyer stated that he was there all day working on the signals and not one truck went over the corner.

Commissioner Young stated that he agreed it was still an issue, and that he was unsure what the solution was.

Commissioner Badwey stated that the problem was that cars are not stopping at the bar. He asked if two lanes was even an option.

Scott Rickard, Assistant City Engineer, stated that it was designed that way for future accommodation of traffic. He stated that staff think there will need to be two left turn lanes in the future with the opening of the middle school.

Commissioner Badwey stated he believed they should wait and see what traffic looks like after the middle school is opened.

Commissioner Locke stated he believed they should try what City Manager Llewellyn suggested as opposed to switching it for other drivers and confusing them.

Commissioner Chapin asked how much room there would be if we took the curb back a bit.

Mr. Rickard stated that we cannot take the curb back because of the storm sewer box. He stated that staff have considered paving that corner, but he does not want the City to support sloppy driving on the part of the semi truck drivers. He stated that the reason for this design was so that City Staff did not have to come back and ask to redo the intersection again in the future when traffic became too heavy.

Commissioner Chapin stated that he felt that 6th Street is a truck route and therefore should be designed for trucks.

City Manager Llewellyn stated that they will continue to look at it.

EXECUTIVE SESSION

Commissioner Nick Badwey stated he might need an extra fifteen minutes to discuss an extra matter.

Commissioner Bill Young moved to recess into an Executive Session for the purpose of discussing land acquisition and legal matters and to reconvene the regularly scheduled meeting in the City Commission room at 8:50 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

Mayor Fagg called the meeting back to order at 8:50 p.m.

Commissioner Nick Badwey moved to return to Executive Session for the same purpose as previously stated until 9:20 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 3 – 0. (Commissioners Chapin and Young remained in the conference room)

Mayor Fagg called the meeting back to order at 9:20 p.m.

Commissioner Bill Young requested an additional fifteen minutes for Executive Session for the same purposes listed previously.

Commissioner Chase Locke seconded the motion.

Motion carried 3 – 0. (Commissioners Badwey and Chapin remained in the conference room)

Mayor Fagg called the meeting back to order at 9:40 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 9:41 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg

The El Dorado City Commission met in regular session on November 18, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent City Attorney Jim Murfin.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
John McDonald	6233 SE Bluestem	El Dorado, KS
Davy Harkins	4783 SE Turkey Creek	El Dorado, KS
Rev Mark Sommerville	515 W Locust	El Dorado, KS
Mary and James Conrad	181 SW 170 th	Leon, KS
Dana McCoy	2180 SW 60 th	El Dorado, KS
Pat and Dale Shaffer	PO Box 56	Benton, KS
John Phillips	126 E Broadway	Augusta, KS
Sue Harsh	14675 NE Sycamore Spring	Cassoday, KS
Denise Vogt	4774 SE 20 th	El Dorado, KS
Chuck Haahr	1615 Troon North	El Dorado, KS
Victoria Gricol	1334 Leonard Ct	El Dorado, KS
Isaac Haahr	1615 Troon North	El Dorado, KS
Nancy Sage	1580 SW HWY 77	Augusta, KS
Linda Dunker	14901 SW Ohio St Rd	Augusta, KS
Sherri Wedel	PO Box 265	Potwin, KS
Dean Schmidt	PO Box206	Potwin, KS
James Cook	719 Fredrick Dr	El Dorado, KS
Kurt Bookout	2520 Kacy Ct	El Dorado, KS
Steve Morgan	15715 E Ellis	El Dorado, KS
Gerald Dixon	205 S Main	El Dorado, KS
Debbie Hill	1816 Ridge Rd	El Dorado, KS
Bruce McCabe	RWD #3	
Glenn Hobson	1100 Towanda	El Dorado, KS
Terry Trimmell	1240 Sheldon	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS

CALL TO ORDER

Mayor Michael Fagg called the November 18, 2013, City Commission meeting to order.

INVOCATION

Pastor Mark Sommerville, Church of God of Prophecy, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the pledge of allegiance.

PERSONAL APPEARANCE

Paula Downs, Regional Economic Area Partnership, presented information on the South Central Kansas Prosperity project and their plan to engage local officials throughout the area.

City Manager Herb Llewellyn stated that when REAP came to the City of El Dorado for assistance a few years ago, the City Commission agreed to allow the City Planner to assist on this project. He stated that it focuses on how to provide better service for all customers.

Mayor Michael Fagg stated that he was impressed by the way all of the entities work together in these meetings.

PUBLIC COMMENTS

Mayor Michael Fagg opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of the November 4, 2013 City Commission Minutes.

Approval of Appropriation Ordinances 09-13 and 10-13 in the amounts of \$1,286,413.45 and \$2,353,415.52 respectively.

City Manager Herb Llewellyn stated that there were two appropriation ordinances on the agenda this month because of an oversight in September. He also noted that there are often months where the City does not spend the average of \$2 million.

Mayor Michael Fagg asked about the \$32,065.93 in fund 71. He asked why there was a difference in the expense and the payment.

City Manager Llewellyn stated it could be something that came out of a different fund.

City Clerk Tabitha Sharp stated that they would look into it, it could be an expense that had not cleared.

Mayor Fagg stated that while looking at the expenses he noted that ICMA expenses were almost the same as KPERS. He stated that he would like to have a conversation in the future regarding ICMA.

Mayor Fagg also noted that in fund 30 there was a non-capitalized asset in September \$67,000 and October for \$200,000, and asked what those were for.

Ms. Sharp stated that the first one was for a taxiway at the airport and the second was for T-Hangars at the airport.

Mayor Fagg asked if that was federal money or City money.

City Manager Llewellyn stated that the taxiways were 90% federal and 10% City. He stated that the t-hangars were all El Dorado tax money. He stated that a portion of the t-hangars will be paid for by rentals.

Commissioner Bill Young moved that the Consent Agenda, as presented be approved.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

**FINAL PLAT OF CRISS NINTH ADDITION – PROPERTY ZONED R-3,
MULTIPLE FAMILY DWELLING DISTRICT (CASE NO. 13-002-PLAT)**

Scott Rickard, Assistant City Engineer, stated that Ramon and Betty Criss are requesting the final plat of Criss ninth addition. He stated that it will tie on to Jason Drive and extend to 12th Avenue. It contains 21 residential lots.

Commissioner David Chapin confirmed that this would be located to the west of Vintage Place.

Mr. Rickard stated that it would.

Commissioner Chapin asked if the golf course was to the west of the plat.

Mr. Rickard stated that it was.

City Manager Herb Llewellyn stated that the bottom of the map was 12th Avenue.

Mr. Rickard stated that the Planning Commission recommended approval of the final plat.

Mayor Michael Fagg asked why the designation of the R-3 zoning had not been changed.

Mr. Rickard stated that it has not been requested to be changed.

Mayor Fagg asked about the pros and cons of the designation.

Mr. Rickard stated that R-3 allows for multi-family housing, but that the lots on this plat are not large enough for multi-family housing.

Mayor Fagg asked why it would not be changed if that was the case.

Mr. Rickard stated that it could be initiated by the City if the Commission wished, it is typically left to the property owner to request it.

City Manager Llewellyn stated that R-3 allows single family housing as well as multi-family housing.

