

EL DORADO CITY COMMISSION MEETING

September 2, 2008

The El Dorado City Commission met in regular session on September 2, 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, City Manager Herb Llewellyn, Assistant City Engineer Scott Rickard, City Clerk Kendra Porter, and City Attorney Jim Murfin.

VISITORS

Steve Fellers	2034 Chelsea Dr.	El Dorado, Kansas
Julie Clements	El Dorado Times	El Dorado, Kansas
Linda Jolly	2100 Pico Ct.	El Dorado, Kansas
Ray Connell	2520 N. Chase	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the September 2, 2008, City Commission meeting to order.

INVOCATION

City Manager Herb Llewellyn opened the meeting with prayer.

PLEDGE OF ALLEGIANCE

Steve Fellers, 2034 Chelsea Drive, led the Pledge of Allegiance.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

With no one appearing, Mayor Tom McKibban closed the public comment session.

CONSENT AGENDA

- a) Approval of the August 18, 2008, City Commission minutes.
- b) Approval of Appropriation Ordinance No. 08-08 in the amount of \$1,058,744.14.
- c) Approval of the Engineer’s Second and Final Pay Estimate dated August 26, 2008, on Project No. 305, Residential Sidewalks to the Contractor, Barkley Construction, in the amount of \$8,695.70.
- d) Approval of the Engineer’s Second Pay Estimate dated August 26, 2008, on Project No. 308, Sanitary Sewer Prairie Land Estates 2nd Addition to the Contractor, Nowak Construction, in the amount of \$96,621.12.

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

Commissioner David Chapin seconded the motion.

Motion carried 5-0.

**LEAGUE OF KANSAS MUNICIPALITIES VOTING DELEGATE
REGISTRATION**

Mayor Tom McKibban stated that the annual business meeting of the League of Kansas Municipalities will be held in Wichita, Kansas, on October 11-14, 2008. The City is entitled to three voting delegates and three alternate delegates.

Commissioner David Chapin moved to appoint Commissioner Steve Reynolds, Commissioner Steve Pershall and City Manager Herb Llewellyn to be named voting delegates at the annual business meeting of the Kansas League of Municipalities and that David Chapin, Dee Anne Grunder and Kurt Bookout be named alternates.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds stated that he has received compliments regarding the Ninth Street bridge.

Commissioner Linda Clark stated that she has received mowing complaints regarding the grass around the railroads.

City Manager Herb Llewellyn stated that there was a misunderstanding regarding insurance liability with City Staff. This issue has been resolved and the properties will get mowed.

Commissioner Steve Pershall asked for clarification of the City's cost regarding the west Central Avenue project.

Assistant City Engineer Scott Rickard stated that KDOT through a KLINK grant is funding the bulk of the project. However, the City is obligated for the milling and overlay of Central Avenue, which will be funded through sales tax.

Commissioner Steve Pershall stated that he noticed Graham Park was busy over the weekend with children enjoying the spray park and questioned when the City pool and the spray park will be closing.

City Manager Herb Llewellyn stated that the City pool has already closed and would check on the status of the spray park.

Commissioner David Chapin inquired on the progress of his request for the cost of installing more water features in our parks.

City Manager Herb Llewellyn stated that Staff is currently gathering that information, and should be able to make a presentation to the City Commissioners in the near future.

Mayor Tom McKibban stated that the work on west Central Avenue is progressing and the contractors are working diligently.

Mayor Tom McKibban thanked City employees for their efforts with the construction of the skate park.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

1. City Manager Herb Llewellyn discussed the current AT & T franchise fee agreement. City Manager Llewellyn stated currently the city receives a 5% franchise fee; however, we do have the option to change to a flat fee of \$2.25 per line.

Discussion ensued amongst the City Commissioners and City Manager Herb Llewellyn regarding the AT & T franchise agreement.

Consensus of the City Commission was to stay with the 5% franchise fee.

2. City Manager Herb Llewellyn stated that due to the Centennial Celebration the County has asked that a portion of Central Avenue, in front of the Courthouse, be closed during the celebration.

Consensus of the City Commission was to allow Central Avenue to be closed.

3. City Manager stated that the City has been working with the State of Kansas on a Comprehensive Transportation Plan since the current plan is due to expire. Staff will be attending an informational meeting lead by the Kansas League of Municipalities.

Assistant City Engineer Scott Rickard stated that the date of the meeting has changed to September 30, 2008.

4. City Manager Herb Llewellyn stated that the City has some sales tax monies left over from the west Central Avenue project and would like to use some of the money to repair the railroad crossing at Fourth Avenue and Main Street and also repair the River Road intersection.

Consensus of the City Commission was to use the excess monies and proceed with the repairs.

5. City Manager Herb Llewellyn stated that an unknown person or persons in the southeast part of town shot some business and car windows with BB guns.

EXECUTIVE SESSION

Mayor Tom McKibban stated that this item is for the purpose of discussing legal issues.

Commissioner Steve Reynolds moved to recess into an Executive Session for the purpose of discussing legal issues, and to reconvene the regularly scheduled meeting in the City Commission room at 8:15 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

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Mayor Tom McKibban reconvened the meeting at 8:15 p.m.

Commissioner Steve Reynolds moved to return to Executive Session until 8:45 p.m.

Commissioner Linda Clark seconded the motion.

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

Mayor Tom McKibban reconvened the meeting at 8:45 p.m.

ADJOURNMENT

Commissioner David Chapin moved to adjourn the meeting at 8:45 p.m.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban