

**EL DORADO CITY COMMISSION MEETING MINUTES      March 15, 1999**

The El Dorado City Commission met in regular session on March 15, 1999 at 7:32 p.m. with the following present: Mayor Edward L. Blake, Commissioner Larry Dale Crawford, Commissioner Betty J. Kirkpatrick, Commissioner Connie Phillips, Commissioner Don Storrer, City Manager Stan Stewart, Director of Administration Gus Collins, City Engineer Bruce Remsberg, City Building Inspector Robert Mendoza, and City Attorney Mike Coash. City Clerk Dee Anne Grunder was absent.

**VISITORS**

Mike Boucher	El Dorado Times	El Dorado, Kansas
Lota M. Miller	912 W. Ash	El Dorado, Kansas
Sue Biddle	2768 SE 30 <sup>th</sup> Street	El Dorado, Kansas
Dorothy Cole	919 W. Pine	El Dorado, Kansas
Sally Sears	915 W. Pine	El Dorado, Kansas
Michael D. Cox	1011 W. Pine	El Dorado, Kansas
Marie Cox	1011 W. Pine	El Dorado, Kansas
Phyllis Spring	1615 Country Club Road	El Dorado, Kansas
Kenneth Spring	1615 Country Club Road	El Dorado, Kansas
Leland Borgelt	4274 SW 20 <sup>th</sup>	El Dorado, Kansas
Jim Miller	345 Hunton Road	El Dorado, Kansas

**PERSONAL APPEARANCE**

**Dennis Cooke – DRC Lock and Key**

Mr. Dennis Cooke, 307 N. Star appeared before the Governing Body to request that the City Commission consider discontinuing the policy of un-locking car doors for the general public. Mr. Cooke stated that he owns and operates a locksmith business. He believes that the City is conducting a service that should be fulfilled by a local business.

Commissioner Crawford questioned the response time. He was particularly concerned with emergency situations such as a child locked in the car.

Mr. Cooke indicated that response time would be approximately 10-15 minutes.

City Manager Stewart stated that the City had provided this service for several years. In 1987 the City ceased the police of unlocking car doors for citizens. After approximately four months the City began the practice again. He stated there are a greater number of cities that do not offer this service to their citizens.

Commissioner Kirkpatrick indicated that she was in favor of the police department continuing the service.

Mayor Blake stated that he believes the City should discontinue the service and let the businessman provide it to the citizens. His concern was that should the business not be able to respond, then he believes the police department should be allowed to respond.

City Manager Stewart noted that should the Governing Body wish to discuss this item further, a policy could be available at the next City Commission meeting.

The Governing Body directed City staff to prepare a policy for their consideration at the next regularly scheduled City Commission meeting.

**CONSENT AGENDA**

- A. Approval of the February 15, 1999 City Commission Minutes.
- B. Approval of the March 1, 1999 City Commission Minutes.

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

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

**DEMOLITION OF 917 WEST PINE**

Mayor Blake stated that the City Commission authorized the demolition of this structure on March 1, 1999 following notice and public hearing. A potential new buyer now is requesting that the City Commission consider postponing this action. Property owners in the neighborhood have been notified.

City Building Inspector Robert Mendoza stated that since the last City Commission meeting in which the Governing Body approved the resolution to demolish the property, Mr. Jim Miller, a potential buyer of the property, requested that the City postpone this action. His request would provide him the opportunity to purchase the property and make the repairs that would make it usable again.

Mr. Mendoza then stated that his concern with this particular property is that the City has followed all procedures and approved a resolution to demolish the structure. Taking into consideration the time in which this has all taken and the anxiety of the neighbors, it was Mr. Mendoza's recommendation to continue with the demolition of the structure. Mr. Mendoza then read a letter from the neighboring property owners requesting the Governing Body to continue with condemnation and demolition of the property.

Commissioner Kirkpatrick stated that, in her opinion, after taking a closer look at the property, she does not believe this property could be salvaged.