Mayor Fagg asked if the developer understood that the City is reviewing the development policy and that there might be limits on what the City would pay to put in infrastructure.

Mr. Rickard stated that staff have been gathering information on that topic. He stated that this plat had already been through planning commission, but City staff will have that discussion with the developer before final plans are submitted.

City Manager Llewellyn stated that the City Commission would have the information before the end of the month.

Mayor Fagg stated he wanted to make sure the developer was made aware.

Mayor Fagg asked why the comprehensive plan was different from the ordinance passed in April of 2011.

Commissioner Nick Badwey asked what was changed.

Mayor Fagg stated that in the plan, the developer paid for the infrastructure.

City Manager Llewellyn stated that a subdivision came in and stated that the City had not previously had this policy and requested that it be changed back to the previous plan.

Commissioner Badwey stated that the Commission was trying to stimulate housing growth at the time.

Mr. Rickard stated that there were meetings with developers and they had also requested the change.

City Manager Llewellyn stated that when the Comprehensive Plan was passed, staff told the Commission that it was different, yet they passed it. He stated that they later changed their minds in reaction to the economic downturn in 2008.

Mayor Fagg stated that it was passed in 2008 before that happened.

City Manager Llewellyn stated that it took a little while before the economic difficulties reached El Dorado. He stated that there were people out of work in 2009, and so the Commission made the decision to try and help out local workers.

Commissioner Young stated that it was to stimulate growth.

Mayor Fagg asked if it was done to help out the middle school.

City Manager Llewellyn stated that it had nothing to do with the middle school.

Mr. Rickard stated that the middle school was done under the current ordinance, so the City paid for the extra width of the road and the storm sewer. He stated that the school paid for the sanitary sewer.

Mayor Fagg stated that the new ordinance was a big factor for the school then.

City Manager Llewellyn stated that there was no discussion about the middle school being where it was when that was passed.

Mayor Fagg asked if there was a stormwater plan in this plat.

Mr. Rickard stated the developer's engineer has done a drainage layout for this plat.

Mayor Fagg asked if Mr. Rickard had approved their stormwater plan.

Mr. Rickard stated that he had.

Commissioner Bill Young moved to approve Case No. 13-002-PLAT, the final plat of Criss Ninth Addition, and to direct the Mayor and City Clerk to sign the Final Plat.

Commissioner Nick Badwey seconded the motion.

Mayor Fagg asked if we should ask to remove the R-3.

City Manager Llewellyn stated that staff would take it to the Planning Commission.

Commissioner Young asked if there was a reason it had to be removed.

City Manager Llewellyn stated that most home owners would like the single family use because it will match their lots.

Mayor Fagg stated he could come ask for it to be changed if he wanted to.

City Manager Llewellyn stated that he had shown staff the plans for the lots, and they would all be single family housing.

Motion carried 5 – 0.

APPLICATION TO REZONE LOTS 6-10, BLOCK 2, GORDON'S ADDITION FROM C-1 GENERAL BUSINESS DISTRICT TO I-1 INDUSTRIAL LIGHT DISTRICT (CASE NO. 13-003-REZ)

Scott Rickard, Assistant City Engineer, stated that this request was from David Sundgren and David Calloway. He stated that the Commission has previously heard this case and due to a perceived problem with the notification process, it was decided that it would be presented again.

Mr. Rickard stated that the Planning Commission has heard the proposal to rezone the property from C-1 general business district, to an I-1 industrial light district, and they voted to approve it 4 to 1.

Mr. Rickard showed the City Commission the current zoning map for the area, specifically the area to the north which is also Industrial. He stated that staff feel that the request is compatible with the surrounding area.

Mr. Rickard showed the future land use map. He stated that the proposed future use for this area is referred to as downtown mixed land use and includes medium to high density residential, institutional, commercial and small scale light industrial warehouse use.

Commissioner Chase Locke stated that they have reviewed this proposal at a prior meeting and he has heard the concerns regarding the proposal. He stated that this is a positive thing for downtown and will bring much needed business into the area.

Commissioner Bill Young stated that he concurred.

Mayor Michael Fagg asked to see the existing land use map.

Mr. Rickard explained the current use.

Mayor Fagg stated that the only building currently used as I-1 is the AT&T building.

Mr. Rickard stated that the neighbor to the north has the right to bring in a warehouse as well.

City Manager Herb Llewellyn stated that Dan Hill's property is also considered Industrial even though he is on commercial property.

Mayor Fagg asked how much the Comprehensive Plan cost.

City Manager Llewellyn stated that it was over \$100,000 for the whole book, including zoning, comprehensive plan and subdivision regulations.

Mayor Fagg stated that the people who put the comprehensive plan together put a lot of work into it. He asked if the planning commission took into consideration the long term effects of the current proposal.

Mr. Rickard stated that they did. He stated that the memo in the commission packet discusses all of the issues addressed by the comprehensive plan.

Mayor Fagg read the description of the comprehensive plan and the description of industrial areas from the book.

City Manager Llewellyn stated that the proposal meets all but one of the criteria.

Mayor Fagg stated that there are many uses in the area such as a dentist office, commercial lots and some residential areas. He stated that there are plenty of available I-1 areas that this group could use instead of the proposed area.

Commissioner Young stated that many people feel that more should be done to increase the tax base within USD 490 instead of encouraging businesses to build west of Haverhill within the USD 375 district.

Commissioner David Chapin stated that he felt that if the land meets the criteria that we should not tell them they cannot build there.

Commissioner Young asked if any of the other property owners voiced concerns regarding the proposal.

Mr. Rickard stated that the property owner to the East whose property is for sale voiced concerns regarding the proposal. The owner felt it would be detrimental to the sale of his property. He also stated that the owner of the Kansas Kabins was originally

supportive of the rezone, but changed her mind today and stated that she is against the proposal.

Mayor Fagg stated that the I-1 in the area was grandfathered in, and he felt that the comprehensive plan was trying to change that.

City Manager Llewellyn stated that he brought that up during the comprehensive plan discussion because industrial uses are not common in a downtown environment. He stated that the committee was concerned that the City would be taking that away from the property owners in the area.

Mayor Fagg asked to view the future use map again. He stated that the same type of mixed use is at Main and Central. He asked if people would want this business at that intersection.

Commissioner Nick Badwey stated that the key to him was the length of time the property had remained vacant. He stated that this company wants to do something with the property and we should encourage them to get it on the tax rolls and put people to work.

Commissioner Locke stated he agreed.

Mr. Rickard stated that the main reason for the rezone is for the outdoor storage. He stated that the company will be required to have a site plan review before beginning business.

Mayor Fagg stated he was concerned that if this company leaves, it could be open to any other company.

City Manager Llewellyn stated that the important part to consider is the site plan review which will help the company be compatible with adjacent properties.

Mr. Rickard stated that all activities have to be within the structure, outdoor storage has to have adequate screening with no more than seventy percent capacity.

Mayor Fagg read from the letter he received against the proposal asking if anyone else would want to live near an area such as the one being proposed.

Commissioner Locke stated that under the current land use, the property will continue to sit open. He believed that the company will be willing to work with the City to ensure that they are compatible with the area.

