

EL DORADO CITY COMMISSION MEETING

November 17, 2008

The El Dorado City Commission met in regular session on November 17, 2008, at 7:00 pm. 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, Finance Director Dee Anne Grunder and City Attorney Jim Murfin. Absent: City Clerk Kendra Porter.

VISITORS

Julie Clements	El Dorado Times	El Dorado, Kansas
Tom Kaleko	9229 Ward Pkwy	Kansas City, Missouri
Katie Kjelland	117 N. Summit	El Dorado, Kansas
Kristen Silbaugh	615 N. Star	El Dorado, Kansas
Connie Worley	Lincoln Elementary	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Molly & Sonja Milbourn	121 N. Emporia	El Dorado, Kansas
Scott Ennis	1230 Glenview	El Dorado, Kansas
Staci Rausch	553 S.E. Poor Farm	El Dorado, Kansas
Hannah Hulse	241 Warren Road	El Dorado, Kansas
Tammy Jones	712 Park Ave.	El Dorado, Kansas
Christina Martin	317 Hunton Rd.	El Dorado, Kansas
Jamie Downs	206 N. Griffith	El Dorado, Kansas
David Greene	250 N.E. 30 th	El Dorado, Kansas
Ray Connell	2520 Chase	El Dorado, Kansas
Tom Murry	1650 Jason Dr.	El Dorado, Kansas
Steve Funk	1810 Lawndale	El Dorado, Kansas
Greg Joyce	1005 Rim Rock	El Dorado, Kansas
Jim Phillips	216 W. Central	El Dorado, Kansas

CALL TO ORDER

Mayor Tom McKibban called the November 17, 2008, City Commission meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Ms. Connie Worley’s Third grade students from Lincoln Elementary School led the Pledge of Allegiance.

PROCLAMATION

Mayor Tom McKibban read a proclamation to proclaim Molly Milbourn as a distinguished citizen and presented a signed copy.

PUBLIC COMMENTS

Mayor Tom McKibban opened the floor for public comments.

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

CONSENT AGENDA

- a. Consider approval of the November 3, 2008, City Commission minutes.
- b. Consider approval of the November 12, 2008, Special City Commission minutes.

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

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

GENERAL OBLIGATION BOND SALE

At the November 3, 2008, City Commission meeting, the City Commission approved setting this date as the sale date of General Obligation bonds for the long-term funding of 10 capital improvement projects in the City. The following motions award the bid and provide for the long-term funding of these projects.

Tom Kaleco, representative from Springsted, gave a brief overview of the bond sale as well as the bond rating the City of El Dorado received.

Finance Director Dee Anne Grunder spread the bids for the record.

AWARDING THE BID

Commissioner Steve Pershall moved to award the firm of Commerce Bank the sale of the General Obligation Bond Issue-Series 2008 with a true interest rate of 3.952074% with a net interest of \$1,127,828.54 and to authorize the Mayor and City Clerk to execute the bid form.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

ORDINANCE NO. S-1300

Commissioner Steve Reynolds moved that Ordinance No. S-1300, an ordinance authorizing and providing for the issuance of \$3,310,000 principal amount of General Obligation Bonds, Series 2008, of the City of El Dorado, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto, be approved.

Commissioner Linda 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 David Chapin	Yes
	Mayor Tom McKibban	Yes

RESOLUTION NO. 2619

Commissioner Linda Clark moved that Resolution No. 2619, a resolution prescribing the form and details of and authorizing and directing the sale and delivery of \$3,310,000 principal amount of General Obligation Bonds, Series 2008, of the City of El Dorado, Kansas; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith, be approved.

Commissioner Steve Pershall seconded the motion.

Motion carried 5-0.

SPECIAL USE PERMIT TO ALLOW A DAY CARE CENTER ON PROPERTY LOCATED AT 317 HUNTON. THE PROPERTY IS ZONED R-1 RESIDENTIAL-LOW DENSITY DISTRICT (CASE NO. 08-013-SUP)

Assistant to the City Manager Matt Rehder stated that the applicant, Christina Martin, is requesting a Special Use Permit to allow a Day Care Center at 317 Hunton. The property is zoned R-1, Residential-Low Density District.

Assistant to the City Manager Rehder stated that at the October 23, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval for the Special Use Permit for the establishment of the Day Care Center by a vote of 5 to 0.

ORDINANCE NO. G-1050

Commissioner Linda Clark moved that the recommendation of the Planning Commission to approve Case No. 08-013-SUP requesting a Special Use Permit to allow the establishment of a Day Care Center on property located at 317 Hunton be accepted and that Ordinance No. G-1050, be approved.

Commissioner Steve Pershall 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

APPLICATION TO REZONE PROPERTY FROM R-1 RESIDENTIAL LOW DENSITY DISTRICT TO R-3 MULTIPLE-FAMILY DWELLING DISTRICT (CASE NO. 08-002-REZ)

Assistant to the City Manager Matt Rehder stated that the City of El Dorado is requesting property located on South Taylor Street be rezoned from R-1 Residential Low Density District to R-3 Multiple-Family Dwelling District.

Assistant to the City Manager Rehder stated that at the October 23, 2008, Planning Commission meeting, after review of the facts in the case and the information submitted at the public hearing, the Planning Commission recommended approval of the rezoning application by a vote of 5 to 0.

