

**EL DORADO CITY COMMISSION MEETING April 5, 2004**

The El Dorado City Commission met in regular session on April 5, 2004, at 7:30 p.m. in the Police Department Court Room with the following present: Mayor Connie Phillips, Commissioner Mike Fagg, Commissioner Linda Clark, Commissioner Oral W. Taylor, City Attorney Mike Coash, Commissioner Brian Shepherd, City Manager Stan B. Stewart, City Clerk/Finance Director Dee Anne Grunder, City Engineer Dave Wagner.

**VISITORS**

Maciah Songer	1344 Crescent	El Dorado, Kansas
Kevin Wilson	1832 Country Club Rd	El Dorado, Kansas
Gage Waite	1925 Country Club Rd	El Dorado, Kansas
Allie MCKibban	1819 Terrace Dr.	El Dorado, Kansas
Alivia Dutcher	1618 N. Topeka	El Dorado, Kansas
Whitney Luck	1509 Terrace Dr.	El Dorado, Kansas
Zachary Shannon		El Dorado, Kansas
Dana Mc Coy	2180 SW 60 <sup>th</sup> St.	El Dorado, Kansas
Darrel Erikson	3435 W. Towanda Ave.	El Dorado, Kansas
Chet McCoy	336 Simpson Rd.	El Dorado, Kansas
Pat Hicks	1147 S. Arthur	El Dorado, Kansas
Jack Greer	830 W. Central	El Dorado, Kansas
Jim Miller	345 Hunton Rd.	El Dorado, Kansas
David Greene, Jr.	250 NE 30 <sup>th</sup>	El Dorado, Kansas
Steve Little	9814 Howe Dr.	El Dorado, Kansas
John Scanlon	1331 Joyce	El Dorado, Kansas
Linda Swan	1403 Park Ave.	El Dorado, Kansas
George Fagg	320 N. Atchinson	El Dorado, Kansas
Lionel Tipton	1845 Terrace Dr.	El Dorado, Kansas
Linda Swan	1403 Park	El Dorado, Kansas
Kevin Coash	2012 Chelsea Dr.	El Dorado, Kansas
Kathy Shum	815 Rimrock Rd.	El Dorado, Kansas
Sarah McCarthy		El Dorado, Kansas

**INVOCATION**

Mayor Connie Phillips called the April 5<sup>th</sup> meeting to order. Father Mike Nolan opened the meeting with prayer.

**PLEDGE OF ALLEGIANCE**

Ms. Shum’s Third Grade Class from Grandview Elementary School led the Pledge of Allegiance.

**PROCLAMATIONS**

**Youth Service Day – Youth Commission**

Kevin Coash, 2012 Chelsea Dr., appeared before the Commission to inform them of Youth Service Day on April 17<sup>th</sup>.

Linda Swan, 1403 Park, Chairman of the El Dorado Youth Commission, appeared before the Governing Body to report on the recent activities of the Youth Commission.

Mayor Connie Phillips read the Proclamation that declares April 17<sup>th</sup> as “Youth Service Day.”

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**323<sup>rd</sup> Engineer Detachment (Fire Fighters)**

Staff Sgt. Lance McCune appeared before the Governing Body to discuss the activities his unit had been involved in.

Mayor Connie Phillips read the proclamation in support of the following members of the 323<sup>rd</sup> Engineer Detachment (Fire Fighters): CPT Lawrence Britton, SSG Lance McCune, SSG Richard McDoniel, SSG Charles Elliott, SSG Jason Kindt, SGT Kenneth Miller, SGT Rickyk Hyche, SGT Summer Guerrero, SGT Micky Frazier, SGT Tony Massaglia, SGT Lance Koslowsky, SGT Norman Docter, SPC Doug Robertson, SPC Christopher Ricard, SPC David Yale, SPC Nathan McCaskill, SPC Jeremy Blair.

**CITIZEN OF THE MONTH**

Commissioner Linda Clark presented the Citizen of the Month award to Frank Anderson, representing First Christian Church Home Builder's Sunday school class.

**PERSONAL APPEARANCE**

Sheriff Craig Murphy appeared before the Commission to request that the City let him know if there is anything he can do to help the City.

**CONSENT AGENDA**

- a. Approval of the March 15, 2004 City Commission minutes.
- b. Approval of the April 1, 2004, Work Session minutes.
- c. Approval of Appropriation Ordinance No. 03-04 in the amount of \$1,565,444.24.
- d. Approval of the Engineer's First and Second Pay Estimates dated March 26 and 29, 2004, on Project No. 226 South Main Grant-Street Lighting to the Contractor, Bill's Electric, in the amount of \$2,135.47 and \$1,849.43.
- e. Approval of the Engineer's Second and Final Pay Estimate dated March 18, 2004, on Project No. 981 5-T Hangars to the Contractor, CDH, Inc., in the amount of \$6,839.99.
- f. Approval of the Engineer's Second Pay Estimate dated March 26, 2004, on Project No. 218 Paving Potter's Second Addition to the Contractor, Kansas Paving, in the amount of \$29,756.43.
- g. Approval of the Engineer's Sixth and Final Pay Estimate dated March 26, 2004, on Project No. 990 Paving Banks-Willhite Addition Phase I, to the Contractor, Central Paving, in the amount of \$7,382.40, at the completion of the project seeding.
- h. Approval of the Engineer's Fifth Pay Estimate dated March 26, 2004, on Project No. 959 2003 Sales Tax to the Contractor, Central Paving, in the amount of \$18,240.51.

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

Commissioner Taylor seconded the motion. Motion carried 5-0.

**REZONING AT 124 W LOCUST**

Mayor Phillips stated that the Planning Commission reviewed a request to rezone the property located at 124 W. Locust from I-1, Light Industrial to C-2, Central Business.

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The applicant, Jack Greer, intends to provide a drinking establishment, with seating, at this location. The Planning Commission recommended approval of this request.

Commissioner Shepherd stated that he has no problem with this, but feels the City should be consistent in Future Land Use Map changes.

Commissioner Fagg suggested zoning the West side of W. Locust the same in order to be consistent.

City Manager Stan Stewart stated that he would present this idea to the Planning Commission.

**ORDINANCE NO. G-957**

Commissioner Shepherd moved that the recommendation of the Planning Commission be accepted, that the West half of Block 15 be amended from Office/Institutional to Retail/Commercial, and Ordinance No. G-957, "an ordinance amending portions of the Zoning Regulations of the City of El Dorado, Kansas," be approved.

Commissioner Taylor seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Oral Taylor	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Brian Shepherd	Yes
Position No. 4	Commissioner Michael Fagg	Yes
	Mayor Connie Phillips	Yes

**VACATION OF NORTH-SOUTH ALLEY BLOCK 16, RIVERSIDE ADDITION**

Mayor Phillips abstained from participating in Agenda items #3 and #4. Vice Mayor Oral Taylor presided for Agenda items #3 and #4.

Vice-Mayor Oral Taylor stated that the property owners of Lot Nos. 35 and 37 adjacent to 9<sup>th</sup> Avenue in Block 16 Riverside Addition have requested that the alley extending from Ninth Avenue to Tenth Avenue be vacated. The Staff recommends approval to vacate the south 134 feet of the alley without reserving a utility easement and to vacate the north 250 feet of the alley with a permanent utility easement retained with the same alley width.

City Engineer Dave Wagner stated that Lot #37 and #38 north of the East-West alley have a sanitary sewer, and Westar Energy and Southwestern Bell have utilities on that easement. He stated that the south section would be vacated.

Commissioner Fagg moved that Ordinance No. S-1189 providing for the vacation of an alley and retaining an easement in portions of Block 16, Riverside Addition, be placed on its passage and considered section by section.

**ROLL CALL**

Position No. 1	Commissioner Oral Taylor	Yes
Position No. 2	Commissioner Linda Clark	Yes
Position No. 3	Commissioner Brian Shepherd	Yes
Position No. 4	Commissioner Michael Fagg	Yes
	Mayor Connie Phillips	Abstained

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**FINAL PLAT OF GRILER ADDITION**

Vice-Mayor Oral Taylor stated that the Planning Commission reviewed the Final Plat of Griler Addition at their meeting on March 25<sup>th</sup>. The Griler Addition will be located on the southeast corner of Norris Drive and 6<sup>th</sup> Avenue. The Planning Commission recommended approval of this request.

City Engineer Dave Wagner stated that the Planning Commission met and no objections were reported in connection with the plat. The Parks and Recreation Advisory Board also met and looked at the area. Mr. Wagner stated that there is an area on the south of the plat dedicated to the City for Parks and Recreation. This area meets the 4% requirement for open space dedication as required by the subdivision regulations.

Commissioner Taylor asked what area would be covered.

City Engineer Wagner stated that it would be from 3<sup>rd</sup> Avenue north to 6<sup>th</sup> Avenue with Norris on the West side, and the East side is bounded by an addition adjacent to Metcalf Road.

Commissioner Fagg asked Mr. Goedecke, Goedecke Engineering, if he had performed the drainage study.

Mr. Goedecke indicated he did perform the study.

Commissioner Fagg questioned if fencing was needed around the injection well.

Mr. Stewart indicated there were no moving parts, so a fence was not necessary.

Commissioner Clark moved to accept the Final Plat of Griler Addition and to require the developer to provide adequate fencing around the existing pump jack to minimize health and safety risk.

Commissioner Shepherd seconded the motion.

Motion carried 4-0-1. Mayor Phillips abstained.

**CEMETERY FEE INCREASE**

Mayor Connie Phillips stated that the City of El Dorado co-owns two cemeteries and operates three cemeteries. The operation and maintenance costs have increased. The joint owner of these properties no longer supports this operation. The City took over the management of the three cemeteries in 1984. There has been only one price increase since then, in 1994.

City Manager Stan Stewart stated that the City is trying to make this fund more self-supporting. The proposed rate increases would generate approximately \$15,000.00 additional revenue if the activity in 2004 were the same as 2003.

Mayor Phillips asked if the additional \$15,000.00 will cover the reduced income.

Interim Parks and Recreation Direction John Scanlon stated that the City would still be subsidizing.

City Manager Stewart stated that the resolution reflects fees of 150% for non-residents.

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Commissioner Taylor stated that he would like an adjustment to be made to the wording in order for resident and non-resident rates to be determined at the time the lots are sold.

The consensus was to add this wording.

Commissioner Taylor moved that Resolution No. 2454, a resolution providing for the adjustment of the fee structure for the interments, disinterments, etc. for the City-owned cemeteries be approved.

Commissioner Fagg seconded the motion. Motion carried 4-1. Commissioner Shepherd opposed.

**BOARD APPOINTMENTS**

**A. Airport Advisory Board**

Mayor Phillips stated that the two existing members, Paul Whaley and Kent Kallenberger, are eligible for re-appointment and both have indicated the desire to continue serving.

Commissioner Clark moved that Paul Whaley and Kent Kallenberger be re-appointed for a three-year term ending April 1, 2007.

Commissioner Taylor seconded the motion. Motion carried 5-0.

**B. Board of Zoning Appeals**

Mayor Phillips stated that two existing members, Vic Auer and Christ Gates, are eligible for reappointment. Mr. Auer has indicated his desire to be re-appointed.

Commissioner Taylor moved that Vic Auer and Christ Gates be re-appointed for a three-year term ending April 1, 2007.

Commissioner Shepherd seconded the motion. Motion carried 5-0.

**C. Planning Commission**

Mayor Phillips stated that the existing members of Red Acklin, David Wernli, and Kevin Wishart are eligible for re-appointment, and have indicated the desire to continue serving. Tim Engels has agreed to serve, and Richard Wormser has also agreed to serve as an outside city resident.

Commissioner Shepherd moved that Red Ackin, David Wernli, and Kevin Wishart be re-appointed for a three-year term ending April 1, 2007, that Tim Engels be appointed for a three-year term ending April 1, 2007, and that Richard Wormser be appointed to fulfill a term ending April 1, 2006.

Commissioner Clark seconded the motion. Motion carried 5-0.

**D. Tree Board**

Mayor Phillips stated that the two existing members, Virgil Grange and Laurel Acklin, are eligible for reappointment. Both have indicated the desire to continue serving.

Commissioner Clark moved that Virgil Grange and Laurel Acklin be re-appointed for three-year terms ending April 1, 2007.

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Commissioner Fagg seconded the motion. Motion carried 5-0.

**CITY MANAGER'S REPORT**

City Manager Stan Stewart noted the following:

1. Acknowledged the dedication of volunteers and expressed appreciation from the City Staff.
2. Downtown Street Projects – made efforts to communicate the schedule to the property owners.
3. 12<sup>th</sup> & Main traffic signal is operational – there has been one accident.
4. Work Session will be Wednesday, April 14, at 4:00 p.m.
5. Kendra Waite will return to employment with the City Friday, April 9<sup>th</sup>.

**12<sup>TH</sup> AND MAIN TRAFFIC SIGNAL**

Commissioner Fagg stated he feels the C & I on the 12<sup>th</sup> & Main signal works well.

**ADJOURNMENT**

Mayor Phillips adjourned the meeting at 8:39 p.m.

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City Clerk Dee Anne Grunder

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Mayor Connie Phillips