

EL DORADO CITY COMMISSION MEETING

August 21, 2006

The El Dorado City Commission met in regular session on August 21, 2006, at 7:00 p.m. in the Commission Room with the following present: Mayor Brian D. Shepherd, Commissioner Linda Clark, Commissioner Michael A. Fagg, Commissioner Steve Pershall, Commissioner Steve Reynolds, City Manager Herbert E. Llewellyn Jr., Administrative Intern Matt Rehder, Field Engineer Scott Rickard, and Finance Director Dee Anne Grunder. Absent: City Clerk Kendra Porter.

VISITORS

Brian Johnson	1345 Glenview	El Dorado, Kansas
Oral Taylor	1415 Country Club	El Dorado, Kansas
Linda Baines	253 Post Road	El Dorado, Kansas
David Ellis	208 S. Summit	El Dorado, Kansas
Becky Wolf	2123 S.W. 100 th	El Dorado, Kansas
Craigery Lorensen	514 W. Olive	El Dorado, Kansas
Tom Boren	800 Santa Fe	El Dorado, Kansas
Todd Peterson	1830 Kendrick Ln.	El Dorado, Kansas
Pat Hicks	1147 S. Arthur	El Dorado, Kansas
Larry Adams	1756 W. Third	El Dorado, Kansas
Carl D. Andrews	1730 Cottonwood Dr.	El Dorado, Kansas
Nellie & Leonard Smith	601 N. High	El Dorado, Kansas

CALL TO ORDER

Mayor Brian D. Shepherd called the August 21, 2006, City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Mayor Brian Shepherd led the Pledge of Allegiance.

PERSONAL APPEARANCE

Becky Wolf, 2123 S.W.100th, Prairie Port Committee, gave an overview and thanked all the volunteers and vendors for making the 22nd annual Prairie Port Festival a success.

Todd Peterson, 1831 Kendrick, requested to postpone his personal appearance until after the airport contract is discussed at the next work session.

CONSENT AGENDA

- a) Approval of the August 7, 2006, City Commission minutes.
- b) Approval of the August 8, 2006, Special City Commission minutes.

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

Commissioner Fagg seconded the motion.

Motion carried 5-0.

SET A PUBLIC HEARING FOR EL DORADO SEWER IMPROVEMENTS (CDBG GRANT) PROJECT NO. 243

Field Engineer Scott Rickard, stated that the Commission needs to set a public hearing for authorizing the intent to issue Sewer Revenue Bonds to fund the City's share of the El Dorado Sewer Improvement Project No. 243. The Kansas Department of Commerce requires the City to authorize the intent through the public hearing process to apply for the CDBG grant. The project includes: Eight Avenue Lift Station, Manhole Rehabilitation, Insituform, North Main Sewer Interceptor, Tenth Avenue Sewer Improvements, and Douglas Road Sewer Improvements. The City is applying for the CDBG grant to cover \$400,000 of the improvements. The remaining cost will be paid for by the Sewer Revenue Bonds.

Commissioner Michael Fagg questioned the possibility of splitting the projects over a 2-year span and applying for a second grant.

City Manager Herb Llewellyn stated that the projects cannot be split. According to the CDBG Grant, the areas must meet the LMI (Low to moderate income) standards. Therefore, the City must combine all the areas in order to meet these standards.

Commissioner Clark moved that a public hearing by this Commission be held at 7:00 P.M. on the 5th day of September, 2006, for the purpose of hearing public comments regarding issuing sewer revenue bonds for Project No. 243.

Commissioner Reynolds seconded the motion.

Motion carried 5-0.

NORTH MAIN STREET IMPROVEMENT PROJECT – EMINENT DOMAIN PUBLIC HEARING

Mayor Brian Shepherd stated that at the August 8, 2006, City Commission meeting, the Governing Body approved the Resolution to proceed with the condemnation of property for the North Main Street Improvement Project.

PUBLIC HEARING

Mayor Shepherd opened the public hearing.

With on one appearing, Mayor Shepherd closed the public hearing.

Mayor Shepherd stated that the City attempted to negotiate in good faith on this property; however, the property owners and the City could not come to an agreement.

ORDINANCE NO. S-1272

Commissioner Pershall moved that Ordinance No. S-1272, an ordinance condemning land for the North Main Street Improvement Project and directing the Mayor of El Dorado, Kansas, to institute eminent domain proceedings as provided by law to acquire the tracts and parcels of land described in this ordinance, be approved.

Commissioner Clark 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 Michael Fagg	Yes
	Mayor Brian Shepherd	Yes

2007 BUDGET – PUBLIC HEARING

Mayor Brian Shepherd stated that in order to comply with Kansas state law, the City Commission will conduct a public hearing for all interested citizens regarding the proposed 2007 Budget.

PUBLIC HEARING

Mayor Brian Shepherd opened the public hearing.

Oral Taylor, 1415 Country Club Road, read a prepared statement regarding his concerns for the 2007 budget.

Discussion ensued amongst the Commissioner’s and Oral Taylor, addressing Mr. Taylor’s concerns.

Larry Adams, 1756 West Third, stated the current City budget is due to decisions made by Oral Taylor, Connie Phillips, and Gus Collins.

Pat Hicks, 1147 South Arthur, stated that she has not received a COLA increase for the last 12-years with her current employer. Ms. Hicks asked for the Commission to explain the \$400,000 reserve for the industrial park.

Mayor Shepherd stated that the money is related to legal bond requirements for the Cannon Valley building.

The consensus of the Commissioner’s was that they did not want to raise taxes or increase the mill levy; however, the City could not conduct business without additional funds.

APPROVAL OF THE 2007 BUDGET

Commissioner Pershall moved that Ordinance S-1273, an ordinance attesting to an increase in tax revenues for Budget Year 2007 for the City of El Dorado, be approved, and to approve the 2007 Operating Budget and Capital Improvement Plan in the total amount of \$19,654,164.00, providing for a mill levy of 45.475 mills and to certify the same to the County Clerk.

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Commissioner Clark 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 Michael Fagg	No
	Mayor Brian Shepherd	Yes

EXECUTIVE SESSION

Mayor Brian Shepherd stated that this item is for the purpose of discussing legal and non-elected personnel issues, and confidential data relating to the financial affairs or trade secrets of second parties. Linda Jolly, Economic Development Director, will be present.

Commissioner Clark moved to recess into an Executive Session for the purpose of discussing legal and non-elected personnel issues, and confidential data relating to the financial affairs or trade secrets of second parties, and to reconvene the regularly scheduled meeting in the City Commission room at 9:15 p.m.

Commissioner Pershall seconded the motion.

Motion carried 5-0.

Mayor Brian Shepherd reconvened the meeting at 9:20 p.m. and stated that no official decisions were made.

STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION 2006, AND THE UNIFORM PUBLIC OFFENSE, EDITION 2006

Mayor Brian Shepherd stated that the 2006 Kansas legislative session provides for certain changes in the Standard Traffic Ordinance for Kansas Cities, and the Uniform Public Offense Code, both Edition 2006. This action incorporates certain legislative changes effective July 1, 2006. The City Commission approves these actions annually.

ORDINANCE NO. G-982 AND G-983

Commissioner Reynolds moved that Ordinance No. G-982, and 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 2006, and Ordinance No. G- 983, 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 2006, be passed and approved.

Commissioner 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 Michael Fagg	Yes
	Mayor Brian Shepherd	Yes

NEW BUSINESS – DISCUSSION ITEMS

The Mayor opened the floor for Commissioners’ comments.

Commissioner Steve Reynolds stated that there have been two Youth Commission resignations, and if anyone is interested in the position, they are accepting applications.

Commissioner Steve Pershall stated that last week during the new Youth Commission orientation, the youth were given a tour of the City facilities.

Commissioner Michael Fagg questioned when the issue regarding the special use permit for the property between School Road and Boyer Road would be addressed.

City Manager Herb Llewellyn stated that on Thursday, August 24, 2006, the special use permit will be discussed at the Planning Commission meeting. Mr. Llewellyn stated that the Planning Commission will then return the issue to the City Commission for further consideration.

PUBLIC COMMENTS

Mayor Brian Shepherd opened the floor for public comments.

Pat Hicks, 1147 South Arthur, stated that during the replay of the August 7, 2006, City Commission meeting on Channel 7, the broadcast ended while the Director of the Library was giving her presentation. Ms. Hicks also stated her concerns of the tax payers’ cost for moving dirt for the possible upcoming rodeo.

Dan Hill, 1758 S.W. Hwy 77, discussed the benefits the rodeo would have on businesses in El Dorado.

Jim Miller, 345 Hunton, stated his concerns regarding sales tax money.

Mayor Shepherd declared the public comments session closed.

CITY MANAGER'S REPORT

City Manager Herbert E. Llewellyn Jr. stated that there was no new business.

ADJOURNMENT

Commissioner Pershall moved to adjourn the meeting at 9:34 p.m.

Commissioner Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Brian D. Shepherd