

EL DORADO SPECIAL CITY COMMISSION MEETING

August 13, 2008

The El Dorado City Commission met in special session on August 13, 2008, in the City Commission Room with the following present: Mayor Tom McKibban, Commissioner David Chapin, Commissioner Linda Clark, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herb Llewellyn, Finance Director Dee Anne Grunder and City Clerk Kendra Porter (arrived at 5:15). Absent: City Attorney Andrew Piekalkiewicz and Assistant City Engineer Scott Rickard.

VISITORS

Terry Steuber	Kansas Corporation Commission	Topeka, Kansas
Ryan Freed	Kansas Corporation Commission	Topeka, Kansas
Victor Edwards	Johnson Controls	Lenexa, Kansas
Harshvardhan Barve	Johnson Controls	Lenexa, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Ricke Whiteside	220 E. First	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas
Kevin McCoy	Consolidated Oil Services	El Dorado, Kansas
Matt Rehder	220 E. First	El Dorado, Kansas
Sue Givens	1230 E. Prairie View Rd.	El Dorado, Kansas
Kurt Bookout	220 E. First	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the August 13, 2008, Special Meeting to order.

ENERGY AUDIT – JOHNSON CONTROLS

City Manager Herb Llewellyn stated that the City of El Dorado has recently undergone an energy audit and representatives of Johnson Controls and the Kansas Corporation Commission are present to discuss moving forward with capital changes needed to reduce energy consumption.

Victor Edwards with Johnson Controls thanked the City Commission for allowing Johnson Controls to work with the City of El Dorado to help reduce energy cost and greenhouse gasses.

Ryan Freed with the Kansas Corporation Commission gave an overview of the Kansas Corporation Commission and their role in determining where energy is wasted.

Discussion ensued amongst the City Commissioners, City Manager Herb Llewellyn and Ryan Freed regarding the cost of the changes needed to reduce energy consumption.

City Manger Herb Llewellyn explained the City’s payback is sixteen and one-half years which includes the states fees and needed items that will not pay for themselves; such as the HVAC and low-flow toilets for City Hall and the Civic Center.

Victor Edwards with Johnson Controls gave a Power Point presentation on the history of Johnson Controls.

Harshvardhan Barve with Johnson Controls gave a Power Point presentation explaining the capital changes needed to reduce energy consumption.

City Manager Herb Llewellyn stated that he is currently reviewing the contract from the Kansas Corporation Commission and Johnson Controls and would like to move forward.

Commissioner Linda Clark stated her concerns regarding cost.

Commissioner David Chapin stated the importance of allowing local contractors to have equal ability to bid the work.

CONSOLIDATED OIL SERVICES

Assistant to the City Manager Matt Rehder stated that the applicant, Consolidated Oil Well Services, is requesting a Special Use Permit to allow Oil and Gas Extraction on property located in the El Dorado Industrial Park. At the July 24, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission approved the Special Use Permit application by a vote of 8 to 0.

Mayor Tom McKibban inquired if this special use permit was to allow Consolidated Oil Services to drill a well.

City Manager Herb Llewellyn stated that Consolidated Oil Services is simply a service provider of oil and gas wells.

Linda Jolly, 2100 Pico Court, explained that Consolidated Oil Services desires to build offices and a hydrochloric acid storage unit on property they own in the city limits. Therefore, due to the hydrochloric acid storage unit a special use permit is required.

Kevin McCoy with Consolidated Oil Services gave an overview of the company’s activities and explained the requirements needed to build a hydrochloric acid storage unit. Mr. McCoy stated that Consolidated Oil Services is a company very concerned with safety and environmental issues.

ORDINANCE NO. G-1035

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-007-SUP requesting a Special Use Permit to allow Oil and Gas Extraction on land zoned I-1 Light Industrial District be accepted and that Ordinance No. G-1035, be approved.

Commissioner David Chapin 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	Yes
Position No. 1	Commissioner Steve Reynolds	Yes

COLLEGE ACRES

City Manager Herb Llewellyn stated that the Butler County Commission passed a resolution requesting the City of El Dorado connect and annex the College Acres area into the City of El Dorado at their August 11, 2008, meeting. Below are two options for the City Commission’s review and discussion. Motion One will send a petition to Butler County to begin the annexation process. Motion Two will begin the annexation process by the City of El Dorado per Municipal Code 13.16.020(E). This motion requires annexation of the area in order to be connected to the City’s sewer system since KDHE is requiring College Acres to abandon the lagoon system.

Commissioner Steve Pershall addressed his concerns regarding remarks made by the County Commission; felt it was unfair criticism. Commissioner Pershall stated that the City Commission is working hard to find a solution to satisfy everyone and the options given are not appealing on either side.

Commissioner Steve Pershall also stated he was not inclined to annex College Acres if they did not want to be annexed and is concerned with the long term effects of connecting them without annexation.

Commissioner Linda Clark, Commissioner Chapin and Mayor Tom McKibban expressed their concerns of connecting College Acres residents to the City’s sewer system without annexation.

Discussion ensued amongst City Manager Herb Llewellyn and the City Commissioners regarding connecting College Acres onto the City’s sewer system.

RESOLUTION NO. 2611

Commissioner Linda Clark moved that Resolution No. 2611, a resolution declaring an interest in and establishing a public hearing date for considering the annexation of certain lands to the City of El Dorado, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 3	Commissioner Steve Pershall	Yes
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

K P & F PRESENTATION

Fire Captain Ricke Whiteside gave a Power Point presentation and answered questions regarding K P & F retirement program.

City Manager Herb Llewellyn stated that 1 mill was added to the 2009 budget for enhanced retirement for City employees.

Discussion ensued amongst City Manager Herb Llewellyn and the City Commissioners regarding the cost.

City Manager Herb Llewellyn stated the need for the City of El Dorado to be competitive to maintain good employees.

Fire Captain Ricke Whiteside stated approximately ninety percent of other city’s our size participates in K P & F.

CHARTER SCHOOL LOCATION FOR USD #490

City Manager Herb Llewellyn stated that there have been some concerns regarding the Charter School location for USD 490. City Manager Llewellyn stated in July, USD 490 requested a special use permit and due to State mandated public notification

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requirements the Planning Commission could not place it on the agenda until August; therefore, the City Commission could not review until September. The City and USD 490 are working together to try to find a temporary alternative location.

USD 490 Superintendent Sue Givens stated that they anticipated 20 students and currently they have 41 students enrolled. Therefore, they have outgrown the space in the special use request and must withdraw their request and find a new location.

Discussion ensued amongst City Manager Herb Llewellyn, the City Commissioners' and Superintendent Sue Givens regarding a location for the Charter School.

AUGUST 18, 2008, REGULAR MEETING

City Manager Herb Llewellyn stated that he will be in New Orleans to accept the American Public Works Association's Project of the Year award to the City of El Dorado for the Wetlands and Water Reclamation Facility, and will not be available to attend the regularly scheduled City Commission meeting on August 18, 2008. This motion would give the Commission the option of moving the regularly scheduled meeting.

Consensus of the City Commissioners was to hold the City Commission meeting on its regularly scheduled date.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing acquisition of real estate issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing acquisition of real estate issues and to reconvene the regularly scheduled meeting in the City Commission room at 5:30 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

Mayor Tom McKibban reconvened the meeting at 5:40 p.m.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 5:40 p.m.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban