

The El Dorado City Commission met in regular session on June 4, 2001 at 7:30 p.m. The following were present: Mayor Connie Phillips, Commissioner Oral Taylor, Commissioner Betty Criss, Commissioner Brian Shepherd, Commissioner Brian L. Clites, City Manager Stan Stewart, Assistant City Manager Gus Collins, City Engineer David Wagner, City Clerk Janet L. Arnold, and City Attorney Mike Coash.

VISITORS

Debbie McAtee	708 W. Fifth	El Dorado, Kansas
Sarah Brenner	708 W. Fifth	El Dorado, Kansas
Ashley Kafka		Leon, Kansas
Martin Goedecke	205 S. Main	El Dorado, Kansas
Harold Haskell	122 Residence	El Dorado, Kansas
Lawrence Gurney	130 Residence	El Dorado, Kansas
Jim Ohmes	1305 Country Club Road	El Dorado, Kansas
Stan Seymour	827 N. Washington	El Dorado, Kansas
Richard Wormser	151 N. Main	El Dorado, Kansas
Brad Smith	904 Rim Rock Road	El Dorado, Kansas
Earl R. Cartmell	608 N. Star	El Dorado, Kansas
Rona Cartmell	518 S. Star	El Dorado, Kansas
John Ryan	518 S. Star	El Dorado, Kansas
Cherise Warren	3946 SW Haverhill Road	El Dorado, Kansas
Larry D. Watson	140 Residence	El Dorado, Kansas

INVOCATION

Pastor Stan Seymour provided the invocation.

PLEDGE OF ALLEGIANCE

Sarah Brenner, El Dorado and Ashley Kafka, Leon were present to lead the Governing Body and audience in the pledge of allegiance.

PROCLAMATIONS

National Flag Day

Mayor Connie Phillips read the proclamation that proclaims June 14, 2001 as National Flag Day.

PERSONAL APPEARANCES

Richard Wormser

Mr. Richard Wormser, owner of Silverado Restaurant located at 151 N. Main, appeared before the Governing Body to address the flood water situation at his restaurant. He was again requesting that the City consider a solution to this water problem at the corner of First and Main Street. Mr. Wormser requested that the Governing Body consider this for an item to the Capital Improvement Plan.

Earl Cartmell

Mr. Earl Cartmell, 608 N. Star, stated that he does not believe that the phone in the lobby of City Hall is sufficient for emergency situations after hours. He would prefer to have someone available at City Hall for emergencies. He also expressed concern with the response time of 911 calls.

Mayor Connie Phillips noted that this has been the procedure for over a year and the 911 response times should be the same as before. Ms. Phillips further noted that the City might want to consider providing more public information regarding after hour emergencies and that they should be directed to the Butler County Sheriff's office.

Jim Ohmes

Mr. Jim Ohmes, 1305 Country Club Road, questioned the status of the paving on Country Club Road. He also stated that a petition is being circulated for a 41-foot street and questioned whether the city at large would be responsible for the additional 10 feet.

City Manager Stewart stated that City staff plans to set up a public informational meeting regarding this project. He further stated that should the petition be sufficient and the Governing Body approves it, then the city at large would be responsible for payment of the additional 10 feet.

Mr. Ohmes questioned the status of the Coutts apartments on Country Club Road.

City Attorney Coash stated that the decision has been appealed, noting that it could be approximately 1 ½ years before a final decision has been made.

Mr. Ohmes then questioned the status of the Northwest Trafficway.

City Manager Stewart reported that this continues to be in the future plans (CIP) for the City of El Dorado but could be approximately 8 to 10 years before it actually comes to fruition.

Harold Haskell

Mr. Harold Haskell, 122 N. Residence, appeared to ask questions about the placement of a modular home at First and Residence such as: the required setbacks, whether a modular home is allowed in a residential, and whether this could be a group home.

Mayor Connie Phillips noted that his questions should be presented to the City Building Inspector Robert Mendoza and City staff would be willing to set up an appointment with him to provide him with the answers.

CONSENT AGENDA

- A. Approval of the May 21, 2001 City Commission Minutes.
- B. Approval of the May 30, 2001 Work Session Minutes.
- C. Approval of Appropriation Ordinance No. 05-01 in the amount of \$1,325,155.20.
- D. Approval of the Engineer's Third and Final Pay Estimate dated May 25, 2001 on Project No. 951 Re-paving 12th Avenue (Main to East City Limits) to the Contractor, Central Paving, Inc., in the amount of \$1,018.52.

- E. Approval of the Engineer's Second Pay Estimate dated May 25, 2001 on Project No. 908B Storm Sewers for the El Dorado Business Park-Phase I to the Contractor, Middlecreek Mining, Inc, in the amount of \$176,051.37.
- F. Approval of the Engineer's Second Pay Estimate dated May 25, 2001 on Project No. 948 paving Diagonal Road-Phase I to the Contractor, APAC-Kansas, Inc., in the amount of \$40,127.34.
- G. Approval of the Engineer's First Pay Estimate dated May 25, 2001 on Project No. 949 paving Fredrick (Towanda to Webb), Webb (Fredrick to Arthur), Leonard Court, Audrey Dr. (Towanda to Webb), Charron (Towanda to Webb), Edgemoor (Towanda to Webb), to the Contractor, Central Paving, Inc., in the amount of \$40,367.85.
- H. Approval of the Engineer's First Pay Estimate dated May 25, 2001 on Project No. 950 paving Star (Towanda to Kansas), Washington (Towanda to Kansas), Towanda (Star to Washington), to the Contractor, Central Paving, Inc., in the amount of \$7,282.37.

Commissioner Clites moved that the Consent Agenda, as amended, be approved.

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

BUTLER COUNTY BOARD OF COMMISSIONERS – RESOLUTION NO. 2334

Mayor Phillips stated that the cities in the county met to discuss the option of expanding the County Commission from three elected officials to five. This resolution is requesting that the County Commission set a referendum in November 2002.

RESOLUTION NO. 2334

Commissioner Taylor moved to approve Resolution No. 2334, a resolution requesting that the County consider holding a binding referendum in November 2002 to increase the Butler County Commission from three members to five members.

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

THE FINAL PLAT OF CRISS SEVENTH ADDITION

Mayor Phillips stated that at the May 30, 2001, Planning Commission meeting, the Planning Commission reviewed the final plat of Criss Seventh Addition, which covers an area on the east side of the Criss Addition. The preliminary plat was reviewed and approved at the April 26, 2001 meeting. The Planning Commission reviewed the revisions made to the plat and approved the final plat.

Commissioner Shepherd moved that the public easements and rights-of-way contained in the Final Plat of Criss Seventh Addition be accepted.

Commissioner Taylor seconded the motion and it carried 4-0-1, Commissioner Criss abstained.

RECYCLE CENTER ADDITION – REVIEW OF BIDS

City Manager Stewart stated that considering the success of the recycling program and as previously discussed, there is a definite need to expand the existing recycle center. This addition was included in the initial and revised budget plans in the implementation of this new program. Bids have been solicited for the construction of a 6,000 sq. ft. facility.

Mayor Phillips reported that the funding of this addition is proposed to be as follows: Total budget is \$150,000; County \$65,000; City \$45,000; KDHE grant \$ 40,000. City staff has contacted the county engineer regarding this project and the County has indicated a desire to participate at this level.

Mayor Phillips spread the bids for the record.

Compton Construction	\$ 177,800
Conco, Inc.	166,800
Laser Contracting	147,000
Sutherland Builders	143,445

Commissioner Taylor asked for clarification regarding the need for this facility.

Assistant City Manager Collins stated that with the increased volume of recycling that is processed each week there is a need for this facility. He noted that although there is \$45,000 included in the budget for this expansion, City staff did not initially plan for this expansion to be this soon. When questioned about the Kansas Department of Health and Environment (KDHE) grant, Mr. Collins noted that he was confident the City would have approval in July.

Commissioner Shepherd stated that he would prefer to wait on this expansion until proposed budgeting through the County is approved and the KDHE grant is also approved.

Assistant City Manager Collins stated that he had received a memo from the Butler County Solid Waste Committee and is confident that the County will participate in the amount of \$65,000.

Commissioner Criss moved to table this issue for two weeks.

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

BIDS FOR BACKHOE EQUIPMENT – PUBLIC WORKS DEPARTMENT

Interim Public Works Director Collins stated that bids were received from three vendors for the acquisition of a 2001 backhoe for the Department of Public Works. This expenditure is included in the 2001 budget. This piece of equipment has a four-in-one bucket – a very valuable feature for this department. The trade-in is a 1986 Ford backhoe.

Mayor Phillips spread the bids for the record.

Wichita Tractor	\$ 45,300	delivery 120 days
Foley Equipment	45,585	delivery July 1, 2001
Victor Phillips	50,661	delivery 4-6 weeks

Trade-in – 1986 backhoe

Commissioner Taylor moved to approve the acquisition of a backhoe in the amount of \$45,585 in the bid provided by Foley Equipment for the Department of Public Works.

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

CAPITAL IMPROVEMENT PLAN – (2002-2007) – PUBLIC HEARING

Mayor Phillips stated that the proposed six year capital improvement plan was submitted to the City Manager’s office for his review. This is the second of two public hearings. The first informational hearing was held in May. The capital improvement plan, in its entirety, has been published in the El Dorado Times. This is an opportunity to receive citizen input regarding this proposed program. Historically, we have not received many comments and this has been true again this year to date. The Planning Commission has reviewed and provided their comments. After the public hearing, City staff will review and continue discussion with the City Commission.

Mayor Phillips declared the Public Hearing open regarding the Capital Improvement Plan.

PUBLIC HEARING

Mr. Harold Haskell, 122 Residence, questioned the prediction in the El Dorado Times regarding the anticipated population growth to double in El Dorado over the next few years. If this is a true statement he asked how the City anticipated to plan for this.

Mayor Phillips noted that the City did not provide the information Mr. Haskell referred to.

With no one else appearing before the Governing Body, Mayor Phillips declared the public hearing closed.

BOARD APPOINTMENTS

AIRPORT ADVISORY BOARD

Commissioner Shepherd moved that Paul Whaley be appointed to the Airport Advisory Board for a three-year term to expire April 1, 2004.

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

BOARD OF ZONING APPEALS

Commissioner Criss moved that Vic Auer be appointed to the Board of Zoning Appeals for a three-year term to expire April 1, 2004 and Tim Englett and Tracy Clites each be appointed to fill a term to expire April 1, 2002.

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

CONVENTION AND VISITORS BUREAU

Commissioner Taylor moved that Amanda Young be appointed to the Convention and Visitors Bureau to complete a term to expire May 1, 2002.

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

RECYCLING ADVISORY BOARD

Commissioner Clites moved that Tonya Kerschner be re-appointed to serve a three year term to expire May 1, 2004.

Commissioner Criss seconded the motion and it carried 4-1, Commissioner Shepherd opposed.

MISCELLANEOUS

WORK SESSION

City Manager Stewart stated that the next work session is scheduled for June 14, 2001 at 3:00 p.m.

REAP MEETING

City Manager Stewart noted that the REAP Economic Summit is scheduled for June 21, 2001.

SALES TAX STREET PROJECTS

City Manager Stewart noted the sales tax street project is proceeding and that Fredrick Drive, Olive Avenue, and Poplar Street are under construction. There have been questions from several residents concerning the timeframe for completion of these streets. Mr. Stewart apologized for not providing these property owners with enough notice prior to construction. He stated that normally the property owners are given ample notice before construction begins, but in this case, the contractor requested to begin sooner than was originally planned.

ADJOURNMENT

Janet L. Arnold, City Clerk

Connie Phillips, Mayor