

EL DORADO SPECIAL CITY COMMISSION MEETING

June 30, 2008

The El Dorado City Commission met in special session on June 30, 2008, at 3:30 p.m. in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner David Chapin, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herb Llewellyn, Finance Director Dee Anne Grunder, Assistant City Engineer Scott Rickard, Assistant Public Works Director Brad Meyer, Public Utilities Director Kurt Bookout, Fire Chief Ken Nakaten, Parks and Recreation Director John Scanlon, City Building Official Kyle McLaren, Chief of Police Tom Boren, Assistant to the City Manager Matt Rehder, City Attorney Andrew Piekalkiewicz and City Prosecutor Jim Murfin. Absent: City Clerk Kendra Porter.

VISITORS

Dan Woydziak	320 Driftwood Ct.	Rosehill, Kansas
Will Johnson	205 W. Central	El Dorado, Kansas
Bruce Remsberg	902 Broadway	Pittsburg, Kansas
Don Adlesperger	1285 S. Topeka	El Dorado, Kansas
Kenneth Blake	3525 W. Towanda	El Dorado, Kansas
Kimberly Blake	3625 W. Towanda	El Dorado, Kansas
Karis Schwindt	3515 W. Towanda	El Dorado, Kansas
Wade Graber	3505 W. Towanda	El Dorado, Kansas
Darrel & Susan Erikson	3435 W. Towanda	El Dorado, Kansas
Connie & Cliff Rogers	3425 W. Towanda	El Dorado, Kansas
Gary Boardman	3355 W. Towanda	El Dorado, Kansas
Bob & Evelyn Saferite	3215 W. Towanda	El Dorado, Kansas
Wava Seymour	450 Eunice	El Dorado, Kansas
Jim Hatfield	3205 W. Towanda	El Dorado, Kansas
Curt & Michele Tucker	3345 W. Towanda	El Dorado, Kansas
James Cook	719 Fredrick Dr.	El Dorado, Kansas
Fred Kropf	2001 W. Towanda	El Dorado, Kansas
Amanda Scott	220 E. First	El Dorado, Kansas
Jeffrey Black	1360 Terrace	El Dorado, Kansas
David Ellis	208 S. Summit	El Dorado, Kansas
Andrea Coleman	9075 N.E. Bluestem Rd	El Dorado, Kansas
Shelley Reiswig	938 W. Third	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the June 30, 2008, Special City Commission Meeting to order.

CDBG – BG PRODUCTS

Linda Jolly, 2100 Pico Court, El Dorado Inc., explained the CDBG Grant for infrastructure and requested that the City Commission hold a public hearing to gain input from citizens regarding the BG Products project.

PUBLIC HEARING

Mayor Tom McKibban opened the public hearing.

With no one appearing, Mayor McKibban closed the public hearing.

City Manager Herb Llewellyn explained the housing displacement form and the resolution to be approved, stating that this project will not be displacing anyone.

RESOLUTION NO. 2608

Commissioner Linda Clark moved to approve Resolution No. 2608, authorizing the Mayor to sign and submit, on behalf of the City of El Dorado, an application for the 2008 Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

Commissioner Linda Clark moved to authorize the Mayor to sign, and the City to adopt, the Residential Anti-displacement and Relocation Assistance Plan.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

BUTLER COUNTY – COLLEGE ACRES DISCUSSION

Dan Woydziak, Butler County Commission Chairman, stated KDHE issued the County a directive to have College Acres connected to the City's sewer system by September 1, 2008. Mr. Woydziak stated that the property owners like their rural setting, and being annexed would cause property taxes to increase approximately 25% in addition to the cost for sewer hookup. The College Acres property owners are requesting that the City provide sewer service at a higher fee without annexation.

Mayor Tom McKibban asked for clarification on comments made by two County Commissioners at a prior County Commission meeting regarding the annexing of an area near Augusta and Rosehill.

Dan Woydziak stated that there are times that cities should be annexed due to growth; however the change in lifestyle is the issue with annexing College Acres.

Mayor Tom McKibban questioned if the County and City allow bonfires on properties.

Dan Woydziak stated that with permission, fires are allowed in the county; however at times they are banned due to weather conditions.

City Manager Herb Llewellyn stated that recreational fires are allowed by the City, with permission, weather permitting.

Mayor Tom McKibban questioned if the residents of College Acres would still be allowed to have livestock.

City Manager Herb Llewellyn stated that livestock would be allowed as a non-conforming use as long as they have the livestock.

Mayor McKibban questioned if the discharge of firearms was permitted within the city limits.

City Manager Llewellyn stated that the discharge of firearms is not allowed within the city limits.

Discussion ensued amongst the City Commissioners, Dan Woydziak, and City Manager Herb Llewellyn regarding the benefits of College Acres being annexed into the city.

Commissioner Steve Pershall stated there are residential communities around the outskirts of many cities. Commissioner Pershall questioned if the County had a plan that deals with these situations in the future.

Dan Woydziak stated that the County does not have a plan. This is the first time he is aware of that the citizens have requested the County approach a city on their behalf.

