

**EL DORADO CITY COMMISSION MEETING**

**June 2, 2008**

The El Dorado City Commission met in regular session on June 2, 2008, at 7:00 p.m. in the Commission Room with the following present: Commissioner Linda Clark, Commissioner David Chapin, Vice-Mayor Steve Reynolds, Commissioner Steve Pershall, City Manager Herbert E. Llewellyn, Jr., Assistant City Engineer Scott Rickard, City Attorney James Murfin, and Finance Director Dee Anne Grunder. Absent: City Clerk Kendra Porter, City Attorney Andrew Piekalkiewicz and Mayor Tom McKibban.

**VISITORS**

Meredyth Bellows	Susan B. Allen Hospital	El Dorado, Kansas
Steven Trevino		Wichita, Kansas
Alex Mauricio		Wichita, Kansas
Sandy Ziemann	1220 S. Topeka	El Dorado, Kansas
Stan Seymour	827 N. Washington	El Dorado, Kansas
Gary Wright	229 N. Washington	El Dorado, Kansas
Jimmy Fulcher	1522 W. First	El Dorado, Kansas
Theresa Earles	917 W. Carr	El Dorado, Kansas
Mattie Cervantes	818 S. Denver	El Dorado, Kansas
Andy Williams	620 Osage #A1	Augusta, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
John Jones	827 N. Gordy	El Dorado, Kansas

**CALL TO ORDER**

Vice-Mayor Steve Reynolds called the June 2, 2008, City Commission meeting to order.

**INVOCATION**

Reverend Meredyth Bellows, Susan B. Allen Memorial, opened the meeting with prayer.

**PLEDGE OF ALLEGIANCE**

Reverend Meredyth Bellows led the Pledge of Allegiance.

**PROCLAMATION**

Vice-Mayor Steve Reynolds read a proclamation to proclaim June 15, 2008, as Pastor Gary Wright Day and presented a signed copy to Pastor Garry Wright.

**PUBLIC COMMENTS**

Vice-Mayor Steve Reynolds opened the floor for public comments.

Sandy Ziemann, 1220 South Topeka, Host Family Coordinator for the El Dorado Broncos, read a prepared statement and introduced two of the Bronco players. She then invited everyone to attend the Broncos games this summer.

Theresa Earles, 917 West Clark, with Journey for Recovery, a consumer ran organization, introduced Mattie Cervantes, 818 South Denver, and Jimmy Fulcher, 1522 West First, and read a prepared statement regarding the organization, and requested support from the City.

Vice-Mayor Steve Reynolds closed the public comment session.

**CONSENT AGENDA**

- a) Consider approval of the May 19, 2008, City Commission minutes.
- b) Consider approval of Appropriation Ordinance No. 05-08 in the amount of \$1,061,009.83.
- c) Consider the Engineer's First & Final Pay Estimate dated May 27, 2008 on Project No. 285, Storm Sewer Dillons Northwest corner to Walnut River to the Contractor, Alan's Excavating, in the amount of \$62,350.00.

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

Commissioner Steve Pershall seconded the motion.

Motion carried 4-0.

**PROJECT NO. 300-KDOT AGREEMENT 33-08**

Vice-Mayor Steve Reynolds stated that in order for Project No. 300-KLINK 1R Resurfacing Main Street from Kansas Avenue to Central Avenue to move forward, the agreement between the City and KDOT needs to be signed.

Assistant City Engineer Scott Rickard stated this project is scheduled for 2010, and was awarded last summer. Assistant City Engineer Rickard stated this is a typical KLINK agreement.

**RESOLUTION NO. 2606**

Commissioner Steve Pershall moved that Resolution No. 2606, a resolution designating, authorizing and directing the Mayor and City Clerk to execute for and on behalf of the City of El Dorado, Agreement No. 33-08 between the City and the Kansas Department of Transportation, for Project No. 300 for KLINK 1R Resurfacing Main Street from Kansas Avenue to Central Avenue, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

**2009 – 2014 CIP – PUBLIC HEARING**

Vice-Mayor Steve Reynolds stated that Staff has initiated the six-year Capital Improvement Program 2009-2014. The City Commission has been provided with a copy of the CIP and an Administrative Hearing was held May 30, 2008.

**PUBLIC HEARING**

Vice-Mayor Steve Reynolds opened the public hearing.

With no one appearing, Vice-Mayor Steve Reynolds closed the public hearing.

**CITY COMMISSION QUORUM**

Vice-Mayor Steve Reynolds 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 states that the quorum shall expire June 15 of each year, and a new ordinance must be approved by at least four commission members.

**ORDINANCE NO. G-1025**

Commissioner David Chapin moved that Ordinance No. G-1025, an ordinance exempting the City of El Dorado from the provisions of K.S.A. 15-106 and providing substitute provisions, be approved.

Commissioner Steve Pershall seconded the motion.

**ROLL CALL**

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

**GRANT AGREEMENT 08-PF-827**

Vice-Mayor Steve Reynolds stated that the City of El Dorado has been awarded a CDBG Sewer Grant and Staff is asking the Commission to authorize the Mayor to execute a contract with the Kansas Department of Commerce to initiate the project. Projects included in the grant are listed below.

**Project Title and Description:**

1. 8th Street lift station - pumping capacity will be increased by installing new pumps and an additional 10"-12" force main.
2. Manhole rehabilitation of the next 200-300 sewer manholes in most need of repair as determined by an inspection and evaluation conducted by the Utilities Department.
3. Gravity sewer main to 8th Street Lift Station (from the north) will need to be enlarged to eliminate bottleneaking flows from the north.
4. Sewer improvements on Douglas Road and 10th Avenue.

**Project Justification:**

Lift Station: Most of the growth in El Dorado over the last 20 years has been in the NE area of town, all of which flows through the 8th Street lift station. This lift station's three pumps are at capacity during heavy rainfall events and the wet well has been observed rising with all three pumps on. All lift stations must be designed to stay ahead of influent flows with one of the pumps being down. Given current conditions, if one pump were to go down during a heavy rain, the other two pumps could not keep up and massive sewer backups would occur. This lift station is 23 years old, but can be effectively rebuilt.

Manhole Rehabilitation: There are approximately 1,600 manholes in El Dorado's sewer system, most of which were built with brick and mortar construction. Over time the mortar deteriorates from sewer gases and aging, causing manholes to leak groundwater into the sewer system. Tree roots also cause significant damage, seeping water in the manholes. Staff rehabilitated 300 of the manholes in the most need of repair in 1999, but need to continue this program to eliminate I & I and preserve our sewer system.

Force Main: Pump engineers have determined that our current 10" force main is at capacity and increasing pump size and horsepower would not significantly add to this lift station's pumping capacity. A parallel 10" or 12" force main will be needed to take care of future growth in northeast El Dorado. The new force main would need to extend further south to dump into a larger interceptor so that the increased flows do not create problems where they enter the gravity main system.

Gravity Main: Existing gravity mains from the north are experiencing sewer surge charges and bottleneck problems from the area of Random/North Main south. Sewer modeling studies done in 2004 have determined the appropriate line size, location etc. to alleviate this problem.

Sewer improvements on Douglas Road and 10th Avenue are needed to serve citizens not currently connected to sanitary sewer. Residents would pay for the connections, but grant money may be applied to cover miscellaneous costs of removing septic tanks, etc.

**GRANT AGREEMENT NO. 08-PF-827**

Commissioner Linda Clark moved to authorize the Mayor to execute, for and on behalf of the City of El Dorado, Grant Agreement No. 08-PF-827 between the City and the Kansas Department of Commerce.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

**NEW BUSINESS – DISCUSSION ITEMS**

Vice-Mayor Steve Reynolds opened the floor for Commissioners' comments.

