

**EL DORADO CITY COMMISSION MEETING January 20, 2004**

The El Dorado City Commission met in regular session on January 20, 2004, at 7:30 p.m. in the Police Department Court Room with the following present: Mayor Connie Phillips, Commissioner Mike Fagg, Commissioner Linda Clark, Commissioner Oral Taylor, Commissioner Brian Shepherd, City Manager Stan B. Stewart, Assistant City Manager, Gus Collins, City Clerk/Finance Director Dee Anne Grunder, City Engineer Dave Wagner, and City Attorney Mike Coash.

**VISITORS**

Emma Miller	320 S. Taylor	El Dorado, Kansas
Helen Hutchinson	224 N. Star	El Dorado, Kansas
Martha Gregg	611 S. Washington	El Dorado, Kansas
Bill & Benjamin O’Connell	337 N. Topeka	El Dorado, Kansas
Beverlyn Beaman	503 S. Star	El Dorado, Kansas
Rick, Chandra, Taylor, & Chase Bennett	507 Topeka	El Dorado, Kansas
Theto Reed Family	1200 S. Topeka	El Dorado, Kansas
Patrick Jordan	115 S. Washington	El Dorado, Kansas
Patricia L. Johnson	115 S. Washington	El Dorado, Kansas
Pat Hicks	1147 S. Arthur	El Dorado, Kansas
Chet McCoy	336 Simpson Rd.	El Dorado, Kansas
James Cook	719 Fredrick Drive	El Dorado, Kansas
Carolyn Moren	107 S. Main	El Dorado, Kansas
Lionel Tipton	El Dorado Times	El Dorado, Kansas
Christ Megredy	219 N. Taylor	El Dorado, Kansas
Kate Bird	1439 Lawndale	El Dorado, Kansas
Kevin Coash	2012 Chelsea Dr.	El Dorado, Kansas
Gary Ball	817 W. 4 <sup>th</sup>	El Dorado, Kansas
A.J. Howell	902 S. Denver	El Dorado, Kansas
Linda Swan	1403 Park Ave.	El Dorado, Kansas

**INVOCATION**

Mayor Connie Phillips called to order the January 20<sup>th</sup> City Commission Meeting. The Reverend Bill O’Connell provided the invocation.

**PLEDGE OF ALLEGIANCE**

Ms. Kari Lee’s Third Grade Class from Washington Elementary School led the Pledge of Allegiance.

**CITIZEN OF THE MONTH**

Commissioner Clark presented to Helen Hutchison the “*Citizen of the Month*” award.

**PERSONAL APPEARANCE**

Ms. Carolyn Marcum, Marcum Photography, 107 N. Main appeared before the Governing Body to discuss Municipal Code 3.08. The City is holding 15% of the insurance proceeds authorized by Code 3.08 on the fire damage. She feels the City should return the money plus interest or revise the ordinance.

Mike Coash, City Attorney stated that as soon as the property owners decides to restore or demolish the property then the money would be given to her once the property is cleaned up to the satisfaction of the City staff.

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Commissioner Shepherd noted that the ordinance stated that it is the building inspector's responsibility to make the decision to restore or demolish the damaged building.

Commissioner Fagg asked if the City Treasurer notified the Chief Inspector.

City Manager Stan Stewart noted that the City knew when they received the money, but was not aware when the Building Inspector was notified.

Mayor Phillips stated that this would be discussed at the next work Session Meeting and then brings it to the next Commission Meeting.

### **CONSENT AGENDA**

- a. Approval of the December 31, 2003, City Commission minutes
- b. Approval of the January 14, 2004, Work Session minutes.

Commissioner Taylor moved that the Consent Agenda, as amended be approved.

Commissioner Shepherd seconded the motion. Motion carried 5-0.

### **YOUTH COMMISSION REPORT**

Mayor Phillips stated that the Youth Commission was created in July 2002 to encourage dialogue between the city's youth and governing body. Membership is tied to enrollment in the local high school. This is the second year for the Youth Commission.

A.J. Howell, Chairman, 902 S. Denver reported on the committee's activities and accomplishments. Some of the activities reported were: May 12<sup>th</sup> - YMCA Night for kids high school age and up and February 29<sup>th</sup> to assist Butler County Community College annual call night to pay for May 12<sup>th</sup> Night

Chevis Rebstock, 2322 Hazlett Street noted that one of the major topics is the under age drinking problem. He noted that a survey had been conducted last year that showed 75% of the high school student consumed alcohol. Two of the committee members had attended a seminar on underage drinking.

Christ McGredy, 219 S. Taylor noted that they had distributed flyers at the football games on underage drinking. They also applied for a Youth In Action Grant to get money to support the underage campaign.

Kate Bird, 1439 Lawndale noted that the Library asked them to work on the young adult section. They asked them to help with the floor plans that would be appealing to the youth to take advantage of the library. The youth will help move the children's section on February 13<sup>th</sup>. On February 17<sup>th</sup> the youth will be doing a youth service day project.

Kevin Coash, 2012 Chelsea Drive noted several activities the youth participated in last September at the Walnut River Festival. They were Star Teens of El Dorado, Kansas Dorado Program and the Mayor's Youth 'round Table. This activity was such a success so they will hold this activity again on February 9<sup>th</sup> at 6:30 at Kansas Room at Butler County Community College.

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Luke Bryant, 1522 Terrace noted that on November 17, 2003 the El Dorado Youth mission traveled to Wichita and attended in on the Wichita Promise Youth Council in order to generate ideas to bring home. The Youth Commission would like to produce an information booklet.

A.J. Howell, 902 S. Denver noted that a lot of surveys were done during the year for the Movie Theatre. He thanked the Commission, City of El Dorado and Linda Swan.

Linda Swan, 1403 Park Avenue, Director of the Youth Commission thanked the Commission for their support.

**REAL ESTATE ACQUISITION – E CENTRAL**

Mayor Phillips stated that the property at 502 E. Central has become available for sale. The acquisition of this property may eventually be needed when we add on to the water treatment plant and staff recommends taking advantage of this opportunity.

City Manager Stan Stewart stated that the City has gone through the acquisition process and the City has a contract signed by the property owner and waiting for Commissions approval to proceed.

Commissioner Shepherd moved to approve the acquisition of certain real property, 502 East Central, aka “part of the northwest quarter of Section 1-26-05, Beginning 432.9 feet East and 25 feet North of the Southwest corner of said Northwest quarter thence North 130 feet, East 60 feet, South 130 feet, West 60 feet to the point of beginning”, in the amount of \$15,500.

Commissioner Clark seconded the motion. Motion carried 5-0.

Commissioner Fagg asked if the plans were to rent this.

City Manager Stewart acknowledged that it was and Stan would inspect as soon as the Commission takes affirmative action.

**BOARD APPOINTMENTS**

Mayor Phillips noted that the City Commission is responsible for the appointments to the various advisory boards and committees. Due to board term expirations, there are several openings. The existing committee members have been contacted and have agreed to serve.

**Recreation Advisory Committee**

Commissioner Fagg moved to re-appoint Jane Squires, Doug Bell, and Shane Steinkamp to the Recreation Advisory Committee for a two-year term ending January 19, 2006.

Commissioner Shepherd seconded the motion. Motion carried 5-0.

**STANDARD TRAFFIC ORDINANCE FOR KANSAS CITIES, EDITION  
2002-2003 – ORDINANCE NO. G.954**

Mayor Phillips noted that Ordinance G.954 this incorporates certain legislative changes in the standard traffic ordinance.

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City Attorney Mike Coash stated that it brings the City into conformity with the state law. Some revisions included the procedure on the impoundment of motor vehicles and the effect of multiple DUI offenses.

Commissioner Fagg moved that the recommendation of the Staff be accepted and that Ordinance No. G-954, 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 of 2003, be passed and approved.

Commissioner Clark seconded the motion.

ROLL CALL

Position No. 1	Commissioner Oral Taylor	yes
Position No. 2	Commissioner Linda Clark	yes
Position No. 3.	Commissioner Brian Shepherd	yes
Position No. 4.	Commissioner Michael Fagg	yes
	Mayor Phillips	yes

Motion carried 5-0.

**INCORPORATING THE UNIFORM PUBLIC OFFENSE CODE, EDITION 2002-2003 – ORDINANCE NO. G-955**

Mayor Phillips stated that the 2003 Kansas legislative session provides for certain changes in the Uniform Public Offense Code.

City Attorney Mike Coash provided a brief of the changes.

Commissioner Shepherd asked if the officers refer to UPOC.

City Attorney Coash stated that if they have borderline issues, they will write up a report and send it to him for review.

Commissioner Clark moved that the recommendation of the Staff be accepted and the Ordinance No. G-955, 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 of 2003, be approved.

Commissioner Taylor seconded the motion.

ROLL CALL

Position No. 1	Commissioner Oral Taylor	yes
Position No. 2	Commissioner Linda Clark	yes
Position No. 3.	Commissioner Brian Shepherd	yes
Position No. 4.	Commissioner Michael Fagg	yes
	Mayor Phillips	yes

Motion carried 5-0.

**CITY MANAGER’S REPORT**

City Manager Stan Stewart noted the following:

1. Work Session – Wednesday, January 28<sup>th</sup> at 3:30 p.m.
2. City Hall Day in Topeka, January 29<sup>th</sup>.
3. Refuse schedule changed for the holidays

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Commissioner Clark asked if a Town Hall meeting was scheduled for February.

City Stewart indicated that it will be scheduled. It will be placed on the agenda.

**OIL HILLPROJECT**

Commissioner Fagg asked in they had heard anything on the Oil Hill Street Improvement Oil Hill.

Mr. Stewart indicated that they had not heard anything.

Gary Ball, 817 W. 4<sup>th</sup> gave an update on Oil Hill. He stated that there has been a petition to protest out. He stated that people have questions. He suggested that additional meetings be held and then give them 30 days for a protest petition.

City Attorney Coash stated that the state law doesn't allow this flexibility.

City Commissioner Oral Taylor stated that he doesn't feel the City should make it easy to opt out.

Mayor Phillips recommended that the people with questions call the City or the Commissioners.

Commissioner Fagg stated that he would like a second meeting on these situations.

**ADJOURNMENT**

Mayor Phillips called the meeting adjourned at 8:40 p.m.

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City Clerk Dee Anne Grunder

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Mayor Connie Phillips