

EL DORADO CITY COMMISSION MEETING

June 21, 2010

The El Dorado City Commission met in regular session on June 21, 2010 at 7:00 pm in the Commission Room with the following present: Commissioner Linda Clark, Commissioner Nick Badwey, Mayor Tom McKibban, Commissioner Shane Krause, Commissioner David Chapin, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, and City Clerk Tabitha Sharp. City Attorney Jim Murfin was absent.

VISITORS

Don Bolt	23 E Ct	El Dorado, Ks
Steve Pershall	1502 N Topeka	El Dorado, Ks
Jared Cobb	220 E. 1 st Ave	El Dorado, Ks
Kevin Pickrell	704 Maplewood	El Dorado, Ks
Jack Buckner	3605 W. Towanda	El Dorado, Ks
Lindsay Baines	1516 W 3 rd	El Dorado, Ks
Linda Jolly	2100 Pico Ct	El Dorado, Ks
Jim Gardner	930 Fairway Ct	El Dorado, Ks
Matt Rheder	220 E 1 st	El Dorado, Ks
Dana Korkki	2925 W 5 th	El Dorado, Ks
Andrew Kovar	2959 N Rock Rd	Wichita, Ks

CALL TO ORDER

Mayor Tom McKibban called the June 21, 2010 City Commission meeting to order.

INVOCATION

The Reverend Brian Johnson, Hope Covenant Church, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

The El Dorado Explorer Program led the Pledge of Allegiance.

PERSONAL APPEARANCE

El Dorado Inc. Quarterly Report

Linda Jolly, Director of El Dorado Inc., updated the Commission on the activities of El Dorado Inc., current bed tax collections, and housing progress.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Don Bolt, 23 E. Court, stated that the pond behind Mitchell Manor is still becoming flooded with heavy rain which affects use of the storm shelter at Mitchell Manor.

Mayor Tom McKibban stated that he thought the issue had been resolved.

City Manager, Herb Llewellyn stated that the City had been out to correct the issue, however it may need maintenance. It will be looked at the next day.

CONSENT AGENDA

- a) Consider approval of the June 16, 2010, Special Commission minutes.

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

Commissioner Shane Krause seconded the motion.

ROTARY TORNADO MEMORIAL UPDATE

Rotary representative Steve Pershall was present to update the City Commission on the progress of the Tornado Memorial. He explained each of the current plaques and discussed plans to finish the memorial.

HOPE VI GRANT

City Clerk Tabitha Sharp presented the scoring criteria for the HOPE VI grant applicants to the Commission for approval.

Commissioner Nick Badwey moved to accept the selection criteria and process of the HOPE VI Grant as presented by staff.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

PUBLIC HEARING FOR PROJECT NOS. 306, 316, 323, 325, 327, 334 & 335

Project Nos. 306, 316, 323, 325, 327, 334 & 335 are complete. The City Commission established this date to spread the special assessments to the properties.

Project No. 306 – Landscape Wall-The Oaks Addition

Preliminary Estimate	\$61,030.40
Final Cost	\$39,837.93
Improvement District Cost	\$39,837.93
City at Large Cost	\$ 0.00

Project No. 316 – Sanitary Sewer-College Acres

Preliminary Estimate	\$75,904.00
Final Cost	\$69,637.50
Improvement District Cost	\$69,637.50
City at Large Cost	\$ 0.00

Project No. 323 – Landscape Wall-1910 N Main

Preliminary Estimate	\$8,613.12
Final Cost	\$8,409.22
Improvement District Cost	\$8,409.22
City at Large Cost	\$ 0.00

Project No. 325 – Sanitary Sewer-Lot 3 Blk 3 Business Park

Preliminary Estimate	\$36,230.90
Final Cost	\$ 8,570.25
Improvement District Cost	\$ 8,570.25
City at Large Cost	\$ 0.00

Project No. 327 – Paving Walnut Valley Dr

Preliminary Estimate	\$62,380.40
Final Cost	\$41,544.94
Improvement District Cost	\$33,651.40
City at Large Cost	\$ 7,893.54

Project No. 334 – 2009 Residential Sidewalk Program

Preliminary Estimate	\$40,438.03
Final Cost	\$29,873.69
Improvement District Cost	\$24,153.83
City at Large Cost	\$ 5,719.86

Project No. 335 – Extend Sewer Main 600 blk S Topeka

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Preliminary Estimate	\$16,252.80
Final Cost	\$10,941.32
Improvement District Cost	\$ 2,188.26
Public Utilities Cost	\$ 8,753.06

Mayor Tom McKibban opened the public hearing for comments.

Mayor Tom McKibban closed the public hearing when no one came forward.

Commissioner Linda Clark moved that Ordinance No. S-1313, 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 nos. 2613, 2618, 2624, 2627, 2629, 2636 and 2635 of the city; and providing for the collection of such special assessments.

Commissioner Nick Badwey seconded the motion.

Roll Call

Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes

PROJECT NO. 289 – PAVING OF SCHOOL ROAD FROM CENTRAL AVENUE TO SIXTH AVENUE

Tonight the Commission will consider setting a Public Hearing on July 19, 2010 to allow for public comment on this project. Property owners will be notified of the public hearing as well as a notice being published in the El Dorado Times prior to the meeting.

The process of initiating this project is as follows:

- Tonight, June 21st – Commission sets a public hearing date by Resolution
- Following Tonight- Letters will be sent to property owners notifying them of a Public Hearing, notification also published twice in the Times.
- July 19th – Commission Holds Public Hearing for Comment
- July 19th – 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.

Commissioner Linda Clark moved that Resolution No. 2656, a resolution calling and providing for the giving of notice of a public hearing on the advisability of the making of a certain internal improvement in the City of El Dorado, Kansas, under the provisions of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; and providing for the giving of notice of said hearing (Paving Improvements/Project No. 289).

Commissioner Shane Krause seconded the motion.

Motion carried 5 - 0.

PROJECT NO. 356 – PAVING OF 3RD AVENUE FROM VILLAGE ROAD TO BOYER

Tonight the Commission will consider setting a Public Hearing on July 19, 2010 to allow for public comment on this project. Property owners will be notified of the public hearing as well as a notice being published in the El Dorado Times prior to the meeting.

The process of initiating this project is as follows:

- Tonight, June 21st – Commission sets a public hearing date by Resolution
- Following Tonight- Letters will be sent to property owners notifying them of a Public Hearing, notification also published twice in the Times.
- July 19th – Commission Holds Public Hearing for Comment
- July 19th – 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.

Commissioner Shane Krause moved that Resolution No. 2657, a resolution calling and providing for the giving of notice of a public hearing on the advisability of the making of a certain internal improvement in the City of El Dorado, Kansas, under the provisions of K.S.A. 12-6a01 *et seq.*, as amended and supplemented; and providing for the giving of notice of said hearing (Paving Improvements/Project No. 289).

Commissioner Linda Clark seconded the motion.

Motion carried 5 - 0.

SPECIAL USE PERMIT

Matt Rehder, Assistant to the City Manager state that the applicant, BC Property, is requesting a Special Use Permit to allow a propane filling station on property located at 2310 W. 6th. The property is currently zoned I-1 Light Industrial District.

At the May 27, 2010, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval the Special Use Permit application by a vote of 5-0. City staff recommends the following condition of use: all required parking spaces, and access ways thereto, shall be on a hardened surface as approved by the City Engineer.

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 10-003-SUP requesting a Special Use Permit to allow gas storage on property located at 2310 W. 6th be approved, with the stated condition, for reasons stated in the staff report.

Commissioner Nick Badwey seconded the motion.

PUBLIC HEARING – 2011 – 2016 CIP

The staff has completed the preparation of the six-year Capital Improvement Program, 2011-2016. The City Commission has been provided with a copy of the CIP and an Administrative Hearing was held on May 28, 2010.

Mayor Tom McKibban opened the public hearing.

Mayor Tom McKibban closed the public hearing when no one came forward.

TNT METAL FABRICATORS BOND AMENDMENT

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Andrew Kovar of Triplett, Woolf and Garretson LLC was present to discuss the bond amendment. In 2007, TNT Metal Fabricators asked the City to allow them to use IRB’s to finance their planned new facility. The Commission approved the request July 16th of that year. IRB’s were issued, and TNT constructed and moved into the new facility. They and their bond holder now ask to restructure the bond. This change will not extend the property tax forbearance nor incur any liability or costs for the City. All material has been reviewed by City Bond Counsel.

Mr. Kovar stated that this does not change the tax abatement time.

Mayor Tom McKibban opened the public hearing.

Mayor Tom McKibban closed the public hearing when no one came forward.

Commissioner Nick Badwey moved that Ordinance No. S-1314, an ordinance of the City of El Dorado, Kansas, authorizing the execution and delivery of, and consenting to, a first supplemental and amendment to trust indenture by and between the City of El Dorado, Kansas and Security Bank of Kansas City, Kansas City, Kansas, as Trustee, be approved.

Commissioner Linda Clark seconded the motion.

Roll Call

Position No. 4	Commissioner David Chapin	Yes
	Mayor Tom McKibban	Yes
Position No. 1	Commissioner Shane Krause	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Nick Badwey	Yes

BOARD APPOINTMENTS

The Recycling & Solid Waste Advisory Committee has 3 openings and 1 applicant.

The Youth Commission was initiated in May 2002 and has completed its eighth year. This board needs 16 members; 3 from each grade level of Freshman, Sophomore, Junior and Senior, and 4 at-large members. The Freshman grade has 4 applicants (1 at-large); the Sophomore grade has 2 applicants; the Junior grade has 2 applicants; and the Senior grade has 1 applicant. This board still needs 7 applicants.

RECYCLING & SOLID WASTE ADVISORY COMMITTEE – No Term Limit (3-year term)

Commissioner Linda Clark moved to appoint Tonya Kerschner to the Recycling & Solid Waste Advisory Committee for a term set to expire May 1, 2013.

Commissioner Shane Krause seconded the motion.

Motion carried 5-0.

YOUTH COMMISSION – No Term Limit (1-year term)

Commissioner David Chapin moved to appoint Katie Goebel, Chandler Bolen, Taylor Briscoe, Alex Pennington, Jessica Pilant, Sierra Bonn, Victoria Gricol, Heather Riddle, and Daniel Rittle to the Youth Commission for a one-year term ending June 30, 2009.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

**EL DORADO CITY COMMISSION MEETING
NEW BUSINESS – DISCUSSION ITEMS**

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Commissioner David Chapin thanked Jim Gardner for his work with the Youth Commission and the students who participated.

Commissioner Nick Badwey reminded everyone to check on elderly and animals during the extreme heat.

Commissioner Linda Clark asked about the discussion between the City and County in regards to providing water at College Acres.

City Manager Herb Llewellyn stated that it would be approximately a month before the meter work and paper work were finished.

Commissioner Shane Krause inquired about the construction at 6th and Boyer.

Assistant City Engineer Scott Rickard stated that there has been some delay due to rain, but construction is moving ahead and a completion date in the fall is possible.

Commissioner Shane Krause asked what the City has planted in the medians at Central and Haverhill.

Administrative Intern Jared Cobb showed pictures of what is currently being seen and what the plants will look like once they have bloomed.

Commissioner Shane Krause asked where the City's fireworks display was being held.

Commissioner Nick Badwey stated it would be on the 10th Fairway at Prairie Trails.

Mayor Tom McKibban encouraged everyone to be safe on the 4th of July. He also stated that everyone should obtain permission to shoot off fireworks on property that is not theirs.

Mayor Tom McKibban asked who residents should call if they see an animal without proper shelter or water.

City Manager Herb Llewellyn stated they should call Animal Control at 322-8844.

Mayor Tom McKibban stated that everyone should drink water and stay hydrated during the heat.

Mayor Tom McKibban attended the ceremony for Oral Taylor at Mac Stadium. He stated that it was interesting to hear the history and thanked those who attended.

Commissioner Linda Clark confirmed that the next City Commission meeting would be on July 6th, 2010 due to the holiday.

CITY MANAGERS REPORT

City Manager Herb Llewellyn stated that Prairie Trails has received the first load of new golf carts.

City Manager Herb Llewellyn reminded the public that water bills were being mailed inside of the water quality reports, so residents should look out for them.

SUGGESTED MOTION

Commissioner Nick Badwey moved to adjourn the meeting at 8:07 p.m.

Commissioner Linda Clark seconded the motion.

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Motion carried 5-0.

City Clerk Tabitha Sharp

Mayor Tom McKibban