Commissioner Steve Pershall asked about the success of the dog park during its first week of operation.

Commissioner Linda Clark stated that the dog park has been a big success and the hours of operation are from dawn to dusk.

Commissioner Steve Pershall updated the Commissioners on the Tornado Memorial, and reminded the citizens of El Dorado of the dedication ceremony scheduled for June 10, 2008, at 5:30 p.m. at Graham Park.

Commissioner David Chapin requested an update on the bridge projects.

Assistant City Engineer Scott Rickard stated the Ninth Avenue Bridge is anticipated to open the end of June. Once the curbs are in place on North Main, traffic will be shifted to the west side and work will begin on the east side.

Commissioner David Chapin inquired about the fence on the vacant lot in the 100 block of West Central.

City Manager Herb Llewellyn stated that the fence is owned by Mr. Johnson, and he has indicated it will be removed soon.

Vice-Mayor Steve Reynolds stated there will be an Airport Master Plan open house June 5, 2008, from 4:00 p.m. to 6:00 p.m. in the City Commission room. Vice-Mayor Reynolds reminded everyone that the Frontier Western Celebration will be held June 13-15, 2008, and encouraged the public to attend.

Vice-Mayor Steve Reynolds closed the Commissioners' comments.

**CITY MANAGER'S REPORT**

1. City Manager Herb Llewellyn stated he received an anonymous letter regarding South High, and encouraged the sender to call City Hall so he can address the issues.
2. City Manager Herb Llewellyn stated that the smell that occurred last week was from bio-solids from the wastewater treatment plant.

Public Utilities Director Kurt Bookout stated that the temporary odor should not occur again. The odor came from the bio-solids placed on the ground waiting for distribution into the fields. Public Utilities Director Bookout stated that they have researched the issues and have learned how to prevent any future issues.

3. City Manager Herb Llewellyn stated that during last weeks storms there was an infiltration of stormwater into the sanitary sewer; largely due to people using sump pumps that drain to the sanitary sewer system. Fifteen years ago, the City planned on performing door-to-door inspections to determine the number of sump pumps that were connected directly to the sanitary sewer system.

Public Utilities Director Kurt Bookout stated sump pumps that drain into the sanitary sewer can contribute thousands of gallons a day into the sanitary sewer.

Discussion ensued amongst City Manager Herb Llewellyn, Public Utilities Director Kurt Bookout, and City Commissioners regarding this issue.

4. City Manager Herb Llewellyn stated that Staff has made a decision regarding the banking agreement.

Finance Director Dee Anne Grunder stated the City has reviewed the proposals received from each bank, and the City Manger has authorized to continue with Intrust Bank.

5. City Manager Herb Llewellyn stated that seventeen new residential building permits have been issued this year, which indicates, at this rate, we will have a record year for new housing.

**EXECUTIVE SESSION**

Vice-Mayor Steve Reynolds stated this item is for the purpose of discussing confidential data relating to property acquisition and non-elected personnel issues.

Commissioner Steve Pershall moved to recess into an Executive Session for the purpose of discussing confidential data relating to property acquisition and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:05 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

Vice-Mayor Steve Reynolds reconvened the meeting at 8:05 p.m.

**RESOLUTION NO. 2607**

Commissioner Linda Clark moved that Resolution No. 2607, a resolution to complete disposition of the case entitled *In the Matter of the Acquisition of Property by Eminent Domain, The City of El Dorado Kansas, A Municipal Corporation, vs. Helen Irene Frisbie, et al.*, Case No. 2007CV 52 and *Helen Irene Frisbie, et al. vs, The City of El Dorado*, Case No. 2007 CV 225, be approved.

Commissioner David Chapin seconded the motion.

Motion carried 4-0.

**ADJOURNMENT**

Commissioner Steve Pershall moved to adjourn the meeting at 8:07 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 4-0.

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City Clerk Kendra Porter

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Mayor Tom McKibban