

EI DORADO CITY COMMISSION MEETING MINUTES January 18, 1999

The El Dorado City Commission met in regular session on January 18, 1999 at 7:30 p.m. with the following present: Mayor Edward L. Blake, Commissioner Larry Dale Crawford, Commissioner Betty J. Kirkpatrick, Commissioner Connie Phillips, Commissioner Don Storrer, City Manager Stan Stewart, Director of Administration Gus Collins, City Engineer Bruce Remsberg, and City Clerk Dee Anne Grunder. City Attorney Mike Coash was absent.

VISITORS

Leland Bilson	532 N. Emporia	El Dorado, Kansas
Mike Glendening	801 W. Cave Springs	El Dorado, Kansas
Peter Knoop	911 S. Topeka	El Dorado, Kansas
Darrell Whitney	206 Warren Road	El Dorado, Kansas
Dan Hill	1758 SE HWY 77	El Dorado, Kansas
Alison Hill	1758 SE HWY 77	El Dorado, Kansas
Amber Langley	2425 Gentry Lane	El Dorado, Kansas
Jacob Kehler	5918 SE US HWY 77	Leon, Kansas
Charles Green	623 S. Alleghany	El Dorado, Kansas
Sandy Koontz	3359 SW Rustic Road	El Dorado, Kansas

CONSENT AGENDA

- A. Approval of the December 31, 1998 Work Session minutes.
- B. Approval of the December 31, 1998 City Commission minutes.
- C. Approval of the January 12, 1999 Work Session minutes.

Commissioner Phillips moved the Consent Agenda, as presented, be approved.

Commissioner Storrer seconded the motion and it carried 5-0.

RAILROAD DEPOT – LEASE AGREEMENT WITH MAIN STREET

Mayor Blake stated that the Railroad Depot has recently become available for occupancy. The Main Street Board has expressed a desire to rent this facility to serve as their main office. The proposed motion approves a lease agreement between the City and Main Street.

City Manager Stewart stated that Butler County Community College has been leasing the facility. They will be relocating to another location. The recommendation from the Main Street Committee is to utilize the facility for public purposes. The Main Street group has expressed a desire to lease a portion of the facility.

Mr. Darrell Whitney, Vice-President of Main Street Board, appeared before the Governing Body with a request to lease a portion of the Depot facility for the Main Street group.

Commissioner Storrer moved to authorize the City Manager to execute an agreement between the City and the Main Street Board providing for the lease of a certain portion of the depot, more specifically described therein.

Commissioner Crawford seconded the motion and it carried 5-0.

EL DORADO 4-H BOOSTER CLUB –STENCILING STORM SEWERS

Mayor Blake stated that the El Dorado 4-H Booster Club will appear before the governing body to request authorization to provide stenciling on our residential storm sewers.

4-H Members Jacob Keller, Alison Hill, and Amber Langley appeared before the Governing Body to request authorization to provide stenciling on the city's residential storm sewers. They explained the procedure they will use when stenciling and indicated April 17, 1999 as the proposed date.

Sandy Koontz, 3359 SW Rustic Road, Benton, Kansas stated that their goal with the conservation district is to get several organizations interested in this project. They anticipate eventually stenciling the entire city. Rose Hill, Andover and Augusta were city's mentioned that they would like to get involved with this project.

Commissioner Crawford moved to authorize the 4-H Booster Club to provide certain stenciling on the storm sewers throughout the residential area.

Commissioner Kirkpatrick seconded the motion and it carried 5-0

AUGUSTA RAW WATER CONTRACT FOR 1998

Mayor Blake stated that the City of Augusta has requested that the City of El Dorado consider waiving a certain section of the Raw Water Contract between the City of El Dorado and Augusta. The City of Augusta was forced to increase their annual aggregate of raw water in 1998, due to the flood disaster. City Manager Stewart will provide a brief background on this issue. The proposed motion provides for that waiver, if the City Commission desires.

City Manager Stewart stated that the City of Augusta has requested that their increased usage of aggregate raw water in 1998 not set the aggregate for future billings.

Commissioner Kirkpatrick moved to provide a one-time waiver of the annual aggregate as stated in the Raw Water Agreement between the City of Augusta and the City of El Dorado in the year of 1998.

Commissioner Phillips seconded the motion and it carried 5-0.

YEAR 2000 COMPLIANCE

Mr. Scott Porter, Computer Systems Analyst for the City of El Dorado, appeared to provide a brief overview and update regarding the City's plan of Y2K compliance. He stated that the City had spent approximately the past six to nine months addressing this issue. City staff has almost completed the inventory and is in the process of replacing those systems as needed. Mr. Porter noted that a new AS400 system has been purchased and is anticipated to be installed February 12, 1999.

Mr. Porter reported that the City has a contract with Cameo Software Solutions, Inc. to replace the application software. It has been verified that it is Y2K compliant. The installation and training is scheduled to begin around the first of March, 1999. The installation should be complete and fully on the new system by June, 1999.

Mr. Porter further stated that there are approximately 50 personal computers throughout the City. He then went into further detail regarding the PC's that would be replaced and

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the software that would be available. He also noted that the water and wastewater treatment plants are currently about 95% in compliance. Mr. Porter then provided the following. The City's fuel system is Y2K compliant. The emergency 911 system has been replaced and is Y2K compliant. The Astro 2000, which is the program the communication officers use to look up driver's license numbers and tag numbers, is in the process of being replaced by the KBI, but the City's portion is up and running. There is no problem with the telephone system. Mr. Collins and Ms. Grunder are currently reviewing their options for the voice mail system. Traffic signals are all Y2K with the exception of the signals at First and Main, and Third and Main. City staff is currently investigating alternatives for those. The streetlights are in compliance. The school crossings are not compliant, but alternatives have been investigated. City staff is awaiting approval to go to bid on those items.

Mr. Porter stated that he anticipates all systems with the City to be in Y2K compliance by June-July, 1999. He noted that City staff then plans to complete full testing on the entire system. This should allow enough time, should there be any problems, to make corrections before the year 2000.

1999 SALES TAX STREET PROGRAM

A) PROJECT NO. 904

The streets involved in this project are Residence Street and Orchard Street (Central to Third); Ohio Street (Second to Third); First Avenue (Orchard to Residence) and (Arthur to Ohio); Second Avenue (Orchard to Residence).

APPROVE PLANS, SPECIFICATIONS & ESTIMATE OF COST

Commissioner Phillips moved that the City Engineer's plans, specifications and estimate of cost amounting to \$320,000 for Project No. 904 as filed by the City Engineer in the City Clerk's Office on January 15, 1999, be approved.

Commissioner Storrer seconded the motion and it carried 5-0.

B) PROJECT NO. 881

This is the KLINK Repaving Project of Main Street from the South railroad overpass north to Fourth Avenue.

APPROVE PLANS, SPECIFICATIONS & ESTIMATE OF COST

Commissioner Storrer moved that the City Engineer's plans, specifications and estimate of cost amounting to \$191,000 for Project No. 881 as filed by the City Engineer in the City Clerk's Office on January 15, 1999, be approved.

Commissioner Crawford seconded the motion and it carried 5-0.

MOTION TO SOLICIT BIDS

Commissioner Crawford moved that the City Manager solicit bids for the construction of Project Nos. 904 and 881 and that the bids be considered at the regular meeting on February 1, 1999.

Commissioner Kirkpatrick seconded the motion.

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City Manager stated that on the KLINK projects the State pays 50% up to \$200,000, therefore, City staff attempts to keep the projects at that size.

The motion carried 5-0.

PROJECT NO. 919-PAVING GORDY (SIXTH-NINTH)

RECEIVING THE PETITION

Commissioner Kirkpatrick moved that the revised petition for the paving of Gordy Street from Sixth to Ninth, be received and that the City Clerk be instructed to have this petition checked for sufficiency.

Commissioner Phillips seconded the motion and it carried 5-0.

SUFFICIENCY OF PETITION

City Clerk Dee Anne Grunder reported to the Commission that the petition for the paving of Gordy Street from Sixth to Ninth, signed by 11 resident owners out of 18 resident owners, or 61.1 percent of the total resident owners, is sufficient.

Commissioner Phillips moved that the report of sufficiency be accepted.

Commissioner Storrer seconded the motion and it carried 5-0.

RESOLUTION OF ADVISABILITY/RESOLUTION AUTHORIZING IMPROVEMENT COMBINED NO. 2205

Commissioner Storrer moved that Resolution No. 2205, A RESOLUTION OF FINDING AS TO ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVEMENT COMBINED, more specifically described therein, be adopted.

Commissioner Crawford seconded the motion and it carried 5-0.

PREPARE PLANS, SPECIFICATIONS AND ESTIMATE OF COST

Commissioner Crawford moved that the City Manager be instructed to have plans, specifications and estimate of cost prepared for paving of Gordy Street from Sixth to Ninth.

Commissioner Kirkpatrick seconded the motion and it carried 5-0.

PROPOSED NEW STREET POLICY

Mayor Blake stated that the City Commission has been discussing the possibility of implementing a proposed new street program to provide an option to improving streets within the community.

City Manager Stewart stated that City staff was requested by the Commission to develop a plan for the non-conforming streets. The proposal would be to approach the property owners with an offer of the City providing a 2" overlay immediately at no cost. In exchange the City would request that the property owners sign an agreement to pay the future cost of improvements. It is anticipated by the year 2010 all streets would be improved to the standards the Governing Body has set as a goal.

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Mr. Stewart further stated that the property owners would have the opportunity to petition out from this project. They would not be eligible for the 2" overlay, and they would revert back to the policy that the City has followed for the past 50 years.

Commissioner Phillips questioned whether it would be possible to publish the estimate of costs in order to inform the public before there is a public hearing.

City Manager Stewart stated that the City could utilize the newspaper and Channel 7 for this information.

Commissioner Kirkpatrick questioned whether there would be a use for the millings from the streets that would have the 2" overlay.

City Engineer Remsberg stated that the City would be able to salvage the millings from some of the streets.

Mayor Blake questioned the anticipated timeframe for this project.

City Manager Stewart stated that one of the proposals is to issue bonds to pay for the 2" overlay; another proposal is to use the 1999 sales tax money. If the sales tax funds were used, the project would need to proceed quickly. Should the Governing Body decide to issue bonds, then there would not be any time constraints on the project.

Commissioner Kirkpatrick questioned whether the City would utilize bonds should the sales tax not be passed at the next election.

City Manager Stewart stated that the City only plans to use the sales tax funds for the 2" overlay.

Commissioner Phillips then questioned the petitioning out of the project.

City Manager Stewart clarified that if there were not 50% of the property owners in favor, City staff would recommend not proceeding with the overlay due to possible future legal issues.

Mr. Mike Glendening, 801 W. Cave Springs, questioned whether the property owner would be responsible for payment of the street improvements when it is completed.

The Commission agreed that it would be the property owners that would pay for the street improvements, the same as if a street was petitioned.

Mr. Glendening then asked whether any of the property owners of the proposed streets had offered a petition.

Commissioner Kirkpatrick stated that this project would allow all the property owners of the proposed streets the same opportunity, therefore not allowing favoritism of certain streets.

Mr. Mike Glendening asked whether the residents have the opportunity to first provide a petition without the City providing the 2" overlay.

The Commission agreed that it is the property owner's option to provide a petition. The proposed project would allow the property owner the option of improving the street now without the overlay, receive the 2" overlay now and postpone the street improvements, or no improvements at all.

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Commissioner Storrer questioned whether the residents could have the sales tax money for the overlay applied to the project and have it improved now.

Commissioner Kirkpatrick stated that using the sales tax money for a street that had been petitioned in would not meet the requirements of the Sales Tax Ordinance.

Mr. Pete Knoop, 911 S. Topeka, asked whether there would be a warranty on the 2” overlay until improvements are made.

City Manager Stewart stated that the City would be the responsible party.

Mr. Knoop stated that in his opinion the 2” overlay would not last until the improvements are made. He expressed concern regarding the amount of taxpayers’ money that would be spent for replacement of the overlay.

Commissioner Crawford stated that it probably wouldn’t be replaced but repairs made.

Mr. Knoop asked what the situation would be should all the streets within the proposed project not get petitioned in.

The Commission agreed that the property owners would then have the option of petitioning in the streets by the same policy that the City has used for the 50 years.

Mayor Blake stated that in the future some City Commission is going to order the streets be improved by the passing of an ordinance.

Mr. Scott Porter, 1015 Walnut, questioned whether the streets in the Riverside Addition would be included in the proposal.

The Governing Body agreed that several years ago the residents of the Riverside Addition expressed that they did not want street improvements within their addition. They further agreed that they could be included.

Mr. Mike Glendening, owner of a business on Oil Hill Road, questioned whether there would have to be a “hump” or curb in the middle of his driveway.

City Engineer Remsberg stated that the requirement is to have a curb for every 30-foot of driveway.

Commissioner Kirkpatrick questioned the purpose of this restriction.

City Engineer Remsberg stated that the primary reason is to control the ingress and egress of traffic to a specified area.

AUDIT AGREEMENT LETTER – CONTRACT FOR AUDIT SERVICE

Mayor Blake stated that the proposed motion would provide approval of the Audit Agreement Letter between the City and the firm of George, Bowerman and Noel, P.A.

Director of Administration Collins stated that this firm has performed the City’s audit for the past three years. City staff is very pleased with the firm’s performance. This firm provides consultation with the City throughout the year at no additional charge. They have also provided valuable input regarding the proposed software and will also be available for assistance during the installation of new software. Their proposal represents only a 4% increase over the past agreement. City staff recommends the firm of George, Bowerman and Noel, P.A.

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Commissioner Kirkpatrick moved to authorize the City Manager to enter into an agreement with our auditing firm of George, Bowerman and Noel to provide audit services for a three-year period in the aggregate amount of \$64,150.

Commissioner Phillips seconded the motion and it carried 5-0.

BOARD AND COMMITTEE APPOINTMENTS

BOARD OF ZONING APPEALS

Commissioner Phillips moved that Steve Woods be appointed to the Board of Zoning Appeals to fill the open position due to the resignation of Jim Zang. This appointment will expire April 1, 1999.

Commissioner Storrer seconded the motion and it carried 5-0.

COMMUNITY CORRECTIONS ADVISORY BOARD

Commissioner Storrer moved that Ron Fisher and Mary Ann Christianson be reappointed to the Community Corrections Advisory Board for a two-year term expiring December 31, 2000.

Commissioner Crawford seconded the motion and it carried 5-0.

RECREATION ADVISORY COMMITTEE

Commissioner Crawford moved that Sharon Mangles and Rick Smith is reappointed to the Recreation Advisory Committee for a two-year term expiring January 15, 2001.

Commissioner Kirkpatrick seconded the motion and it carried 5-0.

SALES TAX ADVISORY COMMITTEE

Commissioner Kirkpatrick moved that Ed Gard, Neil Buckman, Andy LaForge, Barbara Dankert, Gay Kimble, Mark Johnson, and Kenny Spring is reappointed to the Sales Tax Advisory Committee for a one-year term expiring 1st City Commission Meeting in January, 2000.

Commissioner Phillips seconded the motion and it carried 5-0.

MID CAP BOARD

Commissioner Phillips moved that Don Storrer be reappointed to the Mid Cap Board for a two-year term expiring May, 2000.

Commissioner Crawford seconded the motion and it carried 5-0.

MISCELLANEOUS

NEIGHBORHOOD REVITALIZATION PROGRAM

Director of Administration Collins stated that the City is in the process of issuing the first rebatements to property owners that took advantage of the Neighborhood Revitalization Program.

MAINSTREET PROGRAM

Mayor Blake noted that there were eight individuals from Emporia, Kansas that visited the City of El Dorado on Monday, January 18, 1999 regarding the Mainstreet Program.

LEAGUE LEGISLATIVE CONFERENCE

City Manager Stewart stated that a League Legislative Conference is scheduled for Thursday, January 21, 1999.

FEMA

City Manager Stewart reported that City staff has met with FEMA representatives and has submitted a request for \$ 18,500 for reimbursement. It appears that the City will receive \$15,000 soon.

EL DORADO HEALTH CLUB

There is a meeting scheduled for Friday, January 22, 1999 at 12:00 noon to discuss the issues regarding the health club.

CHRISTMAS TREE CHIPPINGS

The Christmas trees have been chipped and the wood chips are available at the compost pile free of charge.

FILING DEADLINE

City Manager Stewart noted that 12:00 noon, January 26, 1999 is the last day to make application to run for City Commission.

ADJOURNMENT

Commissioner Storrer moved the meeting adjourn.

Commissioner Crawford seconded the motion and it carried 5-0.

Dee Anne Grunder, City Clerk

Edward L. Blake, Mayor