

**EL DORADO CITY COMMISSION MEETING MINUTES    February 19, 2001**

The El Dorado City Commission met in regular session on February 19, 2001 at 7:30 p.m. with the following present: Mayor Susan J. Seeber, Commissioner Brian L. Clites, Commissioner Betty Criss Commissioner Betty J. Kirkpatrick, Commissioner Don Storrer, City Manager Stan Stewart, City Director of Administration Gus Collins, City Engineer Bruce Remsberg, City Clerk Janet L. Arnold and City Attorney Mike Coash.

**VISITORS**

Jennifer Callaway	1610 Sherrylee Lane	El Dorado, Kansas
Robert lane	310 Meadow	El Dorado, Kansas
Ken Petz	416 Hillside	El Dorado, Kansas
Gene White	218 W. Central	El Dorado, Kansas
Steve Smith	El Dorado Times	El Dorado, Kansas
Robert K. Lane	310 Meadow Road	El Dorado, Kansas
Reed Copeland	1701 Country Club Road	El Dorado, Kansas
Jill Copeland	1701 Country Club Road	El Dorado, Kansas
Howard Cheney	1428 SE Bluestem Rd.	El Dorado, Kansas
Geraldine Cheney	1428 SE Bluestem Rd.	El Dorado, Kansas
Oral Taylor	1504 W. Ash	El Dorado, Kansas
Tom Biggs	1480 Kendrick Lane	El Dorado, Kansas
Richard Edds	1815 Quail Run	El Dorado, Kansas
Vince Haines	300 N. Star	El Dorado, Kansas
David Wagner	1025 Rimrock Road	El Dorado, Kansas
Mike Boucher	El Dorado Times	El Dorado, Kansas
Louise Jarquiez	1805 Arlington	El Dorado, Kansas
Drew Wilson	501 W. 12 <sup>th</sup>	El Dorado, Kansas
Eric Spurlock	815 S. Washington	El Dorado, Kansas

**INVOCATION**

Pastor Richard Edds provided the invocation.

**PLEDGE OF ALLEGIANCE**

Mr. Howard Cheney, Senior Citizen Center, led the Governing Body and the audience with pledge of allegiance.

**CONSENT AGENDA**

- A. Approval of the February 5, 2001 City Commission Minutes.
- B. Approval of the February 13, 2001 Work Session Minutes.
- C. Approval of Resolution No. 2323 relating to the issuance of Temporary Notes on Project Nos. 949, 950 and 951.
- D. Approval of Ordinance No. S-1107 relating to the Walnut River Residences Bond Issue.

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

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

**YMCA – BUILDING PROJECT ISSUES**

Mr. Bob Lane, Campaign Chairman, appeared before the Governing Body and explained that the total campaign to fund the construction of a \$4.5 million YMCA is nearing completion. The Board of Directors has requested that the City consider utilization of a revenue bond issue to fund the construction of the YMCA.

**Special Use Permit**

At their January 25, 2001 meeting, the Planning Commission held a Public Hearing on the issue of granting a Special Use Permit to construct a membership sports and recreation club (YMCA) at 310 N. Main. At that time, the Planning Commission voted to recommend that the request be granted.

**Vacation Of Alley and Encroachment Of Public Right-of-Way**

Mr. Bob Lane introduced Brad Bittle, architect with Schaefer, Johnson, Cox and Frey Associates, explained that the proposed YMCA building design requires that the north face of the building be on the north property line fronting Third Ave in order for the existing Health Club to remain open as long as possible. This "zero lot line" is permitted by the C-2 zoning of this property. Although the exposed above-grade north face of the building will be within the property, the below-grade footing of the building will need to extend into the public right-of-way on the south side of Third Ave. The position of the proposed building will also make it necessary to vacate the alley in that same block.

**ORDINANCE NO. S-1108  
RESOLUTION NO. 2324 AND 2325**

Commissioner Clites moved that Resolution No. 2324, a resolution providing for the intent to issue revenue bonds, a vacation Ordinance No. S-1108 and right of way, special use 01-03 Resolution No. 2325, be approved.

Mayor Seeber seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Don Storrer	yes
Position No. 2	Commissioner Betty Criss	yes
Position No. 3	Commissioner Betty J. Kirkpatrick	yes
Position No. 4	Commissioner Brian L. Clites	yes
	Mayor Susan J. Seeber	yes

**888 MONIES – SPECIAL ALCOHOL PROGRAM**

The Governing Body has received requests for the use of the alcohol tax monies for 2001.

The following appeared before the Governing Body with their requests for the allocations of 888 monies: Katherine White Evans, Family Life Center; Gene White, El Dorado Municipal Court; Ken Petz, S.P.I.C.E; and Dr. Tom Biggs, U.S.D. #490.

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Commissioner Clites 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.	\$1,500.00
El Dorado Municipal Court	250.00
Family Life Center	5,500.00
U.S.D. #490	2,250.00
Youth Leadership Butler	300.00

Mayor Seeber seconded the motion and it carried 5-0.

**PROPOSED PROPERTY TAX EXEMPTION APPLICATION – RUSTIC OAK FURNITURE, 1910 W. SIXTH**

Mayor Seeber stated that a new business is beginning operation for the manufacturing and assembling of a chair line. The name of the firm is Rustic Oak Furniture, Inc. The owners have requested that the City Commissioners consider a property tax exemption under the constitutional amendment. A cost benefit analysis has been prepared and has been submitted to the City Commission. The other taxing entities have been notified as required by law.

Mr. Reed Copeland, 1701 Country Club Road, owner of Rustic Oak Furniture, Inc. appeared before the Governing Body to explain their plans for this facility. He offered to answer any questions they had.

**PUBLIC HEARING**

Mayor Seeber opened the public hearing on the proposed property tax exemption application.

With no one appearing before the Governing Body regarding this item, Mayor Seeber closed the public hearing.

Commissioner Kirkpatrick moved that Ordinance No. S-1109, an ordinance providing for property tax exemption for real property be approved.

Commissioner Criss seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Don Storrer	yes
Position No. 2	Commissioner Betty Criss	yes
Position No. 3	Commissioner Betty J. Kirkpatrick	yes
Position No. 4	Commissioner Brian L. Clites	yes
	Mayor Susan J. Seeber	yes

**PROPOSED PROPERTY TAX EXEMPTION APPLICATION – ENERGY SERVICES INC. – 1416 WEST SIXTH**

City Manager Stewart stated that a new petroleum and chemical company for the oil and gas industry is beginning operation in El Dorado. The name of the firm is Energy Services Inc. He stated that the owners have had complications with the legalities of

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some of the transfers, therefore City staff recommends tabling this until the March 19, 2001 City Commission meeting.

**PUBLIC HEARING**

Mayor Seeber opened the public hearing regarding this proposed property tax exemption application.

With no one appearing before the Governing Body, Mayor Seeber declared that this item be tabled and that the public hearing remain open until the March 19, 2001 City Commission meeting.

**REZONING AND APPROVAL OF THE TOWNHOUSE DEVELOPMENT PLAN FOR THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF SECOND AVENUE AND GORDY STREET**

City Manager Stewart stated that at their January 25, 2001 meeting, the Planning Commission held a public hearing on the rezoning and approval of the Townhouse Development Plan for the property located at the Northwest Corner of Second Avenue and Gordy Street. The Planning Commission voted to recommend that the area be zoned as R-3/PD (Multi-Family Residential Planned Development) and that the Townhouse Development Plan be approved as presented.

Mr. Vince Haines, 300 N. Star, representative of Prigmore Krevins, appeared before the Governing Body to address the proposal for the townhouse development plan.

**ORDINANCE NO. G-892**

Commissioner Criss moved that the recommendations of the Planning Commission on re-zoning at the northwest corner of Second Avenue and Gordy Street be accepted and that the Townhouse Development Plan be approved and that Ordinance No. G-892 be approved.

Commissioner Storrer seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Don Storrer	yes
Position No. 2	Commissioner Betty Criss	yes
Position No. 3	Commissioner Betty J. Kirkpatrick	yes
Position No. 4	Commissioner Brian L. Clites	yes
	Mayor Susan J. Seeber	yes

**PROJECT NO. 891 – PAVING EL RICO COURT – PHASE I**

**ACCEPTING THE PROJECT AND SETTING ASSESSMENT HEARING DATE**

Commissioner Storrer moved that the City of El Dorado accept the completed work of Project No. 891 by Central Paving, Inc. and that the final cost be determined to be:

Preliminary Estimate	\$40,000.00
Final Cost	37,056.90

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Unexpended	2,943.10
Improvement District Cost	25,349.69
City at Large Cost	11,707.22

and that the City Commission meet at 7:30 P.M. on the 5th day of March 2001 for the purpose of considering the proposed assessments of the cost of Project No. 891 and that the City Clerk be directed to cause a notice to be published in the Official City paper at least once not less than 10 days prior to the date of said meeting.

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

**PROJECT NO. 908-B-1 – STORM SEWERS TO SERVE THE EL DORADO BUSINESS PARK – PHASE I**

The City Commission directed that bids be taken on this project at the December 15, 2000 meeting. These bids were taken on Friday, January 12<sup>th</sup> and are now ready for consideration.

Mayor Seeber stated that this item was tabled at the February 5, 2001 City Commission meeting because of concerns regarding the oil and gas storage. City staff has retained an oil and gas attorney as well as a geologist to address the oil and gas storage concerns and their recommendation is to proceed with the acceptance of this project.

**RECEIVING THE BIDS**

Mayor Susan J. Seeber asked that the bids be spread on the record.

Engineer's Estimate	\$ 211,695.00
Middlecreek Mining Corp.	264,100.00
Nowak Construction Co., Inc.	344,266.00
Dondlinger and Sons Const.	383,662.00

**AWARDING THE CONTRACT**

Commissioner Clites moved that as Middlecreek Mining, Corp. has submitted the lowest and best bid for Project No. 908-B-1, that the contract be awarded to Middlecreek Mining, Corp.

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

**RECREATION ADVISORY COMMITTEE**

Keith Balzer and Rick Smith have served on the Recreation Advisory Committee and their terms have expired on January 15, 2001. This committee has two-year terms with no term limits. Both Mr. Balzer and Mr. Smith have been contacted and are willing to continue serving on this committee.

Commissioner Kirkpatrick moved that Keith Balzer and Rick Smith be re-appointed to the Recreation Advisory Committee for a two-year term expiring January 15, 2003.

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

**REFUSE DEPARTMENT – ACQUISITION OF HALF-TON TRUCK AND PACKER BODY – LEASE PURCHASE THROUGH COMMERCE BANK RATE INCREASES OF COMMERCIAL ACCOUNTS**

Director of Administration Gus Collins stated that the City Commission approved the capital outlay acquisition of the following items in the Refuse Department for the year 2001. 1) Half-ton long-bed pickup, 2) refuse collection truck cab and chassis. There is no trade-in for the half-ton truck, however, we are trading in the 1993 refuse packer body for the collection truck. A lease-purchase agreement for the acquisition of the refuse curbside collection truck is requested.

City staff also recommended a rate increase be considered for the commercial customers within the community which was included in the 2001 budget process. The increase is approximately eleven percent throughout the fee schedule for commercial customers.

**HALF-TON TRUCK FOR REFUSE SUPERINTENDENT**

**Awarding the Contract**

Commissioner Kirkpatrick moved to award the bid to Friendly Ford for the acquisition of a half-ton pickup in the amount of \$16,268.00.

Mayor Seeber seconded the motion and it carried 5-0.

**REFUSE TRUCK CAB AND CHASSIS**

**Awarding the Contract**

Commissioner Criss moved that the firm of Downing Sales and Service submitted the best bid in the net amount of \$54,496.09 for the purchase of a collection truck cab and chassis be approved.

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

**LEASE AGREEMENT**

Commissioner Criss moved to approve the lease agreement with Commerce Bank.

Mayor Seeber seconded the motion and it carried 5-0.

**ORDINANCE NO. G-893 - COMMERCIAL RATE STRUCTURE – REVISION**

Commissioner Kirkpatrick moved that Ordinance No. G-893 providing refuse rate increase for commercial customers be approved.

Commissioner Clites seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Don Storrer	yes
Position No. 2	Commissioner Betty Criss	yes
Position No. 3	Commissioner Betty J. Kirkpatrick	yes
Position No. 4	Commissioner Brian L. Clites	yes

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Mayor Susan J. Seeber

yes

**MISCELLANEOUS**

**TODD TIAHRT**

City Manager Stewart stated that Todd Tiahart will be at the Red Coach Inn, Tuesday, February 20, 2001 at 8:00 a.m.

**MARV MCCOWN – RETIREMENT**

Marv McCown is scheduled to retire at the end of February, 2001.

**TRAFFIC LIGHTS – CENTRAL AND HAVERHILL**

Contractors are in the process of construction at Central and Haverhill for traffic signals at that intersection.

**PIGEONS**

There has been discussion regarding the pigeons in the downtown area. Plans have been made to begin humane trapping of the pigeons to help alleviate this problem.

**888 – MONIES**

City Manager Stewart stated there has been a steady decline of the alcohol monies over the past ten years. City staff plans to research this situation and will report back to the Governing Body.

**SALES TAX**

Mr. Stewart stated that the sales tax increased 10.8% for the year 2000 over the year 1999. He also noted that the year 1999 decreased over the year 1998. City staff is continually researching this.

**DIRECTOR OF UTILITIES**

City Manager Stewart stated Kurt Bookout has been with the City for several years and has been serving as interim director. He noted that Kurt has now officially been named as Director of Utilities.

**CURBSIDE RECYCLING**

Mr. Stewart stated that curbside recycling is scheduled to begin April 2, 2001. A brochure will be included with this month's utility bill and information will also be on Channel 7.

**DREAMWORKS**

Mayor Seeber stated that the Dreamworks, Road to El Dorado, parade extravaganza is scheduled to be televised again on Channel 7 on Friday, February 9, 2001, Saturday, February 10, 2001, and Sunday, February 11, 2001 at 7:00 p.m.

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**BRADFORD MEMORIAL LIBRARIAN**

Mayor Seeber noted that Ms. Mary Walker has been hired as the Bradford Memorial Library's Librarian. She is scheduled to begin employment on Monday, March 12, 2001.

**ADJOURNMENT**

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**Janet L. Arnold, City Clerk**

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**Susan J. Seeber, Mayor**