

EL DORADO CITY COMMISSION MEETING MINUTES

August 6, 2001

The El Dorado City Commission met in regular session on August 6, 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

Red Acklin	303 N. Atchison	El Dorado, Kansas
Neil Buckman	737 Harvard	El Dorado, Kansas
Roger Cutsinger	712 W. Fourteenth	El Dorado, Kansas
Jim Phillips	216 W. Central	El Dorado, Kansas
Lloyd Turner	142 Houser	El Dorado, Kansas
Craig Lorenson	609 N. Main	El Dorado, Kansas
Dick & Bea Hadsall	1618 W. Fifth	El Dorado, Kansas
Barbara Dankert	1631 Sherrylee Lane	El Dorado, Kansas
Steve Smith	El Dorado Times	El Dorado, Kansas
Mary Walker	522 N. Denver	El Dorado, Kansas
Dick Clark	805 S. Taylor	El Dorado, Kansas
Howard Lachenmayr	904 Emmaline	Newton, Kansas
Ed Gard	2325 Wedgewood Drive	El Dorado, Kansas
R.K. Love	1418 Sunset Road	El Dorado, Kansas
Matt Jacobs	El Dorado Times	El Dorado, Kansas
Cherise Warren	3946 SW Haverhill Road	El Dorado, Kansas

PLEDGE OF ALLEGIANCE

City Clerk Janet L. Arnold led the Governing Body and the audience with the pledge of allegiance.

PROCLAMATIONS

Citizen’s Police Academy Alumni Association – National Night Out

Police Chief Dick Clark appeared to request that August 7, 2001 be designated as National Night Out 2001. President of the Citizens Police Academy, Lloyd Turner, 142 Hillside, and Craig Lorenson, 609 N. Main, also appeared to address the governing body.

PERSONAL APPEARANCES

Jim Phillips, Prairie Port

Mr. Jim Phillips, 216 W. Central appeared before the governing body to thank the sponsors, participants and City employees that were involved with the Prairie Port Festival, noting without these individuals, it would not continue to be a success.

CONSENT AGENDA

- A. Approval of the July 16, 2001 City Commission Minutes.

- B. Approval of the July 20, 2001 Budget Work Session Minutes.
- C. Approval of Appropriation Ordinance No. 07-01 in the amount of \$1,200,601.92.
- D. Approval of the Engineer's Second Pay Estimate dated July 24, 2001 on Project No. 950 Repaving Washington and Star (Towanda to Kansas) and Towanda (Star to Washington) to the Contractor, Central Paving, Inc., in the amount of \$22,216.04.
- E. Approval of the Engineer's Third Pay Estimate dated July 24, 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 \$3,582.00.
- F. Approval of the Engineer's Third and Final Pay Estimate dated July 24, 2001 on Project No. 948 paving Diagonal Road-Phase I to the Contractor, APAC-Kansas, Inc., in the amount of \$4,400.20.
- G. Approval of the Engineer's Second Pay Estimate dated July 24, 2001 on Project No. 905 paving Olive (High to Poplar) and the 100 Block S. Poplar, to the Contractor, Central Paving, Inc., in the amount of \$123,760.71.

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

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

SALES TAX ADVISORY COMMITTEE – RECOMMENDATION ON UNCOMMITTED SALES TAX

Neil Buckman, Chairman of the Sales Tax Advisory Committee, appeared before the governing body with the committee's recommendations as follows:

- 1. Approval of the McDonald Stadium improvement request for \$15,000.
- 2. Approval of the funding of the Parks and Recreation Departments request for the following: \$46,200 for soccer fields to be built by the lake upon the City's satisfactory acceptance of a joint venture with Butler County Community College. Approval of \$45,000 for air conditioning the Activity Center upon a mutual agreement with USD #490 and the City. Approval of the funding of baseball/softball diamond lighting replacement at the cost of \$42,000.
- 3. Approval of the funds to pay for the paving of Central park and the parking lot at the Recycle Center at a cost of \$70,000.
- 4. Approval of funding to further reduce the City mill levy by one mill or approximately \$56,000.

Commissioner Shepherd moved to accept for consideration the Sales Tax Advisory Committee's recommendation on the use of uncommitted sales tax.

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

CONSTRUCTION OF JASON DRIVE AND SIDEWALKS IN CRISS SEVENTH ADDITION

City Engineer Wagner stated that the developer of Criss Seventh has filed a petition to provide for the construction of Jason Drive (Project 967) and sidewalks (Project 969) to serve Lots 1 through 6. The street paving will take place immediately. The developer would like to delay the construction of the sidewalks, to reduce the damage to them during the lot development process. The subdivision regulations allow for the sidewalk to be delayed until seventy-five (75) percent of the lots on that side of the block has been developed, or within three (3) years of the approval of the final plan, whichever comes first. This procedure is permitted (and anticipated) in the new subdivision regulations. It prevents damage to sidewalks during the construction of houses. The Final Plat was approved on June 4, 2001.

RESOLUTION NO. 2341

Commissioner Taylor moved that the Petition and Report of Sufficiency be accepted and that Resolution No. 2341 a resolution of Finding/Authorizing Improvements for Project No's. 967 and 969, be adopted.

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

CONSTRUCTION OF SANITARY SEWER – CRISS SEVENTH ADDITION – PHASE I

Mayor Phillips stated that at the July 2, 2001 meeting, plans, specifications, and estimate of cost were ordered for Sanitary Sewer District No. 170 to Serve Criss Seventh Addition, Phase I. The benefit district included Lots 1 through 6, 10 and 11.

Commissioner Clites moved that the City Engineer's plans, specifications and estimate of cost amounting to \$37,000 for Project No. 966 as filed by the City Engineer in the City Clerk's Office on August 1, 2001, be approved and that the bids be considered at the regular meeting of August 20, 2001.

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

KDOT AGREEMENT WITH UNION PACIFIC CROSSING, PROJECT NO. 906 – PAVING OIL HILL ROAD NORTH OF SIXTH TO THE NORTHWEST TRAFFICWAY

Mayor Phillips stated that as part of the Oil Hill paving project, north of Sixth Avenue to the Northwest Trafficway, we are required to provide an agreement between the City, KDOT, and the Union Pacific Railroad to move the signals at the Union Pacific crossing. They are in conflict with the proposed centerline alignment, and do not provide enough side clearance. This action allows the Mayor to sign the agreement.

RESOLUTION NO. 2342

Commissioner Criss moved that Resolution No. 2342, a Resolution relating to an agreement with KDOT and the Union Pacific Railroad under a federal aid project, be adopted.

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

SPECIAL USE PERMIT AND VARIANCE AT 1618 WEST FIFTH

City Planning Coordinator Shaunna Johnson stated that the Planning Commission held a public hearing on Thursday, August 2, 2001, regarding a special use permit at 1618 West Fifth. The special use permit would allow an 800 sq. ft. building to be constructed with 14' sidewalls and in conjunction with this, allow an 8' front yard variance. The applicant is the Beatrice Downs Living Trust. The intention is to use the building to store their 34-foot motorhome. The Planning Commission's recommendation is to approve this request.

RESOLUTION NO. 2343

Commissioner Clites moved that Resolution No.2343, a resolution setting out the findings of the City of El Dorado in Special Use Case No. 01-009 be adopted.

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

SPECIAL USE PERMIT AT THE SOUTHEAST CORNER OF NORRIS DRIVE AND SIXTH AVENUE

City Planning Coordinator Shaunna Johnson stated that the Planning Commission held a public hearing on Thursday, August 2, 2001, regarding a special use permit at the corner of Norris Drive and 6th Avenue. The applicant, Howard Lachenmayr, requested a special use permit to drill a salt water well. Mr. Lachenmayr intends to drill this well to eliminate the lines running through Township Village. The Planning Commission's recommendation is to approve this request.

RESOLUTION NO. 2344

Commissioner Clites moved that Resolution No. 2344, a resolution setting out the findings of The City of El Dorado in Special Use Case No. 01-008 be adopted.

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

REZONING AND ANNEXATION REQUEST BY MAGNUM DEVELOPMENT

City Planning Coordinator Shaunna Johnson stated that the Planning Commission held a public hearing on Thursday, July 12, 2001, regarding the rezoning of the property directly South of the former Becker Truck Stop. The applicant, Magnum Development, is requesting annexation into the city limits. All property that is annexed into the City of El Dorado is zoned R-1. In conjunction with the annexation request, the applicant would like to rezone this to C-1 General Commercial for development purposes. The Planning Commission recommended approval of this rezoning and annexation request.

ORDINANCE NO. G-903

Commissioner Taylor moved that Ordinance No. G-903, an ordinance setting out the findings of the City of El Dorado in Annexation and Rezoning Case No. 01-004 be adopted

Commissioner Clites seconded the motion.

ROLL CALL

Position No. 1	Commissioner Oral Taylor	yes
Position No. 2	Commissioner Betty Criss	yes
Position No. 3	Commissioner Brian Shepherd	yes
Position No. 4	Commissioner Brian L. Clites	yes
	Mayor Connie Phillips	yes

The motion carried 5-0.

SETBACK VARIANCE IN CRISS FIFTH ADDITION

City Planning Coordinator Shaunna Johnson stated that the Planning Commission will hold a public hearing on Thursday, August 2, 2001, regarding the request to reduce the front yard setback in Lots 4 & 5 of Block 1, Criss Fifth Addition from 30 feet to 15 feet. The applicant is Ramon Criss who is requesting these variances to aid in getting houses to fit these lots. Both lots are small corner lots that make it difficult to develop. Similar requests have been granted in other subdivisions. The Planning Commission’s recommendation is to approve this request.

ORDINANCE NO. G-904

Commissioner Shepherd moved that Ordinance No. G-904, an ordinance setting out the findings of the City of El Dorado in the Setback Variance Request Case No. 01-001 be adopted.

Commissioner Taylor seconded the motion.

ROLL CALL

Position No. 1	Commissioner Oral Taylor	yes
Position No. 2	Commissioner Betty Criss	abstained
Position No. 3	Commissioner Brian Shepherd	yes
Position No. 4	Commissioner Brian L. Clites	yes
	Mayor Connie Phillips	yes

The motion carried 4-0-1, Commissioner Criss abstained.

COMPREHENSIVE DEVELOPMENT GRANT TARGET AREA

City Manager Stewart stated that as part of our Comprehensive Development Grant application, the State is requiring us to designate the downtown portion of the grant target area as an Improvement Area. This must be done by resolution.

RESOLUTION NO. 2345

Commissioner Criss moved that Resolution No. 2345, a resolution designating the downtown target area as an Improvement Area in conjunction with the Comprehensive Development Grant application, be approved.

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

RESCHEDULE CITY COMMISSION MEETING

Mayor Phillips noted that the next regularly scheduled City Commission meeting is scheduled for Monday, September 3, 2001. City offices will be closed that day to observe the Labor Day holiday.

Commissioner Clites moved to reschedule the September 3, 2001, City Commission meeting to Tuesday, September 4, 2001, at 12:00 p.m.

Commissioner Taylor expressed his concern with changing the time of the meeting.

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

MISCELLANEOUS

WORK SESSION

A work session is scheduled for Wednesday, August 15, 2001 at 3:00 p.m.

PUBLIC WORKS DIRECTOR

City Manager Stewart welcomed Mr. Robert Mendoza as the City's new Public Works Director.

RECYCLING GRANT

City Manager Stewart stated that the City has received official notification that the City was awarded the Recycling Grant in the amount of \$74,000.

COUNTRY CLUB ROAD

City Manger Stewart noted that a firm is in the process of completing the plans for the Country Club Road project and anticipate construction to begin the Spring of 2002.

2002 BUDGET

City Manager Stewart reported that City staff and the Governing Body have completed the 2002 Budget. It has been published with a 1.5 mill reduction anticipated.

ADJOURNMENT

Janet L. Arnold, City Clerk

Connie Phillips, Mayor

