

EL DORADO CITY COMMISSION MEETING MINUTES

March 5, 2001

The El Dorado City Commission met in regular session on March 5, 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

Cassie Bishop	925 Rim Rock	El Dorado, Kansas
Jenna Porter	1015 Walnut	El Dorado, Kansas
Alyssa Ruff	915 Rim Rock Rd.	El Dorado, Kansas
Kyle Koerner	1816 Hazlett St.	El Dorado, Kansas
Adam Just	2005 Chelsea Dr.	El Dorado, Kansas
Jera Ann Place	419 Random Road	El Dorado, Kansas
Deton Whiteside	419 Random Road	El Dorado, Kansas
Deidre Whiteside	419 Random Road	El Dorado, Kansas
Aaron Hackler	2545 Potter Court	El Dorado, Kansas
Katie Colston	1704 SW 80 th	El Dorado, Kansas
Ashely Marshall	1517 Candace	El Dorado, Kansas
Alexa Bilson	240 Wingate Court	El Dorado, Kansas
Ashley Barnes	220 S. Topeka	El Dorado, Kansas
Jay & Carla Buckner	220 S. Topeka	El Dorado, Kansas
Brooks Buckner	220 S. Topeka	El Dorado, Kansas
Jack & Carolyn Buckner	3605 W. Towanda	El Dorado, Kansas
Richard Edds	1815 Quail Run	El Dorado, Kansas
Kenneth Cross	921 Skyview	El Dorado, Kansas
Tom Hand	719 Post Road	El Dorado, Kansas
Drew Wilson	501 W. 12 th	El Dorado, Kansas
Brian Shephard	1520 Finney	El Dorado, Kansas
Rusty Davis	125 N. High	El Dorado, Kansas
Norma Pearce	1835 Lawndale	El Dorado, Kansas
Donna Naill	201 N. Star	El Dorado, Kansas
Jack L. Swafford	1974 Country Club Rd.	El Dorado, Kansas
Dr. Larry Abraham	1770 Country Club Rd. #9	El Dorado, Kansas

INVOCATION

Pastor Richard Edds provided the invocation.

PLEDGE OF ALLEGIANCE

The following Grandview Elementary Students along with their teachers, Mrs. Shum and Mrs. Smith led the Governing body and the audience in the pledge of allegiance: Kierra Fulcher, Alyssa Ruff, Diedre Whiteside, Alexa Bilson, Cassie Bishop, Katie Colston, Aaron Hackler, Brooke Hosler, Adam Just, Kyle Koerner, Ashely Marshall, Jenna Porter, and Deton Whiteside,

PROCLAMATIONS

Kansas Severe Weather Awareness Week, March 12-16, 2001

Mayor Seeber read the proclamation that declares the week of March 12-16, 2001 as Kansas Severe Weather Awareness Week.

PERSONAL APPEARANCES

Annual Arbor Day Awards

John Lasater and Steve Fellers representing the Tree Board appeared to present the following with Annual Arbor Day Awards: Brooks Buckner, Cassie Stewart, Courtney Fountain and Melissa Coash.

Relay for Life

Rod Blackburn requested the use of the Depot again for the Relay for Life. He noted that the event is scheduled for Friday, June 1, 2001 beginning at 7:00 p.m. and ending Saturday, June 2, 2001 at 7:00 a.m. He requested that the 100 block of East Third, and the 300 and 400 blocks of North Main be closed for this event.

CONSENT AGENDA

- A. Approval of the February 19, 2001 City Commission Minutes.
- B. Approval of the February 28, 2001 Work Session Minutes.
- C. Approval of Appropriation Ordinance No. 02-01 in the amount of \$917,865.64.
- D. Approval of the Engineer's First Payment Estimate dated February 26, 2001 on Project No. 908-A (Sanitary Sewer and Water Lines In The El Dorado Business Park) to the Contractor, Nowak Construction Co., Inc. in the amount of \$104,563.27.
- E. Approval of Street Light Modification Order No. E-57 covering changes to the lighting system between August, 2000 and January, 2001.

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

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

COMMUNITY DEVELOPMENT BLOCK GRANT

City Clerk Janet Arnold informed the Governing Body that City staff is preparing a Community Development Block Grant to be submitted to the Kansas Department of Commerce & Housing. The City is requesting \$400,000 in grant funds to be allocated for housing rehabilitation, demolition and acquisition/relocation. The target area is the east side of Star Street from Olive to Kansas. In addition, weatherization funds from Mid-Kap, up to \$50,000 have been committed to this project. Ms. Arnold stated that the City should know by mid June whether the City's application has been approved. This grant application will supplement the City comprehensive grant application.

RESOLUTION NO. 2326

Commissioner Kirkpatrick moved that Resolution No. 2326, a resolution certifying legal authority to apply for the 2001 Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce & Housing and authorizing the Mayor to sign and submit such an application be approved and a Residential Anti-displacement and Relocation Assistance Plan be adopted.

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

PROJECT NO. 953 – COUNTRY CLUB ROAD SIDEWALK

Mayor Seeber stated that at the February 5, 2001 City Commission meeting, the Commission passed a Resolution of Necessity for a Project to construct a sidewalk as part of the Country Club Road paving project. This resolution was subject to a protest period. A protest petition has been filed and has been declared sufficient.

