

EL DORADO CITY COMMISSION MEETING

February 1, 2010

The El Dorado City Commission met in regular session on February 1, 2010 at 7:00 pm in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Nick Badwey, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Attorney James Murfin and City Clerk Kendra Porter.

VISITORS

Brad Meyer	220 E. 1st	El Dorado, Kansas
Matt Rehder	220 E. 1st	El Dorado, Kansas
Tabitha Sharp	220 E. 1st	El Dorado, Kansas
Jason Reiswig	220 E. 1st	El Dorado, Kansas
Kurt Bookout	220 E. 1st	El Dorado, Kansas
John Scanlon	220 E. 1st	El Dorado, Kansas
Larry Mars	P.O. Box 965	El Dorado, Kansas
Terri Chowning	823 S. Emporia	El Dorado, Kansas
Heather Wittum	126 N. Emporia	El Dorado, Kansas
Katie Dunham	517 N. Emporia	El Dorado, Kansas
Zach Eaton	824 N. Atchison	El Dorado, Kansas
Kenny & Bobbi Eaton	626 S. Topeka	El Dorado, Kansas
Angela Emery	2610 Country Club	El Dorado, Kansas
Roger Powers	Flint Hills Solutions	
Reverend Bill Caughey	Grace Lutheran Church	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Stephanie Taylor	330 Residence	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the February 1, 2010 City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Ms. Worley’s Third Grade class led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

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

CONSENT AGENDA

- a) Approval of the January 19 2010 City Commission minutes.
- b) Approval of Appropriation Ordinance No. 01-10 in the amount of \$ 2,372,117.32.
- c) Approve the Engineer’s Fifth Pay Estimate dated January 19, 2010 on Project No. 317, Water System Improvements-NW Pressure Zone to the Contractor, Nowak Construction, in the amount of \$71,451.41.

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- d) Approve the Engineer's First Pay Estimate dated December 31, 2009 on Project No. 243c, 8th Street Lift Station-Forcemain Replacement to the Contractor, Middlecreek Corporation, in the amount of \$54,954.00.
- e) Approve the Engineer's First Pay Estimate dated January 25, 2010 on Project No. 243b, Manhole Rehabilitation to the Contractor, Mayer Specialty Services, in the amount of \$92,177.91.
- f) Approval of the Mayor's signing the Neighborhood Revitalization Program Resolution No. 2653 and the Interlocal Agreement (approved at 1-19-10 meeting).

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

Commissioner Shane Krause seconded the motion.

Motion Carried 5-0.

FLINT HILLS SOLUTIONS

City Manager Herb Llewellyn stated that at the January 19, 2010 City Commission meeting, Flint Hills Solutions gave a presentation and explained their company's products. Their company provides UAS (unmanned aircraft systems) services to the UAS marketplace, which are becoming widely used in many civilian applications.

City Commissioner David Chapin inquired on how other airplanes will be notified of the unmanned air vehicle operations.

Roger Powers, Flint Hills Solutions, stated that there will be no designated area, and that the operations will not show up on flight charts. However, the FAA requires all UAV be in constant communication and within line of sight with the operator.

Commissioner Chapin inquired if the contract had a cancellation clause.

City Manager Herb Llewellyn stated that the contract has a six-month termination clause.

Commissioner Chapin also inquired on possible future expansion.

Mr. Powers stated that other companies will come to El Dorado for training purposes, and foresees future employment opportunities.

Commissioner Shane Krause inquired if this would limit the City's opportunity for other UAV vendors.

Mr. Powers stated that any other UAV company would have to be approved by the City Commission.

EXECUTIVE SESSION

This item is for the purpose of discussing confidential data relating to legal issues.

Commissioner Linda Clark moved to recess into an Executive Session for the purpose of discussing legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:00 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5-0.

Mayor McKibban reconvened the meeting at 8:02 p.m.

2010 BUDGET AMENDMENT – PRAIRIE TRAILS FUNDS

City Manager Herb Llewellyn stated that due to the City purchasing the Prairie Trails' property and business, the 2010 budget needs to be amended from \$0 to \$794,876.00 to include budgets for the Prairie Trails Restaurant and the Prairie Trails golf operations.

Commissioner Linda Clark moved to approve the amendment to the 2010 Operating Budget in the Prairie Trails fund as published and presented.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

PRAIRIE TRAILS MANAGEMENT

City Manager Herb Llewellyn stated that Kemper Sports proposal to manage Prairie Trails Golf and Restaurant is best suited for El Dorado.

Commissioner Nick Badwey moved to direct the City Manager to enter into an agreement with Kemper Sports to manage Prairie Trails Golf and Restaurant.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

SALES TAX ADVISORY COMMITTEE APPOINTMENTS

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

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

Commissioner Linda Clark moved to appoint Larry Gaston and Jason Burke (Mayor McKibban), Tony Grunder (Commissioner Chapin), Ryan Murry (Commissioner Clark) and Van Pooler (Planning Commission) to the Sales Tax Advisory Board for a one-year term set to expire March 1, 2011.

Commissioner Nick Badwey seconded the motion.

Motion Carried 5-0.

Mayor Tom Mc Kibban stated that the remaining two appointments will be made at the February 15, 2010 City Commission meeting.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

The Commissioners commended Staff on the snow removal during the latest winter storm.

Mayor Tom McKibban commended the Police Department on handling the bomb threat at the high school, and the Recreation Department on the management of Prairie Trails.

CITY MANAGER'S REPORT

Assistant City Engineer Scott Rickard provided City Commissioners with updates on the following projects; waterline on Haverhill Road, Eighth Street lift station, Boyer Road, and the Industrial Park rail spur.

City Manager Herb Llewellyn informed the Commissioners on a possible contract on a lot in the Industrial Park.

Commissioner Shane Krause inquired about the erosion control plan.

City Manager Llewellyn stated that the erosion control plan is part of the 2010 comprehensive plan and American Legion survey is included.

Commissioner Linda Clark inquired about the project for the intersection of Central Avenue and Vine Street.

City Manager Llewellyn stated that the plans are currently being developed by Engineering.

City Manager Llewellyn stated that Staff discovered changes in how liquor tax proceeds can be allocated. Butler County liquor tax can only be allocated to domestic violence organizations. Therefore, Staff recommends using increased court cost fees to the non-profit organizations that used to receive liquor tax funds. Consensus of the Commissioners was to allocate the increased court fees to non-profit organizations.

EXECUTIVE SESSION

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

Commissioner Shane Krause moved to recess into an Executive Session for the purpose of discussing non-elected personnel, confidential data relating to financial affairs or trade secrets of second parties, and legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 9:15 p.m.

Commissioner Linda Clark seconded the motion

Motion carried 5-0.

Mayor McKibban reconvened the meeting at 9:15 pm.

Commissioner Linda Clark moved to extend the Executive Session until 9:50 p.m.

Commissioner Shane Krause seconded the motion.

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

ADJOURNMENT

Commissioner Shane Krause moved to adjourn the meeting at 10:08 pm.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban