

The El Dorado City Commission met in regular session on April 6, 1998 at 7:30 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 Clerk Dee Anne Grunder, City Public Works Director Don Larson, and City Attorney Mike Coash.

VISITORS

Greg Joyce	1005 Rim Rock Road	El Dorado, Kansas
Jim Phillips	1030 W. Third	El Dorado, Kansas
Garry Crawford	2140 Pico	El Dorado, Kansas
Mark Johnson	1418 W. Fifth	El Dorado, Kansas
Kenneth Spring	1615 Country Club Road	El Dorado, Kansas
Mike Boucher	El Dorado Times	El Dorado, Kansas
Kelly Lasater	1840 Terrace	El Dorado, Kansas
John Lasater	1840 Terrace	El Dorado, Kansas
Virgil Grange	629 N. Topeka	El Dorado, Kansas
Dean Seeber	720 Meadow	El Dorado, Kansas
Susan Seeber	720 Meadow	El Dorado, Kansas
Billee Douglass	1945 Belmont	El Dorado, Kansas
Karen Kinney	P.O. Box 1281	El Dorado, Kansas
Neil Buchman	737 Harvard	El Dorado, Kansas
Pete Knoop	911 S. Topeka	El Dorado, Kansas

PERSONAL APPEARANCE

THERMAL IMAGING CAMERA UPDATE

Mr. Jim Phillips, 1030 W. Third, representative of the Fire Reserves, appeared before the Governing Body to provide a brief update on the Thermal Imaging Camera. Mr. Phillips noted that they anticipated raising \$20,000 in approximately nine months. With the generosity of the citizens of El Dorado, they were able to raise \$40,000 in only five months. He noted that two color enhanced cameras had been purchased. Mr. Phillips encouraged everyone to keep June 7, 1998 open on their calendars. An open house is scheduled for that day with a camera demonstration planned.

COMPOSTING AWARD

Public Works Director Don Larson noted that on Thursday, March 27, 1998, he attended a conference in Lindsborg, Kansas. At this conference the Kansas Department of Health and Environment (KDHE) presented an award to the City of El Dorado for the best compost site in the State of Kansas. Mr. Larson then presented the Composting Award to Mayor Blake and the Governing Body.

TREE CITY USA AWARD

Mr. John Lasater, 1840 Terrace Drive, Chairman of the Tree Board, presented the Tree City USA Award on behalf of the members of the Tree Board, to Commissioner Betty J. Kirkpatrick.

RECYCLER FOR THE SPRING OF 1998

Dr. Greg Joyce, 1005 Rim Rock Road, representative of the Recycling Committee, presented the Recycler Award for the Spring of 1998 to Kristopher Howell, Maintenance Supervisor of Gordy Square and Heritage House Apartments. Mr. Howell then addressed the Governing Body and stated that the residents of the two facilities approached him to begin a recycling program. He noted that the residents of the facilities deserve this award as much as he does.

CONSENT AGENDA

- A. Approval of the March 16, 1998, Commission minutes.
- B. Approval of the March 23, 1998, Work Session minutes.
- C. Approval of the Engineer's Second Payment Estimate dated March 25, 1998 on Project No. 841 (Downtown Streetscape) to the Contractor, Bryant & Bryant, Inc., in the amount of \$193,092.30.
- D. Approval of the Engineer's Eleventh Payment Estimate dated March 15, 1998 on Project No. 852 (Water Treatment Plant Expansion) to the Contractor, Utility Contractors, Inc., in the amount of \$62,091.64.
- E. Approval of the Engineer's Third Payment Estimate dated March 27, 1998 on Project No. 878 (Paving In Adlesperger-Smith Addition-Phase 1) to the Contractor, Asphalt Construction Co., in the amount of \$17,239.50.
- F. Approval of the Engineer's Second Payment Estimate dated March 27, 1998 on Project No. 880 (Paving In Country Club Estates Second Addition) to the Contractor, Asphalt Construction Co., in the amount of \$8,523.90.
- G. Approval of the Engineer's Second Payment Estimate dated March 27, 1998 on Project No. 882 (Paving Finney Avenue (High to Topeka)) to the Contractor, Central Paving, Inc., in the amount of \$21,810.69.
- H. Approval of the Engineer's First Payment Estimate dated March 27, 1998 on Project No. 898 (Sanitary Sewer to Serve North Oil Hill Road) to the Contractor, Nowak Const Co., in the amount of \$45,585.56.
- I. Approval of the Engineer's First Payment Estimate dated March 27, 1998 on Project No. 899 (Paving Park Avenue (Emporia to Topeka) and Topeka Street (Park to Benton)) to the Contractor, Central Paving, Inc., in the amount of \$18,447.90.
- J. Approval of Resolution No. 2177, a resolution providing for the issuance of Temporary Notes on Project No. 907.
- K. Approval of Resolution No. 2178, a resolution authorizing the City to establish an account with Commerce Brokerage Services, Inc. in order to sell certain stock.
- L. Approval of the following application for a 1998 Cereal Malt Beverage License:
 Texaco Food Mart, 701 N. Main, Mark McFann-Manager
- M. Approval of Appropriation Ordinance 98-03 in the amount of \$ 2,246,674.12.

