

EL DORADO CITY COMMISSION MEETING

February 18, 2008

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

VISITORS

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

CALL TO ORDER

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

INVOCATION

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

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

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

CONSENT AGENDA

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

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

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

888 ALCOHOL MONIES ALLOCATION

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

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

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

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

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

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

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

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

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

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

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

Commissioner Steve Reynolds seconded the motion.

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

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

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

The process of initiating this project is as follows:

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

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

March 3rd – Commission holds public hearing for comment.

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

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

RESOLUTION NO. 2596

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

Commissioner David Chapin seconded the motion.

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

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

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

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

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

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

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

Bids for Project Nos. 297, 298, & 299

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

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

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

SALES TAX TASK FORCE COMMITTEE

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

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

Sales Tax Advisory Committee (7 appointees)

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

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

At-Large (20 appointees)

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

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

DISCHARGE OF FIREARMS AND PROJECTILES WITHIN THE CITY LIMITS

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

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

ORDINANCE NO. G-1020

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

Commissioner Steve Pershall seconded the motion.

ROLL CALL

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

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners’ comments.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

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

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

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

EXECUTIVE SESSION

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

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

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

ADJOURNMENT

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

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban