

EL DORADO CITY COMMISSION MEETING

August 18, 2008

The El Dorado City Commission met in regular session on August 18, 2008, at 7:00 p.m. in the Commission Room with the following present: Mayor Tom McKibban, Commissioner Linda Clark, Commissioner Steve Reynolds, Commissioner Steve Pershall, Commissioner David Chapin, Assistant City Engineer Scott Rickard, Assistant to the City Manager Matt Rehder, City Clerk Kendra Porter, City Attorney Andrew Piekalkiewicz and City Prosecutor Jim Murfin. Absent: City Manager Herb Llewellyn.

VISITORS

James Cook	719 Fredrick Dr.	El Dorado, Kansas
Brad Meyer	2012 Chelsea	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Rev. Rick Barrett	220 Belair	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the August 18, 2008, City Commission meeting to order.

INVOCATION

Reverend Rick Barrett, Assembly of God, opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

City Attorney Andrew Piekalkiewicz led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

Donald Adlesperger, 1285 South Topeka, stated that he was concerned that the park land in the Adlesperger Smith Addition is not getting mowed.

Mayor Tom McKibban stated that City Staff will address this issue.

Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the August 4, 2008, City Commission minutes.
- b) Approval of the August 13, 2008, Special City Commission minutes.
- c) Approval of Ordinance S-1296, an ordinance certifying the local retailer's sales tax.

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

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 635 NORTH STAR (CASE NO. 08-006-SUP)

Assistant to the City Manager Matt Rehder stated that the applicants Damien Morris and Amanda Porter are requesting a Special Use Permit to allow a Day Care Center at 635 North Star. The Property is zoned R-1, Residential-Low Density District. 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 for the establishment of the Day Care Center by a vote of 7 to 0 to 1.

Mayor Tom McKibban inquired if the applicants reside at the address of the day care center.

Assistant to the City Manager Matt Rehder stated that the applicants do reside at this address.

ORDINANCE NO. G-1036

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-006-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 635 North Star be accepted and that Ordinance No. G-1036, be approved.

Commissioner Steve Pershall seconded the motion.

ROLL CALL

Position No. 1	Commissioner Steve Reynolds	Yes
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

STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2008, AND THE UNIFORM PUBLIC OFFENSE CODE, EDITION 2008

Mayor Tom McKibban stated that the 2008 Kansas legislative session provides for certain changes in the Standard Traffic Ordinance for Kansas Cities, and the Uniform Public Offense Code, both Edition 2008. This action incorporates certain legislative changes effective July 1, 2008. The City Commission approves these actions annually.

ORDINANCE NO G-1037 AND G-1038

Commissioner Linda Clark moved that Ordinance No. G-1037, an ordinance amending Section 10.04.010 of the El Dorado Municipal Code pertaining to traffic and referencing the “Standard Traffic Ordinance for Kansas Cities Edition 2008, and Ordinance No. G-1038, an ordinance amending Section 9.04.010 of the El Dorado Municipal Code pertaining to public offenses and referencing the “Uniform Public Offense Code” Edition 2008, be passed and approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

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

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners’ comments.

Commissioner Steve Reynolds thanked Andrew Piekalkiewicz for his tenure as City Attorney.

Commissioner Steve Reynolds stated that he has received concerns from citizens regarding the lack of progress on the Ninth Avenue Bridge.

Assistant City Engineer Scott Rickard stated that there has been some scheduling issues between the contractor and subcontractors. Assistant City Engineer Rickard stated that the contract indicates the contractors only have 60 days left to complete both projects. If the contractor should exceed the time limit the City can charge the contractor for liquidated damages.

Commissioner Linda Clark addressed her concerns regarding the political signs that are still in place.

Commissioner Steve Pershall thanked the citizens of El Dorado for approving the one percent sales tax, and reminded everyone to be careful driving since school is now back in session.

Commissioner David Chapin also thanked the citizens of El Dorado for approving the one percent sales tax, and congratulated the Youth Commission on their recent activities.

Discussion ensued amongst Commissioner David Chapin and Assistant Public Works Director Brad Meyer regarding placing warning signs to advise drivers of approaching school zones.

Commissioner David Chapin inquired on the status of the skate park.

Assistant Public Works Director Brad Meyer discussed the progress of the skate park, indicating that Staff will be constructing the ramps and jumps.

Commissioner Chapin requested a meeting with Parks and Recreation Director John Scanlon to discuss the cost of installing more water features in our parks.

Mayor Tom McKibban reminded everyone that the City is sending notices to residents to discourage citizens from putting grass clippings in the storm drains.

Discussion ensued amongst Assistant Public Works Director Brad Meyer and Assistant City Engineer Scott Rickard regarding the problems grass clipping cause in our storm drains.

Mayor Tom McKibban closed the Commissioners’ comments.

CITY MANAGER'S REPORT

Assistant to the City Manager Matt Rehder stated that the Neighborhood Revitalization Program will expire on December 31, 2008, and we have started the renewal process. Assistant to the City Manager Rehder stated that since the September 1, 2008, City Commission meeting is on Labor Day the meeting will automatically move to Tuesday, September 2, 2008.

Assistant City Engineer Scott Rickard stated that the protest time for Boyer Road has expired and no one picked up a petition.

Assistant to the City Manager Matt Rehder read a letter from the Broncos Baseball Association thanking the City for all their support.

Commissioner Steve Pershall inquired on when the college and school board meet again.

Julie Clements, El Dorado Times, stated that it is scheduled for Wednesday, August 27, 2008 at 5:00 p.m.

ADJOURNMENT

Commissioner Steve Pershall moved to adjourn the meeting at 7:28 p.m.

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban