

**EL DORADO CITY COMMISSION MEETING****April 18, 2005**

The El Dorado City Commission met in regular session on April 18, 2005, at 8:05 p.m. in the Commission Room with the following present: Mayor Brian D. Shepherd, Commissioner Michael A. Fagg, Commissioner Linda Clark, Commissioner Steve Pershall, Commissioner Todd Peterson, City Manager Gus Collins, City Attorney Mike Coash, City Engineer Dave Wagner, and City Clerk/Finance Director Dee Anne Grunder.

**VISITORS**

Jessica Frisbee	424 Oil Hill Road	E Dorado, Kansas
Catherine Hicks	424 Oil Hill Road	El Dorado, Kansas
H.L. Haskell	122 Residence	El Dorado, Kansas
Don Taylor	2950 W. 4 <sup>th</sup> Avenue	El Dorado, Kansas
Leonard & Nellie Smith	601 N. High	El Dorado, Kansas
Sherri & Lee White	1928 Jamaica	El Dorado, Kansas
Lionel Tipton	1845 Terrace	El Dorado, Kansas
Gail & Adam Shepherd	1520 Finney	El Dorado, Kansas
Vicki Shepherd	1320 Finney	El Dorado, Kansas
Jennifer Callaway	1610 Sherrylee	El Dorado, Kansas
Jean Plummer	323 ½ N. Main	El Dorado, Kansas
Kathy Marlin & Austin Lowry	1704 W. Third	El Dorado, Kansas
David Sundgren	533 Prairie Road	El Dorado, Kansas
John Kirk	City of El Dorado	
Martin Goedecke	205 S. Main	El Dorado, Kansas
Debra & Easton Smith	1725 Ryan Court	El Dorado, Kansas
Brandon & Zack Light	627 Village Road	El Dorado, Kansas
Todd & Jo Peterson	1830 Kendrick Lane	El Dorado, Kansas
Eugene C. Herrmann	405 School Road	El Dorado, Kansas
Steve Windle	608 W. 4 <sup>th</sup>	El Dorado, Kansas
James & Virginia Cook	719 Fredrick Drive	El Dorado, Kansas
Glenda Taylor	1415 Country Club Road	El Dorado, Kansas
Sandy Cooper	4691 N.E. 10 <sup>th</sup>	El Dorado, Kansas
Pauline Pershall	330 W. Central #3B	El Dorado, Kansas
Harold Cooper	4691 N.E. 10 <sup>th</sup>	El Dorado, Kansas
Jerry Mosier	100 S. Summit	El Dorado, Kansas
Mike Glendening	801 W. Cave Springs	El Dorado, Kansas
Pat Hicks	1147 S. Arthur	El Dorado, Kansas
Steve Smith	El Dorado Times	
David Yearout	1710 Post Court	El Dorado, Kansas
James Phillips	216 W. Central	El Dorado, Kansas
Abi, Phillip & Diane Solorio	248 Warren Road	El Dorado, Kansas
Allsion Bieberle	1629 Arizona	El Dorado, Kansas
Travis House	1840 Quail Run	El Dorado, Kansas
Brenna Carr	110 Genna Court	El Dorado, Kansas
Jared Haury	1401 Country Club Road	El Dorado, Kansas
Baylie Harsh	1740 Ryan Court	El Dorado, Kansas
Rachel Higgins	P.O. Box 904	El Dorado, Kansas
Shelbie Storrer	1330 Glenview Drive	El Dorado, Kansas
Genna Pennington	2320 Gentry	El Dorado, Kansas
Cody Taylor	217 Bel Air	El Dorado, Kansas
Ciara Fishetti	800 S. Summit	El Dorado, Kansas
Madison Ward	1840 Terrace Drive	El Dorado, Kansas
Jerry Blount	131 Hillside	El Dorado, Kansas
Larry Adams	1756 West 3 <sup>rd</sup>	El Dorado, Kansas
Kevin Pickrell	704 Maplewood	El Dorado, Kansas

**ADMINISTRATION OF OATH TO NEWLY ELECTED OFFICIALS**

City Clerk/Finance Director Dee Anne Grunder administered the Oath of Office to the newly elected Mayor Brian D. Shepherd, Commissioner Steve Pershall, and Commissioner Todd Peterson.

**PERSONAL APPEARANCE**

Jerry Blount, 131 Hillside, congratulated Mayor Shepherd and Commissioners Steve Pershall and Todd Peterson on the election. Mr. Blount read a statement of public commitment of his intent to help restore the community, take down the Blog website, and not to publish anything negative for six months.

**REZONING OF “PRAIRIE LAND ADDITION” and (Case No. 05-01-RZ)**

Mayor Brian D. Shepherd stated that the Planning Commission recommended approval of the rezoning of Prairie Land Addition and located on the north side of Central Avenue and the east side of Boyer Road. The rezoning is to modify the zoning district boundaries to match the plats. The applicant is Prairie Land Enterprises, Inc.

Interim Planning/Zoning Director David Yearout stated that the applicants were informed that they would need to request a rezoning in order to bring the zoning district boundary lines into conformance with the plat. This action will adjust the commercial zoning to embody the commercial plat and rezones from commercial to residential the strip of land that will become residential lots.

Interim Planning/Zoning Director Yearout stated that the Planning Commission held a public hearing and received no opposition from the public. The vote was unanimous to recommend approval of the rezoning.

Commissioner Fagg questioned if this conforms with the City’s Comprehensive Plan.

Interim Planning/Zoning Director Yearout stated that it does.

Commissioner Fagg asked City Manager Collins if the City would responsible for any costs related to the residential area.

City Manager stated that it would not.

**ORDINANCE NO. G-967 and G-968**

Commissioner Clark moved that the Governing Body approve the recommendation of the El Dorado Planning Commission for approval of the rezoning from “R-1” Residential – Low Density to “C-1” General Business and vice versa on lands being platted as Prairie Land Addition and Prairie Land Commercial Addition be accepted, and that Ordinance Nos. G-967 and G-968, be approved.

Commissioner Fagg seconded the motion.

**ROLL CALL**

Position No. 1	Commissioner Todd Peterson	yes
Position No. 2	Commissioner Linda Clark	yes
Position No. 3	Commissioner Steve Pershall	yes
Position No. 4	Commissioner Michael A. Fagg	yes
	Mayor Brian D. Shepherd	yes

**SPECIAL USE PERMIT FOR A CHURCH AT 105-107 NORTH ARTHUR (Case No. 01-001-SUP)**

Mayor Shepherd stated that the Planning Commission recommended approval of a Special Use Permit for a church on property located at 105-107 North Arthur. The applicant/landowner is William Williamson.

Interim Planning/Zoning Director Yearout stated that the Planning Commission held a public hearing regarding a request by Mr. Williamson to grant a Special Use Permit for the purpose of using a portion of the existing building at 105-107 N. Arthur as a church. Mr. Yearout stated that amendments were recently made to the regulations, requiring churches to obtain a Special Use Permit in order to evaluate impacts they may have on a neighborhood. He further stated that the church will seek other locations if their membership grows beyond the capacity of this building.

Mayor Shepherd questioned the church's projected occupancy.

Interim Planning/Zoning Director Yearout stated that they currently have twelve members, but he is unsure of how many members are anticipated in the future.

Mayor Shepherd stated that that the possible actions are as follows:

- 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.

**RESOLUTION NO. 2497**

Commissioner Fagg moved that the recommendation of the Planning Commission for Case No. 01-001-SUP requesting a Special Use Permit for a church to be located at 105-107 North Arthur accepted, and that Resolution No. 2497, be approved.

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

**CITY MANAGER'S REPORT**

City Manager Collins noted the following:

1. Spring Clean Up started Monday, April 18<sup>th</sup>. The schedule is reflected on Channel 7.
2. Spray Park pre-construction meeting is scheduled for Monday, April 25, 2005.
3. Character First Summit is scheduled for Wednesday, April 20, 2005, from 11:30 – 1:30 p.m. The public is invited, and tickets are \$5.
4. Worksession is scheduled for Monday, April 25, 2005, at 7:00 p.m.
5. Orientation for the new Commissioners is scheduled for Tuesday, April 19, 2005.

**MISCELLANEOUS**

Commissioner Peterson stated that he would like to consider televising worksessions.

Commissioner Pershall questioned whether the refuse crews would later return to complete pick up of Spring Clean Up items in areas they were unable to finish on the scheduled day.

City Manager Collins stated they would continue collection through the following week if necessary.

Mayor Shepherd thanked Butler County's efforts in the Spring Clean Up as well as the City's.

Commissioner Fagg stated that he would like to review the 2005 Street Sealing Programs.

**PERSONAL APPEARANCE**

Harold Haskell, 122 Residence, read from a ballot concerning the City's 1% sales tax.

Mr. Haskell stated the amounts of the mill levies over the last several years. He stated that he had written a letter to the Attorney General and read the reply from the Attorney General's office. Mr. Haskell requested the Commission provide property tax reduction, not property tax relief.

Mayor Shepherd requested that the issue be placed on the worksession agenda.

Mayor Shepherd allowed opportunity for any comments from the floor.

**ADJOURNMENT**

Commissioner Pershall moved to adjourn at 8:37 p.m.

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

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City Clerk Dee Anne Grunder

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Mayor Brian D. Shepherd