Will Johnson, Butler County Administrator, 205 W. Central, stated this is the only sewer district that is not already connected to city sewer.

Commissioner Steve Pershall questioned if the County had a policy that does not allow them to install septic tanks in College Acres.

Dan Woydziak confirmed the County has a policy and stated the reasons installing septic tanks in College Acres is not allowed by the County.

Discussion ensued amongst the City Commissioners, Dan Woydziak, Will Johnson, and City Manager Herb Llewellyn regarding the cost of annexation and what would happen if the City did not provide sewer service.

Karis Schwindt, 3515 West Towanda, questioned whether the City would benefit from the annexation of College Acres and whether the additional property taxes the City would receive would cover the related cost.

Kenneth Blake, 3525 West Towanda, stated the City had set a precedent in the past by providing sewer to other areas without annexation. He stated the City has an ordinance that would allow sewer service without annexation.

Public Utilities Director Kurt Bookout stated he had called several other cities and informed the Commission of each of their policies regarding requests for sewer service outside city limits. He stated he did not find any cities that would connect sewer without being in the city limits.

Commissioner David Chapin and Commissioner Linda Clark questioned whether an agreement could be signed in which the property owners agree to annexation at a stated time in the future in exchange for the City providing sewer service at this time.

Discussion ensued amongst City Attorney Andrew Piekalkiewicz and City Manager Herb Llewellyn regarding the legal aspects and potential problems with that type of agreement.

Commissioner David Chapin suggested that the County Commission meet with residents of College Acres and then present a plan to the City Commission at the July 21, 2008, City Commission meeting.

STREET POLICY DISCUSSION

Mayor Tom McKibban stated that this item is for discussing how streets are financed by the City-at-large and by property owners.

Assistant City Engineer Scott Rickard stated that he had provided the Commissioners with information on the policy history and policies of other cities similar in size to El Dorado. Mr. Rickard introduced former City Engineer Bruce Remsberg.

Bruce Remsberg, 902 Broadway, Pittsburg Kansas, provided the history of the City's street policy. He noted few cities have streets comparable to El Dorado's. He noted that all discussions about street policies in the past years had arrived at the recognition that the property owner receive a benefit and they need to help pay for it. Mr. Remsberg stated that the mix of public and private participation is what has allowed the City of El Dorado to have the streets it has now. The City could not have afforded it otherwise.

Discussion ensued amongst the City Commissioners regarding the current street policy.

Commissioner David Chapin stated that over the past few weeks he has a better understanding of the current street policy. Since there is not a majority of the Commission in favor of changing the policy, he is willing to move forward.

City Manager Herb Llewellyn stated that this discussion of the street policy has helped everyone to understand the need for the current policy.

Discussion ensued amongst the City Commissioners, Assistant City Engineer Scott Rickard, and City Manager Herb Llewellyn regarding the repaving of Towanda Avenue, Boyer Road and Sixth Avenue.

Consensus of the City Commission was to leave the street policy as is and to place Boyer Road and Sixth Avenue on the July 21, 2008 agenda.

2009 BUDGET AND 2009-2014 CAPITAL IMPROVEMENT PLAN

Each of the department heads informed the City Commission of noteworthy items in their 2008 revised and 2009 proposed budgets.

Discussion ensued amongst the Commission and City Manager Herb Llewellyn regarding the \$30,000 funding for Main Street that was included in the first draft of the 2009 budget.

Andrea Coleman, Main Street Program Director, responded to several questions from the Commission.

Commissioners Clark and Pershall stated they desired the funding be reduced to \$20,000, as scheduled in a previous year as a step in the plan for Main Street to become self-supporting in the future. Commissioners Reynolds and Chapin and Mayor McKibban stated they were in favor of leaving the funding at \$30,000.

The consensus of the Commission was for the City Manager to draft a contract with Main Street outlining the services to be provided by the organization in exchange for the City's funding.

The Commission discussed three scenarios staff provided for possible 2009 Cost of Living Adjustments to salaries and the impact on the 2009 budget. No decision was made at this time.

Mr. Llewellyn stated the Health Insurance Committee had asked that the Commission consider increasing the City's share of health insurance premiums from 76% to 80%. He provided some background on the self-funded plan and changes in the employer/employee percentages over the last few years. The effect on the budget was also discussed.

The consensus of the Commission was to leave the City's share at 76%.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing legal and non-elected personnel issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing legal and non-elected personnel issues, and to reconvene the regularly scheduled meeting in the City Commission room at 7:15 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 7:15 p.m.

Commissioner Linda Clark moved to extend the Executive Session for the purpose of discussing legal and non-elected personal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 7:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 4-0. (Commissioner Steve Pershall remained in the conference room).

Mayor Tom McKibban reconvened the meeting at 7:37 p.m.

Discussion ensued between City Manager Herb Llewellyn and Commissioners regarding the employer percentage of health insurance.

ADJOURNMENT

Commissioner Linda Clark moved to adjourn the meeting at 7:47 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban