

**EL DORADO CITY COMMISSION MEETING MINUTES**

**February 15, 1999**

The El Dorado City Commission met in regular session on Monday, February 15, 1999 at 7:30 p.m. with the following present: Mayor Edward L. Blake (arrived 7:50 p.m.), Commissioner Larry Dale Crawford, Commissioner Connie Phillips, Commissioner Don Storrer, City Manager Stan Stewart, Director of Administration Gus Collins, City Engineer Bruce Remsberg, City Clerk Dee Anne Grunder, and City Attorney Mike Coash. Commissioner Betty J. Kirkpatrick was absent.

**VISITORS**

Timothy Soukup	925 River Road, #907	El Dorado, Kansas
John Prigmore	120 S. Gordy	El Dorado, Kansas
Gene White	218 W. Central	El Dorado, Kansas
Kaytlan Meyer	1721 W. Fifth	El Dorado, Kansas
Gina Meyer	1721 W. Fifth	El Dorado, Kansas
Paden Meyer	1721 W. Fifth	El Dorado, Kansas
Jeff Meyer	1721 W. Fifth	El Dorado, Kansas
Lance Whitworth	1305 Crescent	El Dorado, Kansas
Mike Boucher`	El Dorado Times	El Dorado, Kansas
Vince Haines	300 N. Star	El Dorado, Kansas
Larry Robertson	304 N. Star	El Dorado, Kansas
Kathi Munoz	128 Random Road	El Dorado, Kansas
Manuel C. Munoz	128 Random Road	El Dorado, Kansas
Catherine White-Evans	201 N. Church	Burns, Kansas
Leland L. Bilson	532 N. Emporia	El Dorado, Kansas
Ed Jilg	105 Hillside	El Dorado, Kansas
Dennis Cooke	307 N. Star	El Dorado, Kansas
Jennifer Callaway	1610 Sherrylee	El Dorado, Kansas
Jill Buettgenbach	10101 Funston Court	Wichita, Kansas
Lloyd Turner, Jr.	142 Hillside	El Dorado, Kansas
Julie Jensen	1705 Post Court	El Dorado, Kansas
Brian Clites	1305 Glenview Dr.	El Dorado, Kansas

**PERSONAL APPEARANCE**

**EXPO '99 DAY – USD #490 – Julie Jensen**

Ms. Julie Jensen, 1705 Post Court, School Improvement Coordinator, appeared to invite the Governing Body and the citizens of El Dorado to the Expo '99 Day on April 15, 1999, 11:00 a.m. to 3:00 p.m. and 5:00 p.m. to 8:00 p.m. at the El Dorado High School. Ms. Jensen then provided a brief summary of the activities planned for the day and the primary purpose for the exposition.

**RECREATION DIRECTOR**

City Manager Stewart introduced City Recreation Director Lance Whitworth to the Governing Body and the community. Mr. Whitworth, 1305 Crescent, mentioned that the Recreation Department is planning two new events in the near future. They have planned a day camp program, which would run for approximately 10 weeks for third grade to sixth grade students. Another event planned is a benefit basketball game to raise money for some of the youth programs. The basketball game is between the BCCC National Champion Football Team and the Kansas City Chiefs.

**CONSENT AGENDA**

- A. Approval of the February 1, 1999 City Commission minutes.
- B. Approval of Ordinance S-1066 for Century Plastics Tax Abatement, providing for assurance in the use of this property.

City Director of Administration Collins explained that in the 1998 Session Laws there is one minor addition to the tax abatement laws. The ordinance is now required to list the specific use of the property that is to be exempted.

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

Commissioner Storrer seconded the motion and it carried 3-0. Mayor Blake and Commissioner Kirkpatrick were absent.

**YMCA – HEALTH CLUB**

Vice-Mayor Phillips stated that a task force has been reviewing the possibility of replacing a health club facility in the community. The proposed motion provides for the City's participation in the feasibility study for a possible health club.

Ms. Jennifer Callaway, 1610 Sherrylee Lane, explained to the Governing Body that the task force has been meeting for approximately a year. The committee has met with the Butler County Community College trustees with a collaborative effort intended. The committee has also considered remodeling the Elks facility on East Pine. Ms. Callaway then noted that a feasibility study will be performed, the cost to be shared between Butler County Community College, Susan B. Allen Memorial Hospital and the City. This feasibility study would explore the availability of funds for this project. The committee has had five informational meetings and also performed a random telephone survey.

Mr. John Prigmore, 120 S. Gordy, appeared before the Governing Body to provide a progress report of the developments for the task force committee. Along with this report, Mr. Prigmore provided plans for two possible sites. The proposed plans included one site, which is in conjunction with BCCC. This would consist of remodeling the BCCC 500 building, the current college gymnasium facility. Should this plan be approved, the improvements to the college facility would need to be completed first, and then the construction of the YMCA-type facility would be completed. The cost for the portion of this project directly related to the YMCA health club facility is anticipated to be \$702,000. The second proposed site was in downtown El Dorado. These plans called for remodeling the Elks facility. This facility is anticipated to cost approximately \$1,400,000.

City Manager Stewart noted that the feasibility study would determine whether funding is available for each of the projects. Mr. Stewart further noted that the City's portion of the feasibility study would be \$2,300. The Trustees of Butler County Community College had already committed to the college's one-third, and Susan B. Allen Memorial Hospital's Board member, Jennifer Callaway, indicated the hospital intended to participate with the feasibility study provided the other two entities made a commitment.

Commissioner Storrer moved to authorize an allocation of \$2300 to assist in the funding for a feasibility study for a YMCA Health Club.

Commissioner Crawford seconded the motion and it carried 4-0. Commissioner Kirkpatrick was absent.

**888 MONIES – SPECIAL ALCOHOL PROGRAM**

Mayor Blake stated that the Governing Body had received requests for the use of the alcohol tax monies for 1999. Representatives are in attendance to answer questions the Governing Body may have regarding the requests.

Jill Buettgenbach, 10101 E. Funston Court, Wichita, representative of the SPICE organization, thanked the Governing Body for their past support of SPICE. She then requested \$3,000 to be used in the following manor: \$800 for El Dorado High School activities; \$1300 for after prom activities; \$700 for Middle School activities; and \$200 for Elementary activities.

Ms. Catherine White-Evans, 201 N. Church, Burns, Kansas, representative for the Family Life Center, appeared to request \$6,500. She indicated that the entire amount would go toward the Kid Safe program. Ms. White-Evans then thanked the Governing Body for their support in their programs.

Mr. Jeff Myers, 1721 W. Fifth, representative of the El Dorado Swim Club, appeared before the Commission to request \$1,000 which would be used to purchase a lane rope for the swimmers.

Mr. Gene White, 218 W. Central, El Dorado Municipal Judge, appeared to request an allocation of \$5,000 and to explain his method of allocation of the funds he had received in the past. He noted that he had not yet used all the funds he received for 1998 in an effort to be conservative throughout the year.

City Manager Stewart explained the request of \$2,000 for USD #490, was for the purpose of outfitting the school resource officer.

Mr. Stewart then noted that the use of the alcohol monies is intended to provide alcohol and drug free activities and also provide education about alcohol and drug abuse.

Mayor Blake stated that he was not sure how the El Dorado Swim Club’s use of the funds would be for alcohol and drug free activities and education.

Mrs. Kathi Munoz, 128 Random Road, representative of the El Dorado Swim Club, noted that the Swim Club members’ involvement in the club provides them with an activity that is alcohol and drug free. She believes this would be an appropriate use of the 888 monies.

Commissioner Crawford moved to allocate the alcohol tax monies in the following manner and to authorize the City Manager to execute the appropriate documents and contracts with the following recipients:

S.P.I.C.E.	\$ 3,000.00
Family Life Center	6,500.00
El Dorado Municipal Court	-0-
U.S.D. #490	2,000.00
Other	-0-
<b>Total Allocations</b>	<b>\$11,500.00</b>

Commissioner Storrer seconded the motion and it carried 3-0-1. Commissioner Phillips abstained.

**CDBG GRANT APPLICATION - CANNON VALLEY WOODWORK**

Mayor Blake stated that the City of El Dorado is submitting a grant application on behalf of Cannon Valley Woodwork. This company is again expanding their operation. The funds will be utilized to assist in the acquisition of additional equipment. A public hearing is required to be held.

**PUBLIC HEARING**

Mayor Blake declared the public hearing open.

City Manager Stewart stated that the State of Kansas has Community Development Block Grant (CDBG) monies available again to assist companies that create jobs. A positive action from the Commission would provide the City staff with the authority to submit an application in behalf of Cannon Valley Woodwork. In order for CVW to satisfy some of their customer needs, they intend to purchase additional equipment with the monies. The amount is approximately \$400,000 that CVW would be responsible to pay back to the State; there is no liability to the City.

Mr. Dennis Cooke, 307 N. Star, believes CVW is a tremendous asset to the community. He is in favor of submitting the grant application.

With no one else appeared before the Governing Body regarding the CDBG Grant Application, Mayor Blake closed the public hearing.

Commissioner Phillips moved to approve the submission of a grant application on behalf of Cannon Valley Woodwork to the Kansas Department of Commerce and Housing.

Commissioner Storrer seconded the motion and it carried 4-0.

**PRESENTATION OF THE CERTIFICATE OF ACHIEVEMENT FOR FINANCIAL EXCELLENCE AWARD**

Mayor Blake presented the Certificate of Achievement for Financial Excellence Award to City Clerk Dee Anne Grunder. This is the twenty-first consecutive year the City of El Dorado has received this award.

**PROJECT NO. 904 – 1999 SALES TAX STREET PROGRAM**

Mayor Blake noted that 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)

**RESOLUTION ISSUING TEMPORARY NOTES**

Commissioner Storrer moved that Resolution No. 2209 relating to the issuance of Temporary Notes on Project No. 904, more specifically described therein be adopted.

Commissioner Crawford seconded the motion and it carried 3-0-1. Mayor Blake abstained.

**PROJECT NO. 868-1998 SALES TAX STREET PROGRAM**

The streets involved in this project are Hillside (Eunice to Third); Eunice (Central to Third); Rado (Eunice to Jones) and Dellway (Rado to Jones)

**CITY CLERK'S REPORT**

City Clerk Dee Anne Grunder reported that a notice of hearing had been published and that the notice of hearing and a statement of the cost proposed to be assessed had been mailed to the owners of property made liable to pay the assessment on Project No. 868 all as provided by Resolution No. 2158.

**PUBLIC HEARING**

Mayor Edward L. Blake opened the public hearing on Project No. 868.

Mr. Lloyd Turner, 142 Hillside, appeared before the Governing Body and stated that he does not believe he should be assessed for the curbing installed due to the vacated street. He had spoke with City Engineer Remsberg at the beginning of the project and requested, since the street was vacated, that the curbing and the approach be left at that intersection. Mr. Turner noted that he and his neighbor had been using the approach for off street parking. Mr. Remsberg indicated to Mr. Turner, at that time, that due to water drainage problems and conformity with the other streets, the curbing and approach would be removed and replaced with only curbing.

Mayor Blake asked City Engineer Remsberg, since the property owner requested the approach be left, why it was removed.

City Engineer Remsberg stated that the approach needed to be removed. Should Mr. Turner need off street parking, then a drive approach could be constructed. He stated there were three situations such as this within this project.

Mayor Blake stated that he would be willing to approve the City paying for half of the cost of the curbing.

Mr. Turner stated that before he came to the meeting he had understood that the property owner had paid for the curbing and approach at that intersection the first time. Since he was incorrect and the City had originally paid for this, he would agree to the City paying half of the cost.

Mr. Turner then addressed the issue of reseeding the grass in the area at the intersection where the curbing and approach were removed. He had not requested, nor did he desire that the curbing and approach be removed, therefore he does not believe he should be responsible for the cost of reseeding the grass to that area.

Commissioner Crawford stated that he agreed with Mayor Blake that the City should be responsible for half the cost of the curb replacement.

Commissioner Phillips stated that should the Governing Body approve to pay a portion of the curb replacement cost, then the same should be allowed for the other like situations within this project.

City Engineer Remsberg stated that the other property owners with a situation like this were pleased to have the approach removed and curbing installed. He further stated that all property owners with this type of situation should get the same benefit.

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Commissioner Crawford stated that this type of unique situation should possibly be brought before the Planning Commission. It could be that the City would want to reconsider the current policy regarding what party is responsible for payment on a vacated street or alleyway.

Commissioner Phillips stated that since it is currently City policy to have the property owner responsible for the cost of curb replacement, it would be difficult to grant his request.

Mayor Blake stated that he was not aware there had been several other situations such as this and the property owners had paid for the cost of curb replacement. Therefore, he felt it would be difficult to do so now.

With no one else coming before the Governing Body regarding the 1998 Sales Tax Street Program, Mayor Blake closed the public hearing.

**APPROVE ASSESSMENTS**

Commissioner Crawford moved that the proposed assessments on Project No. 868 be approved.

Commissioner Phillips seconded the motion and it carried 4-0.

**STATEMENT BY CITY ATTORNEY**

City Attorney Mike Coash stated that an ordinance levying as special assessments the amount set out against the lands described in the assessment roll as provided Resolution No. 2158 has been prepared and was ready for the City Commission's consideration.

**ASSESSMENT ORDINANCE S-1065**

Commissioner Phillips moved that Ordinance No. S-1065, the same being, "AN ORDINANCE APPORTIONING AND ASSESSING THE COST OF CONSTRUCTING CERTAIN STREET IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS, AS SET FORTH IN PROJECT NO. 868, HEREINAFTER MORE SPECIFICALLY DESCRIBED, AND LEVYING THE ASSESSMENTS AS APPORTIONED AGAINST ALL TAXABLE PROPERTY WITHIN SAID CITY, AND UPON AND AGAINST THE SEVERAL LOTS AND PARCELS OF LAND SUBJECT TO BE TAXED FOR THE PAYMENT OF THE COST OF SUCH IMPROVEMENTS," be placed upon its passage and considered section by section.

Commissioner Storrer seconded the motion.

**ROLL CALL**

Mayor Edward L. Blake	yea
Commissioner Larry Dale Crawford	yea
Commissioner Betty J. Kirkpatrick	Absent
Commissioner Connie Phillips	yea
Commissioner Don Storrer	yea

**MAIL ASSESSMENTS**

Commissioner Storrer moved that the City Clerk be instructed to mail to the owners of property assessed, at their last known Post Office address, a Notice of Assessment and a Statement of Cost, finally determined and assessed against the land so owned and assessed.

Commissioner Crawford seconded the motion and it carried 4-0.

**MISCELLANEOUS**

**SALES TAX ADVISORY**

City Manager Stewart stated that the Sales Tax Advisory Committee has had one meeting regarding the proposed street policy and would like to have a public hearing. This public hearing is scheduled for Tuesday, February 23, 1999 at 7:00 p.m. and will be televised on Channel 7.

**EL DORADO, INC.**

City Manager Stewart noted that El Dorado, Inc. has plans to sponsor a candidate forum that is scheduled for Monday, February 22, 1999, and will be televised on Channel 7.

**WORK SESSION**

City Manager Stewart stated that a work session is scheduled for Monday, February 22, 1999 at 11:30 a.m. in the conference room.

**ADJOURNMENT**

Commissioner Crawford moved the meeting adjourn.

Commissioner Phillips seconded the motion and it carried 4-0.

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**Dee Anne Grunder, City Clerk**

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**Edward L. Blake, Mayor**