

EL DORADO CITY COMMISSION MEETING MINUTES

February 3, 2003

The El Dorado City Commission met in regular session on February 3, 2003. The following were present: Mayor Connie Phillips, Commissioner Oral Taylor, Commissioner Betty Criss, Commissioner Brian Shepherd, Commissioner Brian L. Clites, City Manager Stan Stewart, Assistant City Manager Gus Collins, City Engineer David Wagner, City Clerk Janet L. Arnold, and City Attorney Mike Coash.

VISITORS

Matt Wagner	1025 Rimrock Road	El Dorado, Kansas
Kevin Coash	2012 Chelsea Dr.	El Dorado, Kansas
Jerry Blount	131 Hillside	El Dorado, Kansas
Jennifer Callaway	1610 Sherrylee	El Dorado, Kansas
Robert Lane	310 Meadow	El Dorado, Kansas
Richard Edds	1815 Quail Run	El Dorado, Kansas
Adam Kahrl	925 River Rd. #1402	El Dorado, Kansas
Linda Clark	1112 Rim Rock Rd.	El Dorado, Kansas
Donald Adlesperger	1285 S. Topeka	El Dorado, Kansas
Chester McCoy	336 Simpson Rd.	El Dorado, Kansas
Gary Ball	817 W. 4 th	El Dorado, Kansas
Bruce Jolliff		Newton
Lori Jolliff		Newton
Lew Hartwig	641 Village Rd.	El Dorado, Kansas
Leonard Smith	601 N. High	El Dorado, Kansas
Nellie Smith	601 N. High	El Dorado, Kansas
Loren Wranosky	717 W. 2 nd	El Dorado, Kansas
Burt Long Jr.	402 S. Atchison	El Dorado, Kansas
Mike Glendenning	801 W. Cave Springs	El Dorado, Kansas
Lionel Tipton	1845 Terrace	El Dorado, Kansas
Terry Funk	225 Belair	El Dorado, Kansas

INVOCATION

Pastor Richard Edds provided the invocation.

PLEDGE OF ALLEGIANCE

Adam and Kyle Bancroft led the audience and Governing Body with the Pledge of Allegiance.

PROCLAMATIONS

Congenital Heart Defect Awareness Day

Mr. Adam Bancroft, 518 W. Pine, appeared before the Governing Body to thank them for proclaiming February 14, 2003 as Congenital Heart Defect Awareness Day. He noted that proclamations such as this help to inform not only this community but also individuals all over the world about Congenital Heart Defects.

PERSONAL APPEARANCE

Main Street Award 1998 – 2002

Commissioner Criss presented the Main Street Award that the City has received for 1998 to 2002.

YMCA Update

Mr. Bob Lane, 310 Meadow, appeared to address the Governing Body about the successes of the YMCA since it opened in July, 2002. He offered information regarding the YMCA's budget, attendance, and some of the programs. Mr. Lane then introduced Mr. Adam Kahrl, Director of the El Dorado YMCA, to provide the Governing Body and the audience about the current and upcoming activities planned at the YMCA.

CONSENT AGENDA

- A. Approval of the January 13, 2002 City Commission minutes.
- B. Approval of the January 21, 2003 Work Session minutes.
- C. Approval of Appropriation Ordinance No. 01-03 in the amount of \$1,159,957.57.
- D. Approval of the Engineer's First Pay Estimate dated January 25, 2003, on Project Nos. 992, 993 and 999, improving sidewalks on the north side of the 100 Block W. Locust to the Contractor, Demo Construction, LLC, in the amount of \$9,897.20.
- E. Approval of Resolution No. 2410 authorizing and directing the Mayor and City Clerk to execute for and on behalf of the City of El Dorado, KLINK Resurfacing, Agreement No. 1-03 between the City and the Kansas Department of Transportation, to obtain for the City the benefits of State Aid, for Project No. 985, to resurface Central (State to Jones) and Main (Post to McCollum Rd.).
- F. Approval of the Second Pay Estimate to Sutherland Builders, Project No. 958, Police Department Remodel, in the amount of \$70,775.60.
- G. Approval of an amendment to the IUSI contract.

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

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

B & B THEATRE – LEASE AGREEMENT FOR MOVIE THEATRE

City Manager Stewart explained that the City of El Dorado has been negotiating with B & B Theatres, LLC, of Salisbury, Missouri, to construct and operate a six-screen movie theatre in El Dorado. This agreement has been prepared and submitted to B & B Theatres, which they have approved and have signed for this project. The lease agreement provides for certain amenities and conditions.

Youth Commission Representative, Matt Wagner, noted that the results of the poll the Youth Commission had taken at the high school regarding the proposed theatre was overwhelmingly in favor of the proposal.

A few residents appeared to address the Commission regarding the proposed agreement. Mr. Terry Funk, 225 Belair, expressed concerns regarding the proposed location and the probability of the city supporting a six-screen movie theatre. Mr. Jerry Blount, 131 Hillside, also had questions regarding the lease agreement and Mr. Gary Ball, 817 W. Fourth, asked about tax abatements.

City Manager Stewart stated that the taxes would be rebated through the Neighborhood Revitalization program.

Commissioner Clites addressed this issue by noting that the City will not have to put any funds toward this project. The City's obligation will simply be the lease of this parcel of land. Commissioner Clites further noted that the company, B & B Theatres, LLC, would be committing approximately 1.2 million toward this project.

Commissioner Criss moved to authorize the Mayor to sign the lease agreement between the City of El Dorado and B& B Theatres, LLC, providing for the construction of a six-screen movie theatre and additional improvements.

Commissioner Clites seconded the motion and it carried 4-1, Commissioner Shepherd opposed.

COMPREHENSIVE STATE GRANT – SOUTH MAIN IMPROVEMENT PROJECT

Mayor Phillips stated that the City was awarded a comprehensive state grant to assist in the funding of improvements on South Main. The City must enter into an agreement with the State of Kansas that provides the details of this grant. Components of the grant provide for a loan to certain businesses. The proposed four motions are necessary to finalize the grant and proceed with the project.

Commissioner Taylor moved to select the qualifications of Vince Haines of Prigmore Krievins Haines Limon Architects, P.A., as the architect for the Masonic Lodge renovation in the CDBG grant project.

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

Commissioner Taylor moved to approve the Loan Agreement between the City of El Dorado and Flatland, Inc., for the Masonic Lodge renovation project.

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

Commissioner Taylor moved to approve the Loan Agreement between the City of El Dorado and B & B Theatre, LLC, for the movie theatre project.

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

Commissioner Taylor moved to approve Grant Agreement No. 02-CP-201 between the City of El Dorado and the State of Kansas Department of Commerce and Housing for the Masonic Lodge renovation project and the B & B Theatre project.

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

WASTEWATER PLANT – LAND ACQUISITION

Mayor Phillips stated that City Staff has been negotiating with numerous landowners regarding the acquisition of property for the construction of a new wastewater treatment plant. This proposed property is a section of 79.5 acres to be purchased from Southwestern College.

Commissioner Shepherd moved to authorize the Mayor to execute and sign the real estate purchase agreement between the City of El Dorado and Southwestern College, providing for the acquisition of 79.5 acres for the proposed wastewater treatment plant.

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

PROJECT NO. 996 – SIDEWALK IMPROVEMENTS – SOUTH SIDE EAST CENTRAL (GRIFFITH TO WOODLAND)

The City Commission directed that bids be taken on this project. Bids were taken and the low bid was under the Engineer’s Estimate. The bids are now ready for consideration. Sales Tax money will fund the project.

RECEIVING THE BIDS

Mayor Connie Phillips spread the bids for the record.

Engineer’s Estimate	\$ 15,485.43
Central Paving, Inc.	13,003.81
Demo Construction, LLC	15,241.82

AWARDING THE CONTRACT

Commissioner Clites moved that as Central Paving, Inc. has submitted the lowest and best bid for the combined bid for Project No. 996 and since their bid of \$13,003.81 was under the Engineer's Estimate, the City Manager be directed to award the contract to said Contractor for the construction of said projects providing that the company furnishes the proper Statutory and Performance and Maintenance Bonds.

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

PROJECT NO. 958 – PARKING LOT FIRST AND GRIFFITH

The City Commission directed that bids be taken on the City Hall remodel projects. Bids were taken on the parking lot located at the old public work building site. The Engineer’s Estimate was over the low bid. The bids are now ready for consideration.

RECEIVING THE BIDS

Mayor Connie Phillips spread the bids for the record.

Engineer’s Estimate	\$ 50,462.80
Central Paving, Inc.	39,568.14
APAC-Kansas, Inc.	47,985.30
Cornejo & Sons, Inc.	49,473.80
Kansas Paving	49,669.33
Ritchie Paving, Inc.	69,830.00

AWARDING THE CONTRACT

Commissioner Taylor moved that as Central Paving, Inc. has submitted the lowest and best bid for the combined bid for Project No. 958 and since their bid of \$39,568.14 was under the Engineer's Estimate, the City Manager be directed to award the contract to said Contractor for the construction of said project providing that the company furnishes the proper Statutory and Performance and Maintenance Bond.

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

SALARY RESOLUTION NO. 2411 – REVISION TO 2003 PAY PLAN

City Manager Stewart stated that City staff is recommending a revision to the 2003 Pay Plan. The proposed changes are increasing the steps from 15 to 20, decreasing the range, providing for additional longevity and reinstating the cost of living adjustment beginning in 2003. There are also minor changes in the evaluation process.

Commissioner Clites moved to approve Resolution No. 2411, a resolution repealing Resolution No. 2407 and providing for the classification and pay plan for 2003.

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

BOARD APPOINTMENTS

Mayor Phillips stated that the City Commission is responsible for the appointments to the various advisory boards and committees. Due to resignations and board term expirations, there are several openings.

SALES TAX ADVISORY COMMITTEE

Commissioner Criss moved to appoint/reappoint Ed Gard and Neil Buckman by Mayor Phillips, Mark Johnson by Commissioner Clites, Tobey Johnson by Commissioner Criss, Andy LaForge by Commissioner Shepherd, and Barbara Dankert by Commissioner Taylor to the Sales Tax Advisory Committee for a one-year term ending January 15, 2004.

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

TREE BOARD

Commissioner Shepherd moved to appoint Kim Matthews to the Tree Board to fill a term to expire April 1, 2003 due to a resignation.

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

MISCELLANEOUS

CITY HALL DAY

City Manager Stewart stated that City Hall Day was held in Topeka on Thursday, February 6, 2003. He reported that the State has indicated it was going to be a tough budget year and again the City probably wouldn't get the State aid they have been accustomed to getting.

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WORK SESSION

A work session was scheduled for Wednesday, February 12, 2003 at 3:00 p.m.

ADJOURNMENT

Interim City Clerk Shaunna Johnson

Mayor Connie Phillips