

EL DORADO CITY COMMISSION MEETING

April 3, 2006

The El Dorado City Commission met in regular session on April 3, 2006, at 7:30 p.m. in the Commission Room with the following present: Mayor Brian D. Shepherd, Commissioner Michael A. Fagg, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herbert E. Llewellyn, Jr., City Attorney Michael Coash, City Clerk Kendra Waite, and Engineer Aide Scott Rickard. Absent: Commissioner Linda Clark.

VISITORS

Leonard & Nellie Smith	601 N. High	El Dorado, Kansas
Don Taylor	2950 W. Fourth Ave.	El Dorado, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
Carl D. Andrews	1730 Cottonwood Dr.	El Dorado, Kansas
Chet & Mary McCoy	336 Simpson Rd.	El Dorado, Kansas
Gary Merrick	1411 Lawndale	El Dorado, Kansas
Mike Ward	1816 Country Club	El Dorado, Kansas
Scott & Sharlene Stewart	2053 Dragonfly Dr.	El Dorado, Kansas
Rebecca Rhodes	324 N. Washington	El Dorado, Kansas
Martha Gregg	4485 Santa Fe Lake Rd.	Towanda, Kansas
Micaela Ayers	826 W. Fourth	El Dorado, Kansas
Kathryn Hollingsworth	El Dorado Times	El Dorado, Kansas
Debra Montgomery	619 E. Ninth Ave.	El Dorado, Kansas
Helen Koerner	1816 Hazlett	El Dorado, Kansas
Tacy Smith	1705 Ryan Ct.	El Dorado, Kansas
Mable M. Pratt	521 Sharpville Rd.	El Dorado, Kansas
Wade Wilkinson	1330 Kala Ct.	El Dorado, Kansas
Daxton Bloomquist	2320 Country Club Rd.	El Dorado, Kansas
Johnna Shepherd	925 S.E. River Rd. #1006	El Dorado, Kansas
Katie Vanderford	1237 W. First Ave.	El Dorado, Kansas
Cayci Hunt	201 N. Orchard	El Dorado, Kansas
Gerald Watson	125 N. Summit	El Dorado, Kansas
Pat Hicks	1147 S. Arthur	El Dorado, Kansas

CALL TO ORDER

Mayor Brian D. Shepherd called the April 3, 2006, City Commission meeting to order.

INVOCATION

Reverend Spencer Stewart, New Life Fellowship, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Ms. Kathy Shum’s Third Grade Class from Grandview Elementary School led the Pledge of Allegiance.

PROCLAMATIONS

Mayor Brian Shepherd read a proclamation to proclaim the week of April 2 through April 8, 2006, as National Library Week.

Martha Gregg, Bradford Memorial Library Director, stated that during the week of April 2nd, the Library is having a food drive to benefit the Salvation Army Food Bank. Anyone who brings in a non-perishable food item will receive \$1.00 off library fines.

Micaela Ayers, Butler Community College Library Director, stated that they are working with Bradford Memorial Library in promoting National Library Week and invited the public to visit the Butler Community College Library.

CONSENT AGENDA

- a) Approval of the March 20, 2006, City Commission minutes.
- b) Approval of the March 24, 2006, Special City Commission minutes.
- c) Approval of Appropriation Ordinance No. 03-06 in the amount of \$2,177,856.74.
- d) Approve the Engineer's Third Pay Estimate dated March 28, 2006 on Project No. 276, Sanitary Sewer Cleaning & Inspection-Sewer Flow into 8th Ave. Lift Station to the contractor, Mayer Specialty Services, LLC, in the amount of \$22,072.91.
- e) Approve the Engineer's Second Pay Estimate dated March 28, 2006 on Project No. 947, Pedestrian/Bicycle Facilities to the contractor, Cornejo & Sons, in the amount of \$336,243.25.

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

Commissioner Pershall seconded the motion.

Motion carried 4-0.

EN PLEIN AIR – STREET CLOSING

Mayor Brian Shepherd stated that the En Plein Air Art Fair is scheduled for Saturday, October 14, 2006, and the committee is requesting the closing of the 100 block of South Star.

Commissioner Steve Pershall questioned the location of the street closing.

City Manager Herbert Llewellyn stated that he would research the issue and report back with the correct address of the street closing.

Commissioner Pershall moved to approve the closing of the 100 block of South Star on Saturday, October 14, 2006, from 8 a.m. to 5 p.m., for the purpose of the En Plein Air Art Fair.

Commissioner Reynolds seconded the motion.

Motion carried 4-0.

REAL ESTATE PURCHASE AGREEMENT – ADDENDUM

Mayor Brian Shepherd stated that at the February 6, 2006, City Commission meeting, the Governing Body approved to sell Lot 1 of the Business Park to a local company for the purpose of building a new hotel. There is a need to extend the closing of the real estate sale by the bank and the City to have the various documents completed. A possible closing date of May 15, 2006, has been requested.

Commissioner Reynolds moved that the addendum to the real estate purchase agreement between Central Kansas Properties, LLC, and the City of El Dorado for the purpose of extending the closing date to May 15, 2006, be approved.

Commissioner Pershall seconded the motion.

Motion carried 4-0.

HOME HOUSING GRANT – AWARD CONTRACT

Mayor Brian Shepherd stated that El Dorado’s HOME Housing Grant Code of Conduct in the Procurement of Goods and Services states that any City employee who performs any function with respect to the grant cannot have any direct interest in a contract or sub-contract related to the grant for one year after termination of employment. This wording was prepared by the City and is not required under the grant.

Mayor Shepherd stated the City has received four bids for repairs on a home under the grant. The low-bidder, Acklin Construction, has a sub-contractor who was employed by the City until January 2006. The bid by Acklin Construction is \$28,482, and the next lowest bid is \$35,820 by Windows for America. The grant administrator, SCKEDD, is seeking the City’s direction on whether to move forward with the low-bidder. If the City instead authorizes the Windows for America bid, the increase must be paid from the local funds.

City Manager Herbert Llewellyn stated that the former City employee was not an employee at the time of the bids.

ACCEPTING THE BID

Commissioner Pershall moved to accept the bid of \$28,482 from Acklin Construction for repairs under the HOME Housing grant.

Commissioner Fagg seconded the motion.

Motion carried 4-0.

PROJECT NO. 241 – 2006 SALES TAX SIDEWALKS – HAVERHILL ROAD (TOWANDA TO CENTRAL) AND PROJECT NO. 281 – RESIDENTIAL SIDEWALKS – 619 W. THIRD, 401 FRAZIER, 1218 WEST TOWANDA, 520 WEST FOURTH, 522 WEST FOURTH, AND 143 NORTH STAR

Engineer Aide Scott Rickard stated that the bids have been received, and the lowest bid was Barkley Construction for \$39,400.

RECEIVING THE BIDS

Mayor Brian Shepherd spread the bids on the record as follows:

Engineer’s Estimate	\$ 51,922.96
Barkley Construction	\$ 39,400.00
Beran Concrete	\$ 42,358.90
Parga Construction	\$ 48,437.65
La Farge	\$ 70,945.38
Cornejo & Sons	\$ 79,502.09

Mayor Shepherd questioned if the City has ever worked with Barkley Construction.

Engineer Aide Rickard stated that the City has not worked with Barkley Construction; however, they have been in business for 15 years, qualified with KDOT, and have been recommended by the City of Wichita.

AWARDING THE CONTRACT

Commissioner Fagg moved that as Barkley Construction has submitted the lowest and best bid for Project Nos. 241 and 281, and since their combined bid of \$39,400.00 was under the Engineer's Estimate, the City Manager be directed to award the contract to said contractor providing that the company furnishes the proper bonds.

Commissioner Pershall seconded the motion.

Motion carried 4-0.

BOARD APPOINTMENTS

Mayor Brian Shepherd stated that the City Commission appoints members to various advisory boards. The appointment to the Board of Zoning Appeals was tabled from the previous City Commission meeting. Mayor Shepherd further stated that the committee and advisory board appointments due May 1, 2006, will be on the April 17, 2006 City Commission Agenda to accommodate the new applicants.

Mayor Shepherd stated that the applications submitted for the Board of Zoning Appeals were from Derek Barth, Dennis Cooke, and Jim Phillips.

BOARD OF ZONING APPEALS – 2 CONSECUTIVE TERMS (3-YEAR TERM)

Commissioner Pershall moved to appoint Dennis Cooke to the Board of Zoning Appeals for a term to expire April 1, 2009.

Commissioner Fagg seconded the motion.

Motion carried 4-0.

PUBLIC COMMENTS

Mayor Brian Shepherd opened the floor for public comments.

Don Taylor, 2950 West Fourth, questioned the policy regarding Mr. Dave Chapin's application for the Airport Advisory Board.

City Manager Herbert Llewellyn stated that the policy was adopted in 2001. Mr. Chapin's application was not submitted 30 days in advance; however, several aspects of the policy have not been followed.

Mr. Taylor thanked Commissioner Fagg for asking questions so the public is more informed. Mr. Taylor also thanked the City Manager for doing a good job.

Carl Andrews, 1730 Cottonwood Drive, questioned the location of public storm shelters in case of bad weather.

Mayor Shepherd stated that there is one at the Senior Center, and that in the past they were available at City Hall and at the Library during regular business hours.

Pat Hicks, 1147 South Arthur, questioned if Dave Chapin's appointment would be addressed at the next work session.

Mayor Shepherd indicated the board appointments would be reviewed at the next work session.

Mayor Shepherd closed the public comments session.

COMMISSION COMMENTS

Commissioner Steve Pershall suggested changing the starting time for the City Commission meetings to 7:00 p.m.

Commissioner Michael Fagg questioned the possibility of having the City Commission meetings on Tuesday night in order to have additional time to review the packet information.

Mayor Brian Shepherd thanked the El Dorado Police Department regarding the Quick Trip incident.

CITY MANAGER'S REPORT

City Manager Herbert Llewellyn noted that alcohol monies were still available.

Consensus of the Commission was to use a portion of the alcohol monies to assist the Sunlight Child Advocacy and Rights Foundation.

NINTH STREET BRIDGE

Commissioner Steve Pershall questioned if the Ninth Street Bridge could be utilized as a pedestrian bridge for the summer.

City Manager Llewellyn stated that the Ninth Street Bridge has been inspected and the structure's integrity is fine; therefore, the State suggested the City repair and reopen the bridge.

ADJOURNMENT

Commissioner Pershall moved to adjourn the meeting at 8:30 p.m.

Commissioner Reynolds seconded the motion.

Motion carried 4-0.

City Clerk Kendra Waite

Mayor Brian D. Shepherd

EL DORADO CITY COMMISSION MEETING

April 3, 2006

City Clerk Kendra Waite

Mayor Brian D. Shepherd