DETERMINATION OF SUFFICIENCY

Commissioner Clites moved that the Remonstrance Petition on Project No. 953 is sufficient and that Project No. 953 be terminated.

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

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

PUBLIC HEARING

Mayor Susan J. Seeber opened the public hearing on Project No. 891.

With no one appearing before the Governing Body regarding Project No. 891, Mayor Seeber closed the public hearing.

ASSESSMENT ORDINANCE NO. S-1110

Commissioner Criss moved that the proposed assessments on Project No. 891 be approved and that Ordinance No. S-1110 be adopted.

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

ANNEXATION OF VARIOUS AREAS

City Manager Stewart noted that the City Commission previously determined that it is advisable to annex certain lands to the City of El Dorado and therefore petitioned the County Commission for authority to do so. The County Commission gave authorization for only a portion of the City's original request while stating that annexation of the remainder should be taken unilaterally by the City. The City Commission completed an action on February 5, 2001 that annexed a portion of the remainder. Mr. Stewart explained that the next step is to set a hearing for the annexation of the remaining area of Township Village, along with the abandoned railroad right-of-way, 111 S. Hogoboom, 525 SW Boyer Road.

City Engineer Remsberg presented a map that outlined the areas that were proposed to be annexed.

RESOLUTION NO. 2327

Commissioner Clites moved that Resolution No. 2327, a resolution establishing a Public Hearing date for annexation be adopted.

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

SPECIAL USE PERMIT 101 N. MAIN

City Engineer Remsberg stated that at their February 22, 2001 meeting, the Planning Commission held a Public Hearing on the issue of granting a Special Use Permit for an upper story apartment at 101 N. Main. This request was from Mike and Donna Naill. At that time, the Planning Commission voted to recommend that the request be granted.

Ms. Donna Nail, 201 N. Star, appeared before the Governing Body with the request for the special use permit and to answer any questions that they might have.

Commissioner Criss moved that Resolution No. 2328, a Special Use Permit for an apartment at 101 N. Main, be approved.

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

SPECIAL USE PERMIT 400/424 W. CENTRAL

City Engineer Remsberg stated that at their February 22, 2001 meeting, the Planning Commission held a Public Hearing on the issue of granting a Special Use Permit to allow a variance from the sign regulations for an additional sign at 400/424 W Central. This request was from the First Presbyterian Church. At that time, the Planning Commission voted to recommend that the request be granted.

Mr. Rusty Davis, attorney representing the First Presbyterian Church, appeared to provide the Governing Body with the proposed plans and answer any questions. He stated that the plan is to construct a wall, three to four feet in height, fifty feet long, with wording of First Presbyterian Church on it. Mr. Davis noted that according to the City's sign regulations this is considered a monument sign, therefore requiring landscaping. He noted that the church members are requesting that this requirement be waived.

There was discussion regarding the landscaping required with this type of sign. The Commission decided that landscaping should not be needed with this type of wall.

RESOLUTION NO. 2329

Commissioner Kirkpatrick moved that Resolution No. 2329, a Special Use Permit to allow a variance from the sign regulations, the landscaping not required, be approved.

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

PUBLIC UTILITIES – ACQUISITION OF HEAVY DUTY HALF-TON PICKUP

Mayor Seeber spread the bids for the record.

Friendly Ford El Dorado, Ks.	\$ 17,183.75
John K. Fisher El Dorado, Ks.	19,065.18

Commissioner Criss moved to award the bid to Friendly Ford for the acquisition of a heavy-duty half-ton pickup in the amount of \$17,183.75.

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

SOUTH CENTRAL MUNICIPAL ENERGY AGENCY

City Manager Stewart stated that the South Central Municipal Energy Agency was created to protect the interests of citizens and businesses in member municipalities as it relates to electric power costs and other related issues.

Mr. Stewart noted that the agency has agreed to intervene in the KGE rate increase case that is to be presented to the Kansas Corporation Commission, (KCC). The proposed resolution would support the agency’s decision to intervene in this case.

Mayor Seeber moved to accept Resolution No. 2330, a resolution to support the South Central Municipal Energy Agency to intervene in the rate increase request before the Kansas Corporation Commission.

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

MISCELLANEOUS

CITY OF CHARACTER

City Manager Stewart stated that El Dorado has been a City of Character for approximately one year. A meeting was held on Friday, March 2, 2001 with 44 representatives from the retail community in attendance. This meeting was a kick-off /training session for businesses in El Dorado to begin the Character training at their businesses.

FIRE CHIEF

City Manager Stewart noted that the City of El Dorado has hired a new Fire Chief, Brad Smith. He began his employment on Monday, March 5, 2001. Mr. Stewart welcomed Mr. Smith to the City.

CITY ENGINEER

City Manager Stewart stated that City Engineer Bruce Remsberg would not be in attendance at the next City Commission meeting. Mr. Remsberg is relocating and terminating his employment with the City at the end of March. Mr. Stewart noted that he has been a terrific asset to the community and wished Mr. Remsberg and his family well.

ADJOURNMENT

Janet L. Arnold, City Clerk

Susan J. Seeber, Mayor