Administration	\$ 80,317.61	El Dorado Senior Ctr.	\$ 2,982.32
Engineering	17,524.95	Major Street Impv.	37,003.20
Legal/Judicial	9,155.39	Cemetery Fund	7,242.67
Police Department	93,033.86	Bradford Memorial	22,061.17
Hazmat	806.20	Employee Benefits	28,526.19
Fire Division	42,324.13	Industrial Mill Levy	5,525.00
Bldg./Zoning	3,542.13	Special Alcohol Prog.	3,150.00
Public Works	15,706.83	Self-Insurance	930.00
Forestry	350.00	Sales Tax Fund	1,232.59
Park Maintenance	12,036.46	Youth Development	85.83

EL DORADO CITY COMMISSION MEETING MINUTES**April 6, 1998**

Street Lights	13,488.80	Tourism Tax Fund	4,477.14
Health/Sanitation	5,297.07	Construction Fund	1,503,206.63
Recreation	22,705.92	Water Fund	178,772.97
Swimming Pool	1,791.39	Sewer Fund	25,680.48
Youth Center	2,280.56	Refuse Fund	57,595.00
Recreation Conc.	1,963.41	External Stores Fund	21,864.73
Airport Fund	3,085.78	Data Processing Fund	18,701.71
Family Life Center	2,226.00	TOTAL	\$ 2,246,674.12

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

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

SALES TAX REVIEW TASK FORCE - REFERENDUM FOR RENEWAL OF LOCAL SALES TAX

Mayor Blake stated that the City Commission appointed an Ad Hoc Committee to review the results as well as the possible continuation of the local one-cent sales tax. The committee has completed their findings and are now prepared to submit a recommendation to the City Commission for their consideration. If the Commission desires, then a Resolution establishing a referendum and an Ordinance pledging the future use are on the agenda for their consideration.

Mr. Ed Gard, 2325 Wedgewood Drive, Chairman of Sales Tax Advisory Committee, requested the Governing Body adopt a resolution that would call for a mail ballot election for the 1% sales tax. Mr. Gard then explained the four components of the 1% sales tax:

- 1.) Five year sunset clause.
- 2.) \$ 850,000 minimum to property tax relief.
- 3.) \$ 500,000 to street maintenance.
- 4.) Excess eligible for properly approved capital expenditures.

Mr. Gard then noted that a Sales Tax Brochure had been printed for use by the members of the Sales Tax Committee to educate the community regarding the history of the sales tax and the plans for the future.

RESOLUTION NO. 2179

Commissioner Storrer moved that Resolution No. 2179, "A RESOLUTION TO SUBMIT TO THE QUALIFIED ELECTORS OF THE CITY OF EL DORADO, KANSAS, THE PROPOSITION OF LEVYING A RETAILERS' SALES TAX," more specifically described therein, be approved.

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

ORDINANCE NO. S-1041

Commissioner Crawford moved that Ordinance No. S-1041, "AN ORDINANCE PLEDGING THE FUTURE USE OF ALL THE REVENUE WHICH MAY BE RECEIVED BY A ONE PERCENT RETAILERS' SALES TAX LEVIED IN THE CITY OF EL DORADO, SHOULD THE QUALIFIED ELECTORS OF SUCH CITY VOTE IN FAVOR THEREOF AT A SPECIAL ELECTION TO BE CALLED FOR SUCH PURPOSE," more specifically described therein, be 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

City Manager Stewart noted that City staff needs to know the results of the 1% Sales Tax election in order to prepare the 1999 budget. The election is scheduled for June 2, 1998.