Commissioner Chase Locke moved that the recommendation of the Planning Commission to approve Case No. 13-003-REZ requesting a rezoning of Lots 6, 7, 8, 9 and 10, Block 2, Gordon's Addition, be accepted and that Ordinance No. G-1162 be approved and repeal Ordinance No. G-1155.

Commissioner Nick Badwey seconded the motion.

Glen Hobson, 1100 Towanda, stated he was one of the owners against the proposal. He stated that he was concerned about the business that would be conducted on the property. He stated that he did not believe that a valve repair business would not be compatible with the surrounding area.

Mr. Hobson asked if the Planning Commission could reconsider based on the pictures he had of the outside storage of a valve repair business.

Commissioner Locke asked if this would be taken care of by the site plan review.

City Manager Llewellyn stated that it would be by the screening that was discussed earlier.

Commissioner Badwey confirmed that there would be no permit until the site plan review was completed.

City Manager Llewellyn stated that he was correct.

ROLL CALL VOTE

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Michael Fagg	No
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes

WATER RATE INCREASE

Kurt Bookout, Public Utilities Director, stated that it has been nearly eight years since the last increase in water rates. He stated that since that time, the City has experienced increase production costs and large investments in infrastructure, maintenance and repair.

Mr. Bookout stated that the State of Kansas recommends an inclining rate structure to encourage conservation. The City of El Dorado has a declining rate structure. He stated that staff are recommending dropping the second tier in order to go to a flat rate structure and no rate increase.

Mr. Bookout stated that this equates to about a ten percent increase for the Rural Water Districts.

Commissioner David Chapin asked what the average residential customer uses.

Mr. Bookout stated that it was about 5,610 gallons per month. He stated that in town large customers would go from paying \$1.48 per 1,000 gallons to \$1.63 per 1,000 gallons which is what all of the residential customers are paying currently. He stated that outside city customers would go from paying \$2.59 per 1,000 gallons to \$2.85 per 1,000 gallons.

Mayor Michael Fagg asked how much revenue would be generated by this change.

Mr. Bookout stated that it was about \$135,000 per year. He stated that this is down approximately \$100,000 from the original proposal and equals about a one percent increase per year over the last eight years. He stated that after the initial large increase, the City can do smaller rate increases that will be more palatable to the customers than a large increase all at once.

Commissioner Chapin stated that he would prefer to spread the increase out over the next few years as opposed to doing it all at one time. He stated that this would be helpful to the rural community.

Commissioner Chase Locke stated he was also concerned about the impact on the rural community and while it would have to happen eventually, it might be easier to stretch it out.

Mr. Bookout stated that if the Commission would like to go to a single tier, this is the least amount of increase possible.

Commissioner Chapin stated he was not against the increase, he just felt that it should be done in increments over the next few years.

City Manager Herb Llewellyn confirmed that over the next few years Commissioner Chapin would like to shrink the gap incrementally between the two tiers until we reach one tier.

Commissioner Chapin stated he was correct.

Commissioner Nick Badwey asked what it would do to the utility budget if the increase was not passed.

Mr. Bookout stated that the increase is predicated on need. He stated that the water fund needs the money in order to continue operating as necessary.

City Manager Llewellyn asked if staff could come back with more information.

Commissioner Bill Young asked how long it would be before another increase was necessary if business remains the same as it is today.

City Manager Llewellyn stated that the things that hurt the City are fuel and power costs, and the time period is dependent upon those.

Mr. Bookout stated he anticipated another five years.

City Manager Llewellyn stated that this would allow us to do the things needed without asking for another increase in those five years.

Mr. Bookout stated that the City has absorbed the increased fuel and power costs over the last eight years and that it is no longer able to do that.

Commissioner Badwey stated that it was admirable that the City had been able to go this long without raising rates when all other utilities have not been able to do so.

Commissioner Young stated that he agreed that it was easier to do it in increments, but he feared that they would then be raising rates every year.

Commissioner Chapin stated he just wanted to make sure that we are keeping in mind the rural water districts who are also our customers.

Mr. Bookout stated that even with the rate increase, the City of El Dorado still provides some of the cheapest water in Kansas. He also stated that during the last drought, our customers were not only free of restrictions, they did not have to pay conservation rates.

Mayor Michael Fagg asked how much is set aside in the lake debt fund each year.

Mr. Bookout stated that it was about \$225,000 per year.

Mayor Fagg stated he thought that the payments were more than that.

City Manager Llewellyn clarified that the Mayor was asking about the current debt and Mr. Bookout was talking about the future debt.

Mayor Fagg stated that each year \$65,000 was taken out of this fund for the stadium and \$45,000 was taken out for retirement. He stated that if we did not make those payments, that would be a significant amount of the money needed.

Commissioner Young stated he believed that was disingenuous because it takes away from the fact that there has not been an increase in eight years, there have been increases in fuel costs and maintenance costs. The stadium and staff retirement plans do not have anything to do with it. He stated that the staff have done their best to propose the smallest possible increase that they can do.

City Manager Llewellyn stated that the real need was almost \$325,000, and staff have pared it down to the \$135,000 proposed.

Commissioner Locke stated he agreed with both Commissioner Chapin and Young. He stated that he thought consistency was important.

Mayor Fagg asked if there had been a point where people began to dig water wells to combat the costs of water.

Mr. Bookout stated that some do in order to combat the conservation requirements.

City Manager Llewellyn stated that it would be important to look at the expansion of the sale of raw water so that people could have an alternate, less expensive source for watering their lawns.

Commissioner Young stated that he agreed that this is not an ideal situation. He stated that the reality is that costs have increased and something must be done to rectify the situation.

Mayor Fagg asked if everyone had seen the letter to the editor.

City Manager Llewellyn stated that the City bill is the one bill that can be impacted by customers' thoughts.

Davy Harkins, Chairman of RWD #6, stated that he would like the Commission to be aware of why the tiers were put in place. He stated that the tiers were put in place to allow the Rural Water Districts to have financing for their infrastructure. He stated that if the difference in rate increases between the inside and outside of city customers is disproportionate, it creates animosity.

Steve Morgan, Board Member of RWD #1, stated that their infrastructure is aging and they will need to replace it in the future. He stated that they would like to maintain the tiers.

Bruce McCabe, Chairman of RWD #3, stated that it was unfair to the farm community to get rid of the tiers. He stated that charging to the same rate as the inside city customers is hurting the rural water districts.

John McDonald, 6233 SE Bluestem Rd, stated that the rural customers are asking for fair treatment.

Nancy Sage, 15880 SW HWY 77, stated that she felt that the increase for the rural customers should be the same as city customers. She stated that rural customers should not be subsidizing the football stadium.

Tim Connell, Connell and Connell, stated that the rural water districts are good customers of the City. He stated that it was not bad to have small increases each year that are planned for. He stated that it did not make sense to encourage conservation through a one tier system, yet try and sell more water to customers outside the city.

Commissioner Locke stated that he felt uneducated on the issue and wanted to have more conversations on the issue before making a decision.

Commissioner Young stated he appreciated Mr. Connell's comments.

City Manager Llewellyn stated that the discussion about tiers was related to the wishes of the State of Kansas. He stated that reducing the number of tiers has been a plan over the last few years to comply with the State's directives.

Mr. Bookout stated that no matter how a rate increase is done, there is criticism. He stated that the facts are that the increase is needed to continue to do business as we are and that the water rates are still the lowest in the area.

City Manager Llewellyn stated that moving to one tier would be a step in the direction the State wants us to go. The State has not put out the directive yet, so if the Commission is not inclined to get rid of the second tier than it is not currently a requirement.

Commissioner Chapin stated that he did not want to be unfair to the outside city customers.

Mr. Bookout stated that the percentage increase for inside city is the same as outside city, the difference is that the outside city customers have to pay the multiplier in place of the property taxes that inside city customers pay.

Commissioner Chapin stated that he is hearing two different things, he asked what the increase for residential customers is.

Mr. Bookout stated that the increase will affect only large customers at this point.

Commissioner Chapin confirmed that the customers inside the city will not be paying an increased rate.

Mr. Bookout stated that only the customers that purchase more than 30,000 cubic feet of water per month will be charged the increase.

Commissioner Chapin stated that he wanted to have more information before making a decision on the rate increase.

Mr. Bookout stated that he would be happy to bring more information to a work session.

Commissioner Locke stated he would like that.

Commissioner Badwey asked when the rate increase would take place.

Mr. Bookout stated it would be in place on January 1st.

Commissioner Young asked if everyone would be willing to participate in a work session to learn more.

Mayor Fagg stated that it needed to be done soon so that the Rural Water Districts could plan for it.

City Manager Llewellyn asked if the Commission would like to keep or get rid of the tier system.

The Commission stated that they would like to see information on both.

Commissioner Badwey asked if they could wait for directive on the State.

City Manager Llewellyn stated that if they wait for the State, then the City does not have control over the issue.

There was consensus that the issue should be tabled until further information could be provided.

Dana McCoy, Rural Water District 2 Chairman, stated that he did not believe that raising water rates would encourage water conservation. He stated that water in rural communities is a necessity. He stated that he felt that this would cause more hardship for their customers.

Commissioner Young stated that he did not disagree that any conservation about rates would need to be held with the rural water districts. He stated that his goal is to meet the cost of delivering that water which has increased no matter where it is being delivered.

Commissioner Chapin asked if Rural Water Districts were a government body.

City Manager Llewellyn stated that they were.

Mr. Connell stated that they were a quasi municipal entity.

Mayor Fagg stated he would be happy to attend any rural water district meetings if they would like him to. He asked if the City Commission would like to set up a meeting now.

Mr. Bookout stated that he could have the numbers ready by the end of the week.

The City Commission agreed that they would meet the following Tuesday at 4 p.m.

SEWER RATE INCREASE

Kurt Bookout, Director of Public Utilities, stated that staff are recommending an eight percent increase that is estimated to generate an additional \$137,000 per year in revenue. He stated that average use would go up approximately \$2.

Commissioner David Chapin asked if this could be put in place over a couple of years.

Commissioner Nick Badwey asked how long it had been since the last increase.

Mr. Bookout stated that it had been eight years.

Commissioner Badwey confirmed that the sewer fund was in the same boat as the water fund.

Mr. Bookout stated that it was.

City Manager Herb Llewellyn stated that sewer problems are more expensive to fix than water problems.

Mr. Bookout stated that sewer infrastructure deteriorates faster than water because of the gas produced.

Commissioner Nick Badwey moved to Ordinance No. G-1163, an ordinance amending the El Dorado Municipal Code, Section 13.20.040 pertaining to sewer service rates.

Commissioner Chase Locke seconded the motion.

Commissioner Chapin asked again if it could be spread out over a few years.

Commissioner Chase Locke asked if it would be better to have the money up front rather than over a period of time.

City Manager Llewellyn stated that several years ago, the City began a practice of spending \$250,000 per year rehabilitating man holes. He stated that they need to move to pipes after man holes.

Mr. Bookout stated that at that rate, it will be approximately ten years to fix it. He stated that through better technology, we are able to detect more issues that need to be repaired. He stated that they are asking for the bare minimum required to keep operating as we currently are.

Mayor Fagg stated that if the City did not have the payments for ICMA and the football stadium, the increase in sewer rates would not be necessary.

Commissioner Young stated that despite either of those things, the sewer issues would still be present. He stated it has been eight years since the last increase, and staff are asking for an increase so that they can continue maintenance as it is.

Commissioner Chapin stated that he understood that the money is needed in many areas. He stated that they were elected to look after the tax payers and the City’s infrastructure. He stated that he was not against an increase, he wondered about the amount. He thought that raising it over a period of a few years would be less of a hit on the tax payers.

Commissioner Badwey stated that he believed that the Utilities Director is telling them that it is the minimum needed to continue their work.

Commissioner Chapin stated he appreciates the work that Mr. Bookout does but he feels responsible towards the tax payers.

City Manager Llewellyn stated that if the increase was phased in, staff would just be less aggressive in their maintenance.

Commissioner Chapin stated that he understood that.

Commissioner Young stated that as a Commission, they had been more diligent over the last eight years and they wouldn’t be having this discussion now.

Mr. Bookout stated that during the first half of his career, they had regular rate increases and people didn’t like that. They preferred to have one increase and a few years without one.

Commissioner Chapin stated that based on the fact that our utility bill is the smallest bill most people have, it might be easier on people to have the rates go up a little at a time. He stated that he has not been asked over the last six years for a rate increase, and maybe they should consider doing it at increments each year.

Commissioner Young stated that he agreed that something had to be done in the years to come, but they needed to deal with what is required now.

City Manager Llewellyn stated that there is no reason that this discussion could not be had every year and going into budget this year staff will keep that in mind.

ROLL CALL VOTE

	Mayor Michael Fagg	No
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

Commissioner Young stated that he wanted to reiterate that the Commission needed to discuss how they could move forward so that a future Commission does not face the same issue.

Commissioner Badwey stated that he agreed, but now they had to atone for neglecting it over the last eight years.

REFUSE RATE INCREASE

Brad Meyer, Public Works Director, stated that there had not been an increase for eight years. In 2009, the City switched to an automated collection system in order to alleviate the need for an increase. He stated that they promised the Commission at the time that they would not ask for an increase until 2012.

Mr. Meyer stated that over the last two years, they have absorbed costs as much as possible and are now two years past the 2012 mark. He stated that during the first years of his employment at the City of El Dorado, they used to ask for increases each year.

Mr. Meyer detailed all of the refuse services offered by the City of El Dorado.

Mayor Michael Fagg asked how much revenue this would generate.

Mr. Meyer stated it would generate \$125,000. He also stated that in surveying other communities of like size and program, they found that the City would still be the lowest for services offered.

Commissioner David Chapin asked if commercial rates had increased because his bill had recently gone up.

Mr. Meyer stated that there had not been an increase, staff would check his bill.

Commissioner Chapin asked if commercial rates would go up.

Mr. Meyer stated that they would go up proportionately with the residential rates. Commercial rates tend to be higher because the repair on the dumpsters is more expensive.

Commissioner Young asked what the increase was.

Mr. Meyer stated it was thirteen percent for businesses and eleven percent for residential.

Commissioner Chapin asked if this could be phased in.

Mr. Meyer stated that it has been done in the past, and at the time they heard complaints about it being raised every year. He stated in 2003 it was requested that they stop increasing every year and instead just come to the Commission when they needed one.

Commissioner Young asked if there was discussion regarding the automation of recycling.

Mr. Meyer stated that the 2014 budget included the semi automation of the recycling program.

City Manager Llewellyn stated the plan was to pay cash for the carts and borrow for the truck.

Mr. Meyer stated that it was the same as what was done with the trash carts and truck.

Mayor Fagg stated that this item, like the others had costs for the football stadium and ICMA that could be gotten rid of and the rate increase would not be needed as much.

City Manager Llewellyn asked how the Mayor proposed paying for those two items.

Mayor Fagg stated he did not believe that ICMA was necessary. He stated that the football field payment discussion should be decided on by the people as a possible GO Bond item.

City Manager Llewellyn stated that the City Commission at the time decided to do the football stadium as it is now. He also stated that a vote was not needed to do a GO Bond.

Mayor Fagg asked why the Commission did not take the option with cheaper interest.

City Manager Llewellyn stated that the City needed an investment option for the water fund. He stated that the overriding discussion was that the Commission did not want to raise the mill levy to pay for the football stadium. He stated that he explained at the time that by paying for the stadium that way, they would not be able to do these items.

Mayor Fagg stated he would like to have the discussion, but that it water under the bridge at this point.

Commissioner Young stated that it is not water under the bridge because each time staff discuss money, the Mayor brings up how much money goes to the football stadium and to ICMA.

Mayor Fagg asked to come up with a solution.

Commissioner Young stated that they did come up with a solution two years ago.

Mayor Fagg stated that is why he is voting no.

Commissioner Nick Badwey moved to Ordinance No. G-1164, an ordinance amending the El Dorado Municipal Code, Section 8.04.060 pertaining to refuse service rates.

Commissioner Bill Young seconded the motion.

ROLL CALL VOTE

Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Michael Fagg	No

Commissioner Young stated that it behooves the Commission to have this discussion every year to avoid large increases in future years.

City Manager Llewellyn stated that it will be added to the budget discussion.

SALES TAX COMMITTEE APPOINTMENTS

City Manager Herb Llewellyn stated that it is time to nominate individuals to serve on the sales tax committee for 2014.

Commissioner David Chapin asked when they were needed.

City Manager Llewellyn stated that if they could have them a few days in advance of the next meeting, the item will be on the agenda.

PAVING OF TOWANDA AVE. – EDGEMOOR TO FREDRICK

City Manager Herb Llewellyn stated that prior to the Mayor’s request to revisit the Towanda Avenue issue, he had asked the city engineer to look at the project and provide suggestions. He stated that there is a portion in the City that could be done, but it would be very inefficient to do such a small portion.

Assistant City Engineer Scott Rickard stated that if they did the small section that is in the City limits, it could be done without putting an assessment on County residents.

Mayor Michael Fagg asked if the city manager could give an update on the meeting that was held.

City Manager Llewellyn stated that a meeting was held between the City, the County, the El Dorado Township and Butler Community College. He stated that the college was involved because they have asked to include the area of Towanda that follows their land.

City Manager Llewellyn stated that the Township agreed to participate in an overlay project. He stated that if the City went with a more extensive project, they would

just donate the equivalent of the overlay project to the larger project. The County Commission is going to discuss the issue to see if they would like to participate. He did not believe they had been able to meet yet.

City Manager Llewellyn stated that after the County has made their decision they will meet again.

Mayor Fagg stated he would like to see what could be done in the first two sections right now. He stated he would like to see the costs on that area.

Mayor Fagg stated he would like to address west of Haverhill road at a later date.

Mayor Fagg stated that he felt the City had not done improvements on the South side of town in awhile and it was the right thing to do.

Mayor Fagg asked if the KTA had put any money into the project.

Mr. Rickard stated that the KTA is exempt from special assessments and did not wish to contribute to the project.

Mayor Fagg stated that he had heard that they did participate in road projects near their areas.

Mr. Rickard stated that staff tried, and did not receive a positive response.

Mayor Fagg stated he would like to see the costs associated with the first section.

Mr. Rickard stated that he has all of the costs broken down for each section.

Mayor Fagg stated he would like to have a conversation with the parties in the first section.

Commissioner David Chapin stated that he felt that the government entities have figured this out. He asked Fred Kropf to come up with a number that would be acceptable to him as a contribution to the project.

Commissioner Chapin stated that he felt that if it was necessary he was ok with just repaving the road for now, he thought a better project was possible between the County and the City and the Township if the costs were reasonable.

Commissioner Bill Young asked what his thoughts on the section west of Haverhill were.

Commissioner Chapin stated that he felt the college was amenable to the costs for a project that included their section of Towanda Avenue.

Commissioner Chapin encouraged Mr. Kropf to start fresh and try to assist with the project as much as possible.

Mayor Fagg stated he would be willing to provide Mr. Kropf with the information that the Commission will receive on the project.

Mr. Rickard stated that those numbers are available and have already been sent to the Township and the County.

Mr. Kropf asked how much his would be a square foot.

Mr. Rickard stated that his estimated assessment under the current policy is \$329,893.13 for paving and for the driveways about \$19,360.

Mr. Kropf stated that it was about fifty cents a foot.

Mr. Rickard stated last time he was around \$280,000.

Commissioner Chapin asked if this includes the Township's donation.

Mr. Rickard stated that they are just the raw numbers.

Mayor Fagg asked where they should go next.

City Manager Llewellyn stated that they needed to wait on the County to make a decision.

Mayor Fagg thought the County was waiting on the City.

City Manager Llewellyn stated that there was not much point talking to property owners until they could be given numbers. He stated that those numbers would not be available until they knew what the contribution from the County was and the extent of the project the City Commission wanted to do.

Commissioner Young confirmed that all of the estimates had been sent to the County.

Mr. Rickard stated that he had sent that and the last interlocal agreement.

Mayor Fagg asked if a meeting could be had with the County, Township and Mr. Kropf.

Commissioner Young stated that the other property owners would be assessed as well, and while not assessed to the extent of Mr. Kropf, they would need to be involved as well.

Commissioner Chapin stated that the City Commission needed to meet first to understand what the project was going to be.

City Manager Llewellyn stated that he thought the entire project should be published in the paper so that all property owners are aware. He also stated that if the City Commission is willing to take on more of the costs to reduce the other assessments, then they could meet sooner.

More discussion was held.

NEW BUSINESS

Commissioner David Chapin encouraged citizens to be wary of scams with the upcoming holiday season.

Commissioner Nick Badwey wished everyone a Happy Thanksgiving.

Mayor Michael Fagg confirmed that the City would not purchase real estate without the ok of the Commission.

City Manager Herb Llewellyn stated that they would not be, that was the reason the executive session was cancelled.

CITY MANAGER'S REPORT

Tabitha Sharp, City Clerk, stated that the new water bills would be white. The payment coupon would be on the bottom of the card instead of the side. She stated that due to the software change next month, the meter reading schedule had been increased over the past few months to make up for the time we would not be able to read and bills would even out over the next few months.

Mayor Michael Fagg asked what the reason behind the change was.

Ms. Sharp stated that it was part of the software conversion. The older system has significant issues and the new system should be more accurate and up to date.

City Manager Herb Llewellyn stated that the previous evening, there were reports that sirens did not go off in areas that were being hit by storms in other states. He stated that the sirens are tested each Monday at noon, if the citizens do not hear the sirens at that time, they should alert city staff.

Brad Meyer, Director of Public Works, stated that between Public Works staff and the Fire Department, each siren is tested every Monday. He stated that it was important to note that these are outdoor warning sirens, intended for outdoor activities. Citizens should obtain a weather radio for use in their homes and not rely on the sirens.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 10:34 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha Sharp

Mayor Michael A. Fagg

The El Dorado City Commission met in special session on November 26, 2013 at 4:00 pm in the Commission Room with the following present: Mayor Michael Fagg (arrived at 4:10), Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. Absent: City Manager Herb Llewellyn and City Attorney Jim Murfin

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
John McDonald	6233 SE Bluestem Rd	El Dorado, KS
Austin Pruitt	535 SE 30 th	El Dorado, KS
John Phillips	126 E Broadway	Augusta, KS
John Cleveland	4435 SW Hunter Rd	El Dorado, KS
Kathy Hoch	121 S Main	Whitewater, KS
Dana McCoy	2180 SW 60 th	El Dorado, KS
Pat Schaffer	945 SW Indianola Rd	Benton, KS
Denise Vogt	4774 SE 20 th	El Dorado, KS
Davy Harkins	4783 Turkey Creek	El Dorado, KS
Sue Harsh	14675 NE Sycamore Springs	Cassoday, KS
Tom Hinton	1232 SE 6 th Terr	Rosalia, KS
Bruce McCabe	2333 SE Munson Hill	El Dorado, KS
John Scribner	4386 NE Ellis	El Dorado, KS
Thomas	11380 SE 20 th	Rosalia, KS
Richard Marcum	6415 SE 20 th	El Dorado, KS
John Provorse	6313 SW Purity Springs	El Dorado, KS
Dave Wohlgemuth	5747 SW 20 th	El Dorado, KS
Steve Morgan	1571 SE Ellis	El Dorado, KS
Marci Fugarino	220 E 1 st	El Dorado, KS
Gary Taylor	390 E Central	El Dorado, KS
Shane Krause	830 W 4 th	El Dorado, KS
Kurt Bookout	220 E 1 st	El Dorado, KS

CALL TO ORDER

Vice Mayor Bill Young called the November 26, 2013 Special City Commission meeting to order at 4:00 p.m.

ADVISORY BOARD APPOINTMENTS

Mary Ann Conrad, Administrative Assistant to the City Manager, presented the applications received for the various board openings.

PROPOSED WATER RATE INCREASE DISCUSSION

Public Utilities Director Kurt Bookout presented the options for a proposed water rate increase and the reasons the increase was needed.

ADJOURNMENT

Commissioner Bill Young moved to adjourn the meeting at 5:00 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

The El Dorado City Commission met in regular session on December 2, 2013 at 7:00 pm in the Commission Room with the following present: Mayor Michael Fagg, Commissioner Chase Locke, Commissioner Bill Young, Commissioner Nick Badwey, Commissioner David Chapin, City Manager Herb Llewellyn, City Attorney Jim Murfin, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Julie Clements	El Dorado Times	El Dorado, KS
Bill Kloeblen	Bradford Memorial Library	El Dorado, KS
Kristi Jacobs	Bradford Memorial Library	El Dorado, KS
Mother Christine Gilson	Trinity Episcopal Church	El Dorado, KS
Bruce McCabe	RWD#3	
Kurt Bookout	220 E 1 st	El Dorado, KS
Tim Connell		El Dorado, KS

CALL TO ORDER

Mayor Michael Fagg called the December 2, 2013, City Commission meeting to order.

INVOCATION

Mother Christine Gilson, Trinity Episcopal Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

Ms. Carter’s third grade class from Lincoln Elementary led the pledge of allegiance.

PERSONAL APPEARANCE

Bill Kloeblen, Library Board President, and Kristi Jacobs, Library Director, presented an update on the library renovation project. Mr. Kloeblen stated that they are in the process of beginning fund raising to assist with the costs of the library renovation project.

Mayor Michael Fagg thanked them for their work with the library.

PUBLIC COMMENTS

Mayor Michael Fagg opened the floor for public comments.

Bruce McCabe, Chairman of Rural Water District #3, stated he was not happy with the current offer from the City of El Dorado in regards to the property surrounding the new middle school.

Mr. McCabe stated he had had some discussions with the Kansas Rural Water Association and stated that Rural Water Districts have very little funds to work with. He went on to detail what the costs for water were for his district.

Mr. McCabe stated that the State has not made a recommendation to go to one flat water rate. He stated that until the City implemented a real conservation effort, they could not use conservation as an excuse for a rate increase.

Mr. McCabe stated that he would like to know how the money that is charged to Rural Water Districts is used each year.

City Manager Herb Llewellyn asked if the Commission would like to move up the discussion from the agenda, but it is not typical to allow discussion of agenda items during public comment.

Mayor Fagg stated he would like to see Mr. McCabe's information before commenting. He asked if the City Manager would like to respond to Mr. McCabe.

City Manager Llewellyn stated that in regards to the first item, the KRWA's position on the annexation of the middle school property is that if the RWD is unable to serve the property, than they should give it up and allow someone who can to take the property. He also stated that the City has charged an out of city rate to those rural customers for many years, it is not a punitive action.

Kurt Bookout stated that in his many years with the City, there has always been a good relationship with the RWD's. He stated that the annexation of the middle school property was based on a request by the school district because the RWD #3 could not provide adequate flow for the middle school. He stated that the knowledge he has regarding the annexation of the middle school property, came from the KRWA president. The president of KRWA stated that as long as the City was annexing the property, they are allowed to serve that property.

Mr. Bookout stated that they have followed all of the guidelines for the transfer of the property. He stated that rural lines were not designed to serve high density subdivisions, they were designed to serve rural customers. He stated that in order for RWD#3 to serve the middle school, they would have to rebuild the entire line. He also stated that the President of the KRWA believes that the fact that RWD#3 is asking for compensation for this project is silly, they should be doing what is best for the customer.

Mr. Bookout pointed out that with the rate increase, the City would charge \$2.75 per thousand gallons, Mr. McCabe stated that they are charging \$7.50 per thousand. Mr. McCabe stated that the RWD has to charge twice what the City charges. The RWD charge is more than twice the City charge.

City Manager Llewellyn stated that the Commission has been made aware of everything in this process. Staff are not blocking any of the issues, that is not the position of the City staff.

Mayor Fagg stated he would like to see the City and the RWD discuss the issues.

Mr. McCabe stated he would be ok with that.

City Manager Llewellyn stated he would look at what had already been discussed by the City Commission.

Commissioner David Chapin stated he also supported the discussion.

Commissioner Bill Young stated that the City was sent a proposal and it was reviewed. He stated that if the rest of the Commission would like to adjourn into an executive session to discuss the legal issue. He stated at that point then they could change the direction that was given to the City Manager.

Mayor Fagg asked if it would be discussed in regular session afterwards.

City Manager Llewellyn stated that if it was a court case, it would be protected.

Attorney Jim Murfin stated that there needed to be a motion to adjourn into executive session to discuss the offer from RWD #3.

Commissioner Young stated the discussion needed to end regarding the middle school in order to protect both the City and RWD #3's interests.

Commissioner Chase Locke and Nick Badwey concurred.

CONSENT AGENDA

Approval of Appropriation Ordinance 11-13 in the amount of \$1,073,814.28.

Approval of the 2014 CMB License Applications:

- PIZZA HUT
2423 W. CENTRAL
- PIZZA HUT
729 N. MAIN
- 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
- SUNNY STOP EAST
301 E CENTRAL
- GOLDEN ASIA BUFFET
2350 W CENTRAL

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

Commissioner Bill Young seconded the motion.

Mayor Fagg asked about the other charges for \$54,000 in fund one.

Mayor Fagg asked about 001-051-5330, t-shirts and awards.

City Clerk Tabitha Sharp stated that the charge was for youth basketball.

Mayor Fagg asked about fund 71, inventory clearance.

Ms. Sharp stated that it was fuel, it has to be moved from the storage account to the expense account.

City Manager Llewellyn stated it is part of a journal entry once the departments use their portion.

Motion carried 5 – 0.

DEFERRED FINES AND 2013 – MISCELLANEOUS BILLING WRITE-OFFS

City Clerk Tabitha Sharp stated that each year debts that are deemed uncollectible are written off according to the generally accepted accounting procedures. She stated that deferred fines to be removed total \$43,110.00 and the miscellaneous billing amount to be removed is \$5,585.86. It is noted that of the total deferred fines being written off \$6,865.00 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 debt is not actually forgotten, it is moved into a write off account and all attempts are made to collect the debt.

Commissioner David Chapin asked if the account increases every year.

Ms. Sharp stated that each year it increases based on the write off policy, and as debt is collected, it decreases. She stated that while court write offs are up slightly, miscellaneous billing write offs are down.

Mayor Michael Fagg asked what the balance in the write off account was. He also asked what the collections against that account are for the year.

Ms. Sharp stated that she would get that number to him.

Mayor Fagg stated that some agencies use an attorney to collect after a certain time.

Ms. Sharp stated that the City uses a collection agency and the State Setoff program to collect this debt.

Commissioner Nick Badwey moved to deem uncollectible the deferred fines accounts in the amount of \$43,110.00 for 2013, and miscellaneous billing accounts in the amount of \$5,585.86 owed to the City of El Dorado, to remove same from the accounts receivable records of the City, and that a list delineating each account be attached to the minutes of this meeting.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

SALES TAX COMMITTEE APPOINTMENT – 2014

City Clerk Tabitha Sharp stated that at the last meeting, staff asked the Commission to bring nominations for the Sales Tax Committee. She stated that this committee provides suggestions to the City Commission on how to spend the excess sales tax monies. These monies are what is left after the ordinance expenses; property tax reduction, street rehabilitation, and economic development are taken out.

Ms. Sharp stated the first meeting for this committee will be January 13, 2014 at noon at City Hall.

Ms. Sharp stated that the Mayor's nominations were Frank Kaster and Marsha Mawhirter, Ashley Roedel was the nomination of Commissioner Locke, Ryan Murry was the nomination of Commissioner Young, Randy Wells was the nomination of Commissioner Badwey and Simon Schippers was the nomination of Commissioner Chapin. She stated that the Planning Commission nominated Steve Funk.

Commissioner Nick Badwey moved to appoint Marsha Mawhirter and Frank Kaster (Mayor Fagg), Ashley Roedel (Commissioner Locke), Ryan Murry (Commissioner Young), Randy Wells (Commissioner Badwey), Simon Schippers (Commissioner Chapin) and Steve Funk (Planning Commission) to the Sales Tax Advisory Board for a one-year term set to expire December 31, 2014.

Commissioner Bill Young seconded the motion.

Commissioner Bill Young thanked those individuals who volunteer to serve on this and other committees.

Mayor Fagg also thanked them.

Motion carried 5 – 0.

BOARD APPOINTMENTS

Mayor Michael Fagg stated that he thought there was an application for the library.

City Manager Herb Llewellyn stated that his assistant was going to call the individual to confirm that they were still interested.

City Clerk Tabitha Sharp stated that at the Special City Commission meeting on November 26, the City Commission reviewed the applications on file for the board openings. She stated that the following individuals were nominated:

<u>Name</u>	<u>Board</u>	<u>Term Exp.</u>
Natalie Donges	CTC	5/1/2014
Rose Wilson	Prairie Trails	6/1/2016
Kyle McLaren	Recycle	5/1/2015
Allen Potter	Planning Commission	5/1/2016

Commissioner Chase Locke moved to approve the board appointments as listed.

Commissioner Bill Young seconded the motion.

Mayor Fagg thanked these individuals for their time and effort.

Motion carries 5 - 0

SUBDIVISION REGULATION DISCUSSION

Scott Rickard, Assistant City Engineer, stated that the City Commission asked staff to survey other communities and their subdivision regulations. He stated that they contacted eighteen other communities and found that the City of El Dorado helps developers the most.

Mr. Rickard stated that El Dorado pays for intersections on street improvements, stormwater systems and water distribution systems for new developments.

Mr. Rickard stated that none of the other cities assist with stormwater and few do water distribution.

Mr. Rickard stated that the City of El Dorado’s policy has changed several times over the years, but has reverted to the current policy every time. He stated that when it was changed the last time, community forums with developers and citizens were held to ensure that we were doing what the citizens wanted.

Mr. Rickard showed the Commission examples of the bond payments and revenues from the subdivisions.

Mayor Michael Fagg asked what the N/A meant.

Mr. Rickard stated that they didn't pay for it.

Mayor Fagg confirmed that El Dorado was the only City that paid for stormwater.

Commissioner David Chapin stated he was proud of that.

Mayor Fagg stated that he was not because it was putting the burden on the whole tax base for one subdivision. He listed all of the items that the City pays for in new subdivisions.

Commissioner Chapin stated that even after paying for those items, we still had very few housing starts.

Mayor Fagg stated that this obviously wasn't helping the problem, so they should stop doing it.

Commissioner Chapin stated that if we take them away, we'll have even fewer housing starts.

Mayor Fagg stated that he felt that incentives could be given in the form of tax abatements.

Commissioner Chapin stated that it was possible to charge all of the fees in other cities because they have a large housing demand.

Mayor Fagg stated that he believed developers should provide a line of credit before we assist them with these large projects.

Commissioner Bill Young asked if he thought the Griler addition developers would have been able to get a letter of credit.

Mayor Fagg stated that he did not know.

Commissioner Young asked how many subdivisions had been built in El Dorado over the last thirty years.

Mr. Rickard stated that there were all of the Criss additions, Griler, Banks, Prairie Land, Greens, Potters, and Adlesberger.

Commissioner Young confirmed that out of all of those projects, only one failed.

Mr. Rickard stated that even in that subdivision, everything that has been developed is being assessed and paid for.

City Manager Herb Llewellyn stated that the plan was to get rid of the pipeline easement to make the lots buildable, but that did not happen.

More discussion was held (Commissioners were talking over each other).

Mr. Rickard pointed out that twelve years into the Prairie Land development, their taxes are well over what the bond payments are.

Commissioner Young stated that according to what was found by the housing committee, El Dorado needs more housing that is attractive to families. He stated that if we get rid of these incentives, then there will be even fewer homes built to help with the housing stock issue.

Commissioner Young also stated that the City as a whole is benefitting from these subdivisions because they generate more property and sales tax.

More discussion was held (Commissioners talking at the same time).

Mayor Fagg stated that there should be a compromise where the City doesn't give everything. He stated that he would like to perform the same housing study that Hutchinson did.

Commissioner Young stated that El Dorado was a unique community and could not be made like all of the others. He stated that if we wanted to make our City like all others, we should charge the same utility rates as well.

Mayor Fagg stated that if the City was going to take on all of the risk, the City should be in the development business.

Commissioner Young stated that if the Mayor had another option for attracting new developers, he should present it and the rest of the Commission would be willing to hear it.

Commissioner Chapin stated that a good compromise would be to require the letter of credit.

City Manager Llewellyn stated that would be prudent.

Mayor Fagg stated he would like to change the City's focus to existing housing.

Mayor Fagg asked if the group from Hutchinson could come and offer a proposal to the City of El Dorado.

City Manager Llewellyn stated he would ask.

More discussion.

CITY LIMIT BOUNDARY RESOLUTION

Assistant City Engineer, Scott Rickard, stated that at the end of each year, we are required to update our legal description. He stated that the only change this year was the annexation of Mr. Farmer's land.

Commissioner Nick Badwey moved that Resolution No. 2726, a resolution redefining the boundary limits of the city of El Dorado, Kansas, be adopted.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

WATER RATE INCREASE

Kurt Bookout, Public Utilities Director, stated that the ordinance provided reflects the rate changes discussed at the previous week's work session. He stated that there is a two percent increase to tier one and a six percent increase to tier two which brings the tiers closer together.

Commissioner Bill Young clarified that this changes residential rates two percent, and the large user rate six percent.

Mr. Bookout stated that he was correct, large users included those who use more than 224,000 gallons per month.

Commissioner Young stated that this keeps the second tier in place and that there has not been an increase in eight years.

Mr. Bookout stated that he was correct.

Commissioner Young stated that the costs of doing business and the costs of fuel have gone up in those eight years.

Commissioner Chase Locke stated that there is a need for maintenance and repair, and that he is pleased with this proposal. He confirmed that the first bill this rate will be on is the February bill.

Mr. Bookout stated that he was correct; it would be in effect on January usage.

Mayor Fagg asked what the average resident used.

Mr. Bookout stated the average use for a resident is 5,610 gallons.

Mayor Fagg asked what the \$13.41 was.

Mr. Bookout stated that it was the new rate for tier one.

Mayor Fagg asked what the old rate was.

Commissioner Young stated it was \$13.29.

Mayor Fagg asked what the difference in the readiness to serve fee was.

Mr. Bookout stated that it would increase from \$6.90 to \$7.18. He stated that the readiness to serve fee for outside city customers would decrease because it would no longer have the multiplier.

Mayor Fagg confirmed that both the water fee and the readiness to serve fee were both going up, so the actual amount is four percent.

City Manager Llewellyn stated that the increase is relative to the total amount, not the two amounts separately.

Commissioner Young stated he was glad the Commission took the time to better understand the information.

Commissioner Nick Badwey moved to approve Ordinance No. G-1165, an Ordinance amending the El Dorado Municipal Code, Section 13.08.010 pertaining to water service rates.

Commissioner David Chapin seconded the motion.

Mayor Fagg read a statement regarding looking at expenses before raising utility rates. He stated that he did not believe funds should be co-mingled. He stated that he wanted to know why the City employees were receiving the ICMA benefit.

ROLL CALL VOTE

	Mayor Michael Fagg	No
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Bill Young	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes

NEW BUSINESS

Commissioner Nick Badwey reminded citizens that the Trinity Episcopal Church cookie fair was coming up on Saturday.

Commissioner Bill Young stated that the advisory committee is reviewing ideas to increase participation in youth sports activities.

Commissioner Young stated that there have been multiple comments over the last few meetings about the stadium and ICMA. He stated that the Commission needed to get information on ICMA to better understand the retirement system for City employees.

Commissioner Young stated that it is disingenuous to tie the need for a rate increase that has not happened in eight years to the stadium payments and taking care of employees who work hard for the City. He stated that rural customers should understand that costs have gone up. The City has tried its best to mitigate that and have reached a point where the increase is necessary.

Commissioner Young commended staff for working hard over the last years to absorb the costs so that they did not have to increase rates. He stated that it is important for this Commission and future Commission members to understand that rate increases must be done more often to keep the increase from being too harsh.

Commissioner Young asked how long ICMA had been given to employees.

City Manager Herb Llewellyn stated that it happened approximately three years ago. He stated that it was done to ensure that all employees were treated fairly and to act as an incentive to keep employees.

Commissioner Young stated that the Commission needed to decide if this issue was going to be discussed any further or if they were going to move on.

Commissioner Chase Locke stated that he respected the Mayor's statement with the exception of the portion regarding a decision being based solely on the advice of staff. He stated that he also relied on outside guidance to make a good decision.

Commissioner Locke stated that fill the truck would be at Walmart on Wednesday of the following week and encouraged citizens to come out and participate.

Commissioner David Chapin stated that someone from Ash Street to request maintenance on their street.

Commissioner Chapin also asked if the signal at Oil Hill and Central could be looked at.

Commissioner Chapin stated that the City Commission tries to do the best job they can and cannot always make decisions that work for everyone. He stated that he enjoys working with City staff and that they were very knowledgeable and cared for the City of El Dorado.

Commissioner Young thanked staff for getting the signals going at 6th and Main.

Commissioner Locke urged citizens to look out for neighbors and elderly and to contact him if someone knew of a family in need this Christmas.

Mayor Michael Fagg stated that he tries to promote good discussion and thought processes. He appreciated the professionalism of the Commission.

Mayor Fagg stated that the street at 600 W Cave Springs was looking bad.

Scott Rickard, Assistant City Engineer, stated that it is on the budget for next year.

Mayor Fagg stated that 500 S Atchison was also looking bad.

Mayor Fagg asked if the city should be experimenting with citywide wifi and how much it would cost.

City Manager Llewellyn stated that staff are working on it now. They plan to create a mesh network through the street lights. Eventually they will be able to possibly go to

electronic reads for water meters and streaming video from patrol cars to better protect the police officers.

Mayor Fagg asked what the cost was.

City Manager Llewellyn stated that he thought the budgeted amount was about \$50,000 but that they were only approximately a few thousand into it right now.

Mayor Fagg stated that he did not believe that the City should pay for golf tournament entry fees.

Mayor Fagg asked if the City pays for joining civic clubs. He thought that it should come out of the pocket of the employee.

City Manager Llewellyn stated that the City pays these fees in order to get employees out into the community to network with the citizens and that typically the meetings are held over lunch hours.

Mayor Fagg asked if employees get tickets to games and other events.

City Manager Llewellyn stated that the short answer is no, however the City does receive tickets to Butler games in exchange for the assistance that is given to them.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 9:20 p.m.

Commissioner Bill Young seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Michael A. Fagg