

EL DORADO CITY COMMISSION MEETING July 6, 2004

The El Dorado City Commission met in regular session on July 6, 2004, at 7:30 p.m. in the new Commission Room with the following present: Mayor Connie Phillips, Commissioner Michael A. Fagg, Commissioner Linda Clark, Commissioner Oral W. Taylor, Commissioner Brian Shepherd, City Manager Stan B. Stewart, Assistant City Manager Gus Collins, City Engineer Dave Wagner, City Attorney Mike Coash, and City Clerk/Finance Director Dee Anne Grunder.

VISITORS

Mark Elwood	El Dorado Times	El Dorado, Kansas
Cherise M. Warren	819 N. Denver	El Dorado, Kansas
George Fagg	320 N. Atchison	El Dorado, Kansas
Chelsea Milbourn	121 N. Emporia	El Dorado, Kansas
Cheyenne Edgin	400 N. Taylor	El Dorado, Kansas
Jeannette Gipson	400 N. Taylor	El Dorado, Kansas
Andrea Wynn	400 N. Taylor	El Dorado, Kansas
Katie Wheeler	1951 Chelsea Dr.	El Dorado, Kansas
Kate Bird	1439 Lawndale	El Dorado, Kansas
Kelsey Callaway	1610 Sherrylee	El Dorado, Kansas
Aaron Matthews	109 S. Emporia	El Dorado, Kansas
Eldon Phillips	309 Diagonal	El Dorado, Kansas
James & Virginia Cook	719 Fredrick Dr.	El Dorado, Kansas
Ron & Judy Ryser	707 Fredrick Dr.	El Dorado, Kansas
Richard Macy	1850 Webb	El Dorado, Kansas
Joy Lambing	1854 Webb	El Dorado, Kansas
Aleta Long	706 Fredrick Dr.	El Dorado, Kansas
Jo Ann Knapp	810 Fredrick Dr.	El Dorado, Kansas
Vic & Linda Butler	801 Fredrick Dr.	El Dorado, Kansas
Gerald Swilley	713 Fredrick Dr.	El Dorado, Kansas
LeRoy Hildreth	601 Village Rd.	El Dorado, Kansas
Arnold Starkel	521 Village Rd.	El Dorado, Kansas
Jim Bean	1835 Webb	El Dorado, Kansas
Lew Hartwig	641 Village Rd.	El Dorado, Kansas
Susan Howell	902 S. Denver	El Dorado, Kansas
Kristopher Howell	902 S. Denver	El Dorado, Kansas
Pat Hicks	1147 S. Arthur	El Dorado, Kansas
George Lawson	602 S.E. Poor Farm Rd.	El Dorado, Kansas
William Krug	311 W. Towanda	El Dorado, Kansas
Luke Bryan	1522 Terrace	El Dorado, Kansas
A.J. Howell	902 S. Denver	El Dorado, Kansas
Bert Potter	2320 Potters Ct.	El Dorado, Kansas
William Rebstock	1003 Skyview	El Dorado, Kansas
Richard Edds	1815 Quail Run	El Dorado, Kansas
Tony Grunder	825 Rim Rock	El Dorado, Kansas
Neil Buckman	737 Harvard	El Dorado, Kansas
Adam Karhl	1553 Terrace Dr.	El Dorado, Kansas
Rick Hamelund	1338 Terrace	El Dorado, Kansas
Denise Morris	321 S. Denver	El Dorado, Kansas
Keri Myers	1535 Country Club Rd.	El Dorado, Kansas
Linda Swan	1403 Park Avenue	El Dorado, Kansas

INVOCATION

Mayor Connie Phillips called the July 6th meeting to order. The Reverend Bill O'Connell opened the meeting with prayer.

EL DORADO CITY COMMISSION MEETING July 6, 2004

PLEDGE OF ALLEGIANCE

Luke Brian and Aaron Matthews, 2004 Graduates of the El Dorado Youth Commission, led the Pledge of Allegiance.

CITIZEN OF THE MONTH

Mayor Connie Phillips presented the Citizen of the Month award to Eldon Phillips.

PERSONAL APPEARANCES

Ray Connell, Chairman of the YMCA Board of Directors, provided update on the two-year progress of the YMCA. He also informed the Commission the El Dorado YMCA has been recognized by the National YMCA as a 2004 honoree for excellence in attracting and retaining members and maintaining an attractive branch.

Captain Rick Hamelund, 1338 Terrace, the new director of the Salvation Army, introduced himself to the Commission.

Keri Myers, Director of the "Fine Art of Living Well," 1535 Country Club Road, introduced Denise Morris.

Denise Morris, 321 S. Denver, updated the Commission on the Artists in Residence Program.

CONSENT AGENDA

- a) Approval of the June 21, 2004, City Commission minutes.
- b) Approval of the July 1, 2004, Budget Work Session minutes.
- c) (Removed from Consent Agenda)
- d) (Removed from Consent Agenda)
- e) Approval of the Engineer's Second Pay Estimate dated June 25, 2004 on Project No. 221 12" Sanitary Sewer Mains & New Sewer Lift Station for Butler County Sewer District #5 to the Contractor, Middlecreek Corporation, in the amount of \$47,604.84.
- f) Approval of the Engineer's Seventh & Final Pay Estimate dated June 16, 2004 on Project No. 959 2003 Sales Tax to the Contractor, Central Paving, Inc, in the amount of \$265.04.

Commissioner Taylor moved that Consent Agenda items a, b, e and f as presented be approved.

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

Consent Agenda Item D – Temporary CMB License

Commissioner Fagg questioned why the Cereal Malt Beverage License fee is being waived for the Prairie Port Festival/El Dorado Baseball, Inc.

EL DORADO CITY COMMISSION MEETING July 6, 2004

Assistant City Manager Gus Collins stated that one license is being issued to El Dorado Baseball, Inc. El Dorado Baseball, Inc. also pays the City \$1,500.00 for the use of the McDonald Stadium. The only connection to Prairie Port is that the National Baseball Congress Regional Tournament is being held at the same time as the Prairie Port Festival.

Commissioner Taylor moved to approve a Temporary Cereal Malt Beverage License for the Prairie Port Festival/El Dorado Baseball Inc. for the National Baseball Congress Regional Tournament during the days of July 21-30, 2004, waiving the fee.

Commissioner Clark seconded the motion. Motion carried 4-1. (Commissioner Fagg opposed.)

YOUTH COMMISSION

A.J. Howell, 902 S. Denver, Youth Commission Chair, thanked the Commission for their support of the Youth Commission.

Linda Swan, 1403 Park, Youth Commission Advisor, Katie Wheeler, 1951 Chelsea Drive, Kate Bird, 1439 Lawndale, Chevis Rebstock, 2322 Hazlett, Luke Bryan, 1522 Terrace and A.J. Howell, 902 S. Denver, Youth Commission Chair, reported on the Youth Commission's programs and activities for the past year.

Commissioner Clark moved to appoint Cheyanne Edgin, Chelsea Milbourn, Aaron Owen, Landon Bryan, Becky Badwey, Kelsey Calloway, and Mario Triana and to reappoint Kylie Bookout, Eric Green, Katie Wheeler, Trilby Wiggins, Kate Bird, Ashlyn Clites, A.J. Howell, Chevis Rebstock, and Chris Megredy to the Youth Commission for a one-year term ending May 31, 2005.

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

CONSENT AGENDA ITEM C - APPROPRIATION ORDINANCE NO. 06-04

Commissioner Fagg requested this item be removed from the consent agenda for additional discussion. He had many questions regarding the ordinance.

The City Commission then discussed Commissioner Fagg's request. After discussion, Commissioner Fagg then asked staff his questions.

Commissioner Fagg moved that Consent Agenda item C, Appropriation Ordinance No. 06-04 in the amount of \$1,198,883.74, be approved.

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

CIP – SECOND PUBLIC HEARING

Mayor Phillips stated this is the second public hearing on the proposed six-year Capital Improvement Plan. The Capital Improvement Plan has been published in the El Dorado Times. The reason for the public hearing and the publication is to provide an opportunity for citizens to comment. The Planning Commission has reviewed and offered comments.

City Manager Stan Stewart explained the process and provided a brief overview.

PUBLIC HEARING

Mayor Phillips opened the public hearing.

EL DORADO CITY COMMISSION MEETING July 6, 2004

Jim Cook, 719 Fredrick Drive, expressed concern about the storm water drainage ditch located west of Fredrick Drive.

City Manager Stewart stated that this neighborhood has problems with storm water drainage. The governing body asked the City to research the possibility of a storm water drainage fund to address such issues. City Manager Stewart stated Staff will be providing options to the Commission for consideration. There are also other storm water issues in the City.

Gerald Swilley Jr., 613 Fredrick (representing Gerald Swilley, Sr.) expressed concern with the drainage. He stated there could be permanent damage to houses if it is not taken care of soon.

Mayor Phillips declared the public hearing closed.

PUBLIC HEARING FOR PROJECT NOS. 957, 959, 992, 993, 997, 999, 201, 217, 218

Mayor Phillips stated that the Commission established this meeting for a public hearing on the assessments for Project Nos. 957, 959, 992, 993, 997, 999, and 201. At the last meeting, the Commission postponed the public hearing for Project 217 and 218 to this meeting.

Project No. 992- Sidewalk Improvements- 114 W. Locust

Project No. 993- Sidewalk Improvements- 425 South Main

Project No. 999- Sidewalk Improvements- 124 W. Locust

Project No. 201- Sidewalk Improvements- west side of 400 Block South Main

Project No. 959- Sales Tax Project

Project No. 957- Paving Village (Central to Third)

Project No. 997- Paving Village (Third to Sixth)

Project No. 217 - Sanitary Sewers for Potters Second Addition

Project No. 218 – Paving Potters Second Addition

PUBLIC HEARING

Mayor Phillips opened the public hearing.

Bert Potter, 2320 Potter's Court, Projects 217 and 218, expressed concern over the amount of time it was taking to complete the clean up related to the water line.

Dave Wagner, City Engineer, stated the water department has to come back after the engineers have completed their work.

Mr. Potter stated he thinks the fire hydrant was placed in the wrong location and should be relocated.

LeRoy Hildreth, 601 Village, Project 997, stated his grass is not growing due to poor fill dirt, and he is dissatisfied with his driveway.

Lew Hartwig, 641 Village Rd., questioned whether sales tax monies was used on Project 997.

Mayor Phillips explained that sales tax money is used on streets that have been previously paved to City standards and paid for once by property owners.

EL DORADO CITY COMMISSION MEETING July 6, 2004

Mayor Phillips declared the public hearing closed.

Commissioner Taylor moved that the proposed assessments on Project Nos. 957, 959, 992, 993, 997, 999, 201, 217 and 218 be approved and the Ordinance Nos. S-1198, S-1199, S-1200, S-1201, S-1202, S-1203, S-1204, S-1205, and S-1206 respectively, be adopted.

Commissioner Shepherd 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

CIVIC CENTER – KITCHEN ADDITION

Mayor Phillips stated that sealed bids were requested and received for the 2,600 square foot addition to the Civic Center. The low bidder was Sutherland Builders. This project will include the addition of a caterer’s kitchen, storage (both present and future), and acoustical improvements. This project should not exceed \$300,000.

RECEIVING THE BIDS

Mayor Phillips asked that the bids be spread on the record. The Base Bid and Alternate totals are as follows:

1. Sutherland Builders - \$236,650.00
2. Commerce Construction - \$285,590.00.
3. McCollom Construction - \$256,600.00
4. Conco Construction - \$273,500.00

Mayor Phillips stated that Sutherland Builders has a calendar date of 105 days to completion.

Commissioner Fagg questioned the bidding of the architectural fees and asked if they are sent out to bid.

City Manager Stewart stated that professional services are not recommended to bid out. Staff does, however, solicit requests for proposals on professional services. He stated the local firm was asked to provide the services for this project.

Commissioner Fagg questioned the 10% contingency and if 10% was standard.

City Manager Stewart stated that it is standard and is for change orders and anything unexpected for the project.

Commissioner Taylor moved to approve the bid from Sutherland Builders in the amount of \$236,650 for the construction of a 2,600 square foot addition to the Civic Center and to direct the City Manager to proceed with acoustical treatment in the existing meeting room, the total of the project not to exceed \$300,000.

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

EL DORADO CITY COMMISSION MEETING July 6, 2004

SALES TAX ADVISORY COMMITTEE– RECOMMENDATIONS

Mayor Phillips stated that representatives from the Sales Tax Advisory Committee will appear before the City Commission to submit their recommendations on the uncommitted sales tax.

Neil Buckman, 737 Harvard, Chairman of the Sales Tax Advisory Committee, discussed items recommended by the Advisory Committee. Recommendations were:

1. Summit Park- \$30,000.00 for the construction of a “boundless” park
2. Spray Park at Graham Park- \$120,000.00
3. Bradford Memorial Library - \$9,200.00 for technology and building improvements (original request was \$11,600.00)
4. City Sidewalk Policy – \$50,000.00 (previous commitment)
5. In-Line Hockey Rink at Forest Park -\$20,000.00
6. YMCA - \$127,000.00 (previous commitment)

Commissioner Fagg questioned whether Graham Park was in the flood zone.

Assistant City Manager Gus Collins stated they would check into it.

Commissioner Clark moved to accept for consideration the Sales Tax Advisory Committee’s recommendations on the use of uncommitted sales tax for 2005.

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

INTRODUCTION OF NEWSPAPER EDITOR – EI DORADO TIMES

Mark Elwood introduced himself to the Commission.

CITY MANAGER’S REPORT

City Manager Stan Stewart noted the following:

1. July 4th celebration was successful
2. Getting items ready for the 2005 budget

105 SOUTH MAIN STREET

Commissioner Shepherd asked about a letter sent to Clifton Padgett. Questioned the reason insurance proceeds were being held until repairs have been made to Clifton Padgett’s south wall.

City Manager Stewart stated the two property owners and City building inspector agreed on how the walls would be repaired. Mr. Stewart stated he does not anticipate there will be a problem.

Commissioner Fagg stated the letter mentions discussions with Marcum, but she says that did not happen.

EL DORADO CITY COMMISSION MEETING July 6, 2004

FOREST PARK

Commissioner Clark encouraged the public to go to the park and listen to the band.

Commissioner Fagg complemented employees at the park during the 4th of July event at Forest Park

EXECUTIVE SESSION

Commissioner Fagg made a motion to recess into Executive Session for 45 minutes to discuss legal and personnel issues and to reconvene at 10:40 p.m.

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

ADJOURNMENT

Mayor Phillips adjourned the meeting at 10:44 p.m.

City Clerk Dee Anne Grunder

Mayor Connie Phillips