Mr. Jim Miller, 345 Hunton Road, stated that he had no objection to Mr. Mendoza's recommendation. He believed it was reasonable. Mr. Miller then made reference to the property at 930 W. Pine. He stated that he is still in the process of remodeling this structure and will continue to do so in order to make it an attractive structure.

Commissioner Storrer moved to proceed with the removal as authorized and approved on March 1, 1999.

Commissioner Crawford seconded the motion.

Mr. Kenneth Spring, 1615 Country Club Road, questioned whether the same size structure could be rebuilt on a lot of this size should the existing structure be demolished.

The structure could not be removed/replaced entirely but improvements could be made to this and still be in compliance with the building code.

Mr. Michael Cox, 1011 W. Pine, stated that should this structure be removed then the neighboring property owner would probably be obligated to mow since the property owner on record has not taken care of the property in the past.

The motion carried 5-0.

**PLANNING COMMISSION RECOMMENDATION**

**ZONING CHANGE AT BECKER ADDITION**

Mayor Blake stated that at their February 25, 1999 meeting, the Planning Commission held a hearing on a request for a Zoning Change covering Becker Addition from I-1 (Industrial-Light) District to C-1 (Commercial-General) District. After this hearing the Planning Commission recommended to the City Commission that this request be approved. The City Commission had the following options.

- 1) To approve the recommendation of the Planning Commission.
- 2) To return the issue to the Planning Commission for further review.
- 3) To overrule the recommendation. (This would require that at least 4 City Commissioners vote to override the recommendation.

The proposed ordinance provides for the rezoning of certain property in the City of El Dorado, Butler County, Kansas, from I-1 (Industrial-Light District) to C-1 (Commercial-General District).

City Engineer Remsberg stated that the proposed property is the old Becker Truck Stop. The company making the request intends to improve the property for an individual with specific use in mind. They have no intention of constructing a facility and then letting it sit vacant until it sells.

**ORDINANCE NO. G-852**

Commissioner Crawford moved that Ordinance G-852 “AN ORDINANCE OF THE CITY OF EL DORADO, KANSAS: SECTION 1: THAT THE FOLLOWING DESCRIBED REAL ESTATE SHOULD BE AND IS HEREBY REZONED FROM I-1 (INDUSTRIAL-LIGHT DISTRICT) TO C-1 (BUSINESS-GENERAL DISTRICT): LOTS 1,2 AND 3, BLOCK 1 AND LOTS 1,2,3,4, AND 5, BLOCK 2, BECKER ADDITION TO THE CITY OF EL DORADO, BUTLER COUNTY, KANSAS (2629 WEST CENTRAL); SECTION 2: THE GOVERNING BODY HEREBY DIRECTS THAT THE CITY ZONING MAP BE AMENDED TO CONFORM HERewith; SECTION 3: THIS ORDINANCE SHALL TAKE EFFECT AND BE IN FULL FORCE FROM AND AFTER ITS PUBLICATION ONCE IN THE OFFICIAL CITY NEWSPAPER,” be passed and approved.

Commissioner Kirkpatrick seconded the motion.

**ROLL CALL**

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

**PROJECT NO. 867-1998 SALES TAX PROGRAM**

The streets involved in this project are Olive (Arthur to West End); Ash (Arthur to Cul-De-Sac); Pine (Arthur to Orchard); Orchard (Central to South End); Poplar (Olive to South End) and Race (Olive to Central).

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

Commissioner Kirkpatrick moved that the City of El Dorado accepts the completed work of Project No. 867 by Central Paving, Inc. and that the final cost be determined to be:

Preliminary Estimate	\$354,000.00
Final Cost	204,676.49
Unexpended	149,323.51
Improvement District Cost	47,056.70
City at Large Cost	156,619.79

and that the City Commission meet at 7:30 P.M. on the 5th day of April, 1999 for the purpose of considering the proposed assessments of the cost of Project No. 867 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 Crawford seconded the motion.

Mr. Miller, 345 Hunton Road, stated that he would prefer to have the streets within the sales tax street projects receive a 6" overlay of asphalt. He does not believe the current 2"-3" of asphalt that has been applied is sufficient.

City Engineer Remsberg stated that it has been the procedure for the streets involved in the sales tax street program to replace the asphalt with the same depth as was originally.

The motion carried 5-0.

**DEMOLITION OF LOCUST/SUMMIT WATER TOWER**

Mayor Blake stated that the proposed motion authorizes the demolition of the Locust/Summit water tower by the low bidder.

City Manager Stewart provided a brief history of the water tower's existence. He stated that the City has had a consultant perform a study of the City's water distribution system in 1994. The results of the study indicated that the system would function more successfully without this water tower. Mr. Stewart noted that this tower has not been functioning since that time. Considering the high maintenance that would be associated with keeping a tower that is not functioning, it is City staff's recommendation to have the tower removed.

Mayor Blake spread the bids for the record.

Pittsburg Tank	\$ 17,000
Majestic Tank	18,450
Midwest Tank	No bid submitted
Water Tower Demolition Co.	8,800

Commissioner Crawford asked what plans the City has for this location after the water tower is removed.

City Manager Stewart stated that there has been some discussion regarding this. The City could sell the property for residential, use the lot for a City park, or this is an adjacent property owner that is interested in purchasing 15 feet of the lot. Mr. Stewart noted that a

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consideration would be to sell 15 feet to the adjacent property owner and make the rest of the lot a park.

Mr. Stewart then indicated City staff would provide a plan for the property based on the Governing Body's decision on the demolition.

Commissioner Phillips moved that the lowest and best bid from Water Tower Demolition Company in the amount of \$ 8,800.00 be accepted and that the City Manager be authorized to execute the contract for demolition of the water tower at Locust and Summit.

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

**KDOT SUPPLEMENTAL AGREEMENT**

Mayor Blake stated that the Kansas Department of Transportation previously entered an agreement with the City for a grant for the repaving of Main Street from the railroad overpass on South Main north to Fourth Avenue. This is a Fiscal Year 1999 project. The proposed Resolution authorizes the Mayor to execute a Supplemental Agreement.

City Manager Stewart stated that there minor revisions to the wording of the agreement for this project. These revisions will not have an affect on the overall project that was approved some months ago. Mr. Stewart noted that the State provides 50% of the cost of this project.

**RESOLUTION NO. 2212**

Commissioner Storrer moved that Resolution No. 2212; "A RESOLUTION RELATING TO STATE AID FOR THE IMPROVEMENT OF CITY CONNECTING LINKS ON THE STATE HIGHWAY SYSTEM" be adopted.

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

**IMPROVEMENTS TO INDUSTRIAL PARK #2**

Mayor Blake stated that the City of El Dorado recently acquired property to be used for a future industrial park. Several steps need to be completed to have this area ready for development. City staff will outline the proposed program of work and time frame.

City Manager Stewart stated that there had been discussion in the past regarding the need for locations for industrial development. The City applied for a grant that provided funds for a consultant to analyze different options of future sites. The purchase of Industrial Park #2 was the result of that study. As a part of that study from the consultants was an outline of steps to prepare the location for use. The proposal before the Commission is a request for approval of a work plan that consists of environmental clearings, annexation, platting of the site, site survey, and acquisition of a consultant to perform a marketing study. The clearing of the property has been completed and the City has a contract with an individual to cut the hay. Beautification of the property is planned to be completed between now and September 1, 1999 and before the end of the year plans completed for the final plat and approved by the Governing Body and an engineering firm provide plans for utilities. This proposed plan is estimated to cost between \$80,000 and \$100,000. The recommendation is to utilize funds from the industrial park improvement fund.

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Commissioner Storrer indicated that he had been informed that the type of businesses in this park would be hi-tech and questioned whether the park would be limited to that type of business.

City Manager Stewart stated that the primary goal is to have this park consist mostly office type businesses.

Commissioner Crawford moved to authorize City Staff to complete a submitted work program for Industrial Park #2.

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

**REFUSE TRUCK BID**

Mayor Blake stated that bids have been solicited for the acquisition of a Refuse Packer Body for the Public Works – Refuse Division.

Mayor Blake spread the bids for the record.

**Midwest**

International Chassis, Heil Body \$ 86,054.00	Sterling LT 7500, Heil Body \$ 83,814.00
Freightliner, Standard Cab, Heil Body \$ 87,244.00	Freightliner, Cab Over, Heil \$ 89,009.00

**Key Equipment**

International, Standard Cab, Leach \$ 84,234.00	Freightliner, Cab Over, Leach \$ 85,765.00
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**American Equipment**

International, Standard Cab EZ Pack \$ 79,700.00	Freightliner, FL 80, EZ Pack \$ 77,811.00
Chevrolet, Standard Cab, EZ Pack \$ 77,148.00	Chevrolet, Cab Over, EZ Pack \$ 76,396.00

**Downing Sales**

Sterling Truck, Loadmaster \$ 76,959.00
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Mayor Blake noted that the bid from American Equipment – Chevrolet Cab Over Easy packer had the lowest bid of \$76,396, but their bid did not meet the specifications. Therefore, the bid from Downing Sales in the amount \$76,959 was the lowest bid with the proper specifications.

Commissioner Kirkpatrick moved that the bid from Downing Sales in the amount of \$76,959.00 for a Refuse Packer Body be approved.

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

**RECYCLING ADVISORY COMMITTEE APPOINTMENTS**

Commissioner Phillips moved that Lattie Hernandez and Terry Jones be appointed to the Recycling Advisory Committee to fill the open positions and to appoint Jay Pratt as an ex-officio member of the committee. These appointments will expire May 1, 2002.

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

**MISCELLANEOUS**

**HEALTH CLUB**

City Manager Stewart noted that the Governing Body had approved expenditure of funds for a feasibility study of a health club/YMCA. That study is ongoing and the report should be available in the near future.

**BCCC/CHIEFS BASKETBALL GAME**

City Manager Stewart reported that on Saturday, April 10, 1999 the Kansas City Chiefs will play the Butler County Community College National Football Champions in a game of basketball.

**EL DORADO HIGH SCHOOL BASKETBALL TEAM**

City Manager Stewart stated that the El Dorado High Scholl held a community pep rally for the 1998-1999 basketball team. They were celebrating their successful record and they tied the record that was set in 1924. He congratulated the team on their efforts and for being Runner-up at State.

**BILL NACE RETIREMENT PARTY**

Bill Nace, a 43-year City of El Dorado employee is retiring on March 22, 1999. A retirement party is scheduled for Thursday, March 25, 1999, 3:00 p.m. to 5:00 p.m.

**WATER BROCHURE**

City Manager Stewart stated that a water brochure would be distributed to all of the City's water customers. He noted that the Federal Government regulates the City's water very closely and the purpose of this brochure is to provide an explanation of those requirements.

**CAT BITE**

Mayor Blake noted that a stray cat that was on his property bit an El Dorado citizen, Larry Watson. He then called the proper authorities and the cat was removed. Since the owner of the cat was not located, Mr. Watson was forwarded a bill for \$35.00 to pay for the tests that were performed on the cat after it was taken to the shelter. Mayor Blake stated that even though it is a City ordinance, he believes it is very unfair to bill the victim for the expenses incurred.

City Manager Stewart stated that City staff could provide the Governing Body with information regarding this ordinance and the possibilities of changing the ordinance.

**ADJOURNMENT**

Commissioner Storrer moved the meeting adjourn.

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

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**Dee Anne Grunder, City Clerk**

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**Edward L. Blake, Mayor**