CITY OF EL DORADO/CHAMBER AGREEMENT - CIVIC CENTER FACILITY

Mayor Blake stated that the City Commission has acquired the property located on the southeast corner of Central and Vine for the purpose of construction of a Civic Center. One of the provisions was to have the Chamber offices relocated to this location. The following motion authorizes the Mayor to sign an agreement between the City and the Chamber of Commerce in providing the day-to-day operation of the Civic Center.

City Manager Stewart noted that for the past few years the Historical Society has desired to expand to the other half of the building. Therefore, this was a good opportunity for the Chamber of Commerce to move their facilities to the proposed Civic Center. The Historical Society is providing the Chamber with \$ 100,000 for the Chamber's portion of that building. The Chamber is transferring that money to the City along with another building appraised at \$ 50,000. This will provide the Chamber with permanent office space at the Civic Center.

Mr. Neil Buckman, 737 Harvard, President of the Chamber, stated that the Chamber is very excited with the proposed agreement and they are looking forward to utilizing the new facility which will also provide them with a closer location to downtown.

Commissioner Phillips asked whether there was a timetable the Chamber would need to meet in terms of relocation.

Mr. Buckman noted that the agreement with the Historical Society provides for three years.

Commissioner Kirkpatrick noted that she had been in favor of this Civic Center project from the beginning. However, she was opposed to the lack of a cutoff date in the clause in the contract in which interest would be returned on the initial contribution in the event the arrangement is discontinued.

Mr. Buckman stated that this clause was simply an attempt to protect the Chamber's investment.

Commissioner Kirkpatrick then moved that the agreement between the City of El Dorado and the Chamber of Commerce providing for certain administrative duties and responsibilities in conjunction with the Civic Center be tabled to the next regularly scheduled City Commission meeting.

City Attorney Coash stated that the Governing Body could make the motion to authorize the Mayor to approve it with a 25 year inflation only addendum.

Mayor Blake noted that this would then have to go back to the Chamber of Commerce.

The motion failed for lack of a second.

Commissioner Kirkpatrick clarified that her suggestion to add 25 years to the clause was intended to mean that interest would be paid to the Chamber of Commerce for the preceding 25 years.

City Manager Stewart suggested that if the Governing Body desires to renegotiate the agreement, that this item be tabled to the next regularly scheduled City Commission meeting rather than pass it with a stated number of years.

Mayor Blake then made a motion to table the agreement between the City of El Dorado and the Chamber of Commerce providing for certain administrative duties and responsibilities in conjunction with the Civic Center to the next regularly scheduled City Commission meeting.

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

INDUSTRIAL PARK NO. 2 - SALE OF PROPERTY

Mayor Blake stated that the proposed motion authorizes the Mayor to sign an agreement providing for the sale of a parcel of land located in the El Dorado Industrial Park No. 2.

City Manager Stewart stated that the City has purchased the land at the El Dorado Industrial Park No. 2. The committee that had recommended this purchase is now recommending the City sell four acres to Mr. Ralph Hobson.

Commissioner Kirkpatrick moved to authorize the Mayor to sign a contract between the City of El Dorado (seller) and Ralph Hobson (buyer) providing for the sale of a parcel of land in the El Dorado Industrial Park No. 2.

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

CLOSURE OF THE ALLEY IN THE 100 BLOCK OF N. MAIN - EAST SIDE

Mayor Blake stated that the C.A.R.R. Board has requested the City consider closing the alley in the 100 block of N. Main.

Ms. Billee Douglass, 1945 Belmont, Chairman of the Physical Improvements Committee, and Ms. Karen Kinney, 5856 NE Cole Creek Road, Executive Director of C.A.R.R., appeared before the Governing Body to request the permanent closure of the alley in the 100 Block of North Main on the east side to the end of the Coutts building. They believe this would help beautify the downtown area and plan to coordinate this with similar features as those of the Sunshine Alley across the street. Ms. Kinney noted that C.A.R.R. would pay the cost from their budget.

Commissioner Phillips asked when the project would be complete.

Ms. Douglass stated that the El Dorado Correctional Facility would be constructing the largest portion of the project, therefore, it is dependent upon their schedule. Their main concern is to close the alley on the streetside in order for the curbing and guttering to be completed along with the streetscape project.

RESOLUTION NO. 2180

Commissioner Phillips moved that Resolution No. 2180, "A RESOLUTION PROVIDING FOR THE DISCONTINUED USE OF A CERTAIN ALLEY", be adopted.

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

BOARD APPOINTMENTS

PLANNING COMMISSION

Commissioner Crawford moved that Pete Knoop be appointed to the Planning Commission for a term to expire April 1, 2001.

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

LIBRARY BOARD

Commissioner Kirkpatrick moved that Jim Clennan be reappointed and Sally Hargrove be appointed to the Library Board for a term to expire May 1, 2002.

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

PROJECT NO. 892 - PAVING MUNICIPAL PARKING LOT NO. 4

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. 892 all as provided by Resolution No. 2141.

PUBLIC HEARING

Mayor Edward L. Blake opened the public hearing on Project No. 892.

With no one appearing before the Governing Body regarding Project No. 892, Mayor Blake closed the public hearing.

APPROVE ASSESSMENTS

Commissioner Phillips moved that the proposed assessments on Project No. 892 be approved.

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

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. 2141 has been prepared and was ready for the City Commission's consideration.

ASSESSMENT ORDINANCE S-1042

Commissioner Storrer moved that Ordinance No. S-1042, the same being, "AN ORDINANCE APPORTIONING AND ASSESSING THE COST OF CONSTRUCTING A CERTAIN PARKING LOT IN THE CITY OF EL DORADO, KANSAS, AS SET FORTH IN PROJECT NO. 892, 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 Crawford 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

MAIL ASSESSMENTS

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

KDOT AGREEMENT COVERING A KLINK PROJECT FOR THE REPAVING OF MAIN STREET FROM THE SOUTH CITY LIMITS TO FOURTH

Mayor Blake stated that the Kansas Department of Transportation previously awarded the City 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 the Grant Agreement.

City Engineer Remsberg stated that the project is set up as a 50/50 split; half is local funds and half is from State aid. This is only available for connecting links, either Main Street or Central Avenue. KDOT has an upper limit of \$150,000.

Commissioner Kirkpatrick asked whether this street had been previously assessed.

City Engineer Remsberg was unsure whether it was originally assessed.

City Manager Stewart stated that State highways typically have not been assessed.

Commissioner Kirkpatrick then questioned whether this would fall under the correct category for sales tax funds.

City Manager Stewart stated that it would be City staff's recommendation to do so.

Commissioner Kirkpatrick then asked whether the sidewalks, curbs, and gutters would be assessed.

City Engineer Remsberg stated that the sidewalks, curbs, and gutters would be assessed.

RESOLUTION NO. 2181

Commissioner Kirkpatrick moved that Resolution No. 2181, A RESOLUTION RELATING TO STATE AID FOR THE IMPROVEMENT OF CITY CONNECTING LINKS ON THE STATE HIGHWAY SYSTEM, be adopted.

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

MISCELLANEOUS

WORK SESSION

City Manager Stewart stated that a work session is scheduled for Monday, April 13, 1998 at 3:30 p.m.

GOVERNOR'S ONE SHOT TURKEY HUNT

Commissioner Phillips invited the public to attend the activities of the Governor's One Shot Turkey Hunt.

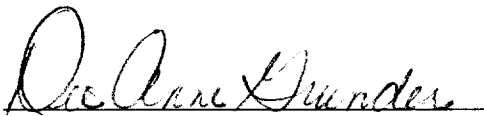
DARE

Commissioner Kirkpatrick noted that she had attended the DARE Awards Ceremony at the El Dorado Middle School on Thursday, April 2, 1998, in which Attorney General Carla Stovall gave a speech to the students in attendance. The DARE program is for students through the Fifth Grade. Ms. Kirkpatrick then recognized past Police Officer Darren Jackson and Police Officer Scott Starkey for their work with this program.

ADJOURNMENT

Commissioner Phillips moved the meeting adjourn.

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


Dee Anne Grunder, City Clerk


Edward L. Blake, Mayor