ORDINANCE NO.G-1051

Commissioner Steve Pershall moved that the recommendation of the Planning Commission to approve Case No. 08-002-REZ requesting a rezoning of certain property located on South Taylor Street, be accepted and that Ordinance No. G-1051, be approved.

Commissioner Steve Reynolds seconded the motion.

ROLL CALL

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
Position No. 3	Commissioner Steve Pershall	Yes

KDOT FIVE-YEAR PLAN

Assistant City Engineer Scott Rickard provided a brief overview of the proposed projects that the City of El Dorado is submitting for the KDOT Five-Year Plan. The following projects are being considered:

- Twelfth Avenue Overpasses
- Central Avenue (Topeka to Denver)
- Northwest Trafficway
- South Main Overpass
- Vine Street & Central Avenue

Commissioner Steve Pershall inquired on a timeline of possible completion dates.

Assistant City Engineer Rickard stated that these proposed projects would be submitted for the five year plan for 2009-2013. However, could be prioritized for a later date.

Commissioner Pershall inquired where the funding would generate from.

Assistant City Engineer Rickard stated that it would be federally funded.

Commissioner David Chapin inquired on the ranking of the projects.

Assistant City Engineer Rickard stated that Vine Street and Central Avenue congestion problem and continuing the turn lane on Central Avenue are hazards that need attention.

City Manager Herb Llewellyn stated that the City needs to consider widening the railroad overpasses due to the restriction of the flow of traffic.

Assistant City Engineer Rickard stated that the overpasses could be considered in conjunction with future railroad improvements.

Mayor Tom McKibban questioned if the City is committed to the projects once we submit.

Assistant City Engineer Rickard stated that the City would still have an opportunity to make changes.

NUISANCE ORDINANCE

Commissioner Linda Clark moved to table the amendments to the nuisance portion of the Municipal Code.

Commissioner Steve Reynolds seconded the motion

Motion carried 5-0.

PETITION TO ANNEX

Mayor Tom McKibban turned the meeting over to Vice-Mayor Steve Reynolds and requested to address this item at the podium.

Vice-Mayor Steve Reynolds stated that a local property owner has petitioned the City of El Dorado to annex a parcel of their land into the City of El Dorado city limits. This property is on north Main Street and west of the El Dorado Lake. Since the property owner has requested annexation, the City may pass a resolution to begin the annexation proceedings.

City Manager Herb Llewellyn stated that the Planning Commission and City Commission have taken action to support this annexation. City Manager Llewellyn also presented the history of how the City has prepared for this annexation by extending streets to the north for possible future housing development.

Discussion ensued amongst Commissioners and City Manager Llewellyn.

Vice-Mayor Reynolds inquired if the stormwater system is extended to the property.

City Engineer Scott Rickard stated that there are inlets that drain to the ditch with ability to construct a stormwater system.

Commissioner Steve Pershall stated that growth is very important to El Dorado but has concerns with the surrounding property and feels it may be a little premature to annex at this time.

Commissioner Linda Clark stated that she was in favor since the property owner is requesting and it will generate more property taxes.

Commissioner David Chapin stated that he was in favor to start the process of extending our borders north especially if the property owner is willing.

Tom McKibban, 1819 Terrace Drive, stated that the City needs growth to aid in aging infrastructure.

RESOLUTION NO. 2620

Commissioner Linda Clark moved that Resolution No. 2620, a resolution authorizing the filing of a petition with the Butler County Commission to annex certain territory per K.S.A. 12-520c, be approved.

Commissioner David Chapin seconded the motion.

ROLL CALL

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

NEW BUSINESS – DISCUSSION ITEMS

Mayor Tom McKibban opened the floor for Commissioners' comments.

Commissioner Steve Reynolds provided suggested closings for Christmas, Thanksgiving, and New Year's holidays.

City Manager Herb Llewellyn explained the current policy for the holiday closings.

Commissioner Linda Clark stated that a citizen contacted her concerning Graham Park drainage ditch.

Commissioner Steve Pershall requested that the City make sure that streetlights are working properly for citizens' safety.

City Manager Llewellyn explained that citizens can report outages to the City and we will contact Westar.

Commissioner Steve Pershall updated the Commissioners on the League of Kansas Municipalities Legislative Brief that Herb and he attended. The League of Kansas Municipalities is urging the State to start a transportation plan.

Commissioner Pershall also mentioned the League of Kansas Municipalities discussions regarding reinstating government transfers; however, they are not necessarily funded.

Commissioner Pershall reminded the Commission that January 28, 2009, is City Hall Day at the State Capital.

Commissioner David Chapin noted two youth Commissioners that were in attendance, and thanked City employees for their hard work.

Mayor Tom McKibban thanked the Commission for voting on the annexation of his property.

Mayor McKibban stated that he has received complaints regarding older children doing inappropriate activities at Summit Park.

City Manager Llewellyn stated that the City is aware of the problem and have considered placing an officer at the park.

Mayor Tom McKibban closed the Commissioners' comments.

CITY MANAGER'S REPORT

City Manager Herb Llewellyn stated that the 2009 election dates are available.

City Manager Llewellyn briefed the Commission on a recent request for an injection well north of El Dorado.

ADJOURNMENT

Commissioner Steve Reynolds moved to adjourn the meeting at 8:24 pm.

Commissioner Linda Clark seconded the motion.

Motion carried 5-0.

City Clerk Kendra Porter

Mayor Tom McKibban