

EL DORADO CITY COMMISSION MEETING MINUTES

October 5, 1999

The El Dorado City Commission met in regular session on October 5, 1999 at 7:30 p.m. with the following present: Mayor Susan J. Seeber, Commissioner Brian L. Clites, Commissioner Betty Criss, Commissioner Betty J. Kirkpatrick, Commissioner Don Storrer, City Manager Stan Stewart, City Director of Administration Gus Collins, City Engineer Bruce Remsberg, City Clerk Janet L. Arnold and City Attorney Mike Coash.

VISITORS

Richard Edds	1815 Quail Run	El Dorado, Kansas
Roger Cutsinger	712 W. Fourteenth	El Dorado, Kansas
Randall Mitchell	1326 Joyce	El Dorado, Kansas
Mike Boucher	El Dorado Times	El Dorado, Kansas

INVOCATION

Reverend Richard Edds provided the invocation.

PLEDGE OF ALLEGIANCE

City Director of Administration Gus Collins led the Governing Body and the audience in the pledge of allegiance.

CONSENT AGENDA

- A. Approval of the September 20, 1999 City Commission Minutes
- B. Approval of the September 29, 1999 Work Session Minutes.
- C. Approval of the Engineer’s Fourth Payment Estimate dated September 30, 1999 on Project No. 904 (1999 Sales Tax Project) to the Contractor, Asphalt Construction Co., Inc., in the amount of \$63,771.34.

Commissioner Criss moved the consent agenda, as presented, be approved.

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

APPROPRIATIONS ORDINANCE

Administration	\$ 28,030.83	Major Street Impv. Fund	34,375.39
Engineering	20,712.58	Cemetery Fund	7,344.93
Legal/Judicial Dept.	14,907.99	Bradford Memorial Lib.	20,015.03
Civic Center	511.91	Employee Benefits Fund	15,230.00
Police Department	94,467.60	Industrial Mill Levy	1,585.74
Hazmat	846.00	Spec. Alcohol Program	112.50
Fire Department	45,150.29	Self-Insurance Reserve	690.00
Bldg./Zoning	3,998.70	Sales Tax Fund	1,566.96
Public Works	12,313.20	Tourism Tax Fund	5,346.77
Forestry	2,725.00	Revolving Loan Fund	5,262.09
Park Maintenance	7,134.80	Construction Fund	232,618.68
Street Lights	12,288.06	Water Fund	411,913.97

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Health/Sanitation	4,038.62	Sewer Fund	99,959.03
Recreation	20,563.34	Refuse Fund	56,302.33
Swimming Pool	9,398.99	External Stores	16,538.80
Youth Center	910.19	Data Processing Fund	23,435.89
Recreation Conc.	1,724.13		
Airport Fund	2,643.99		
Family Life Center	3,225.00		
El Dorado Senior Ctr.	3,966.81	TOTAL	\$ 1,221,856.14

Commissioner Storrer moved that Appropriations Ordinance No. 99-09 in the amount of \$ 1,221,856.14 be approved.

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

YEAROUT/TELECOM MARKETING L.L.C. AGREEMENT

City Attorney Mike Coash stated that they are still in the process of negotiating the details of the contract, therefore they would like to table this item until the next meeting.

Commissioner Kirkpatrick moved that the Yearout/Telecom Marketing L.L.C. Agreement be tabled until the next meeting.

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

SOUTHWESTERN BELL FRANCHISE AGREEMENT –FIRST READING OF THE ORDINANCE

Mayor Seeber stated that she would abstain from this issue.

Vice-Mayor Kirkpatrick then stated that the agreement between the City and Southwestern Bell is set to expire this year. It is time to consider their renewal with new terms and conditions. The proposed agreement provides for a revision in the method of calculation for the franchise assessment. The franchise fee would be keyed to the access lines as opposed to a percentage of the gross revenues. Also, the terms of this franchise is reduced to five years as opposed to the previous term. The change in the method of calculation will increase the revenue derived from the Southwestern Bell agreement.

City Manager Stewart stated the franchise agreement allows Southwestern Bell to use the City’s right-of-ways for their telephone lines. The City collects a franchise fee to compensate the City for this use. The renewal of the agreement is regulated very closely by the State, therefore requiring that it is published and publicly read three times. It is anticipated that it will be effective January 1, 2000.

Vice-Mayor Kirkpatrick questioned whether the fifteen-page document had to be read at all three meetings.

City Attorney Mike Coash stated that he had researched this and the agreement does not have to be read word for word unless someone specifically requests that it was read. The document will be made available for review in the City Clerk’s office.

With no one requesting that the document be read, Vice-Mayor Kirkpatrick turned the meeting back over to Mayor Seeber.

THE FINAL PLAT OF CRISS FIFTH ADDITION

Commissioner Betty Criss abstained from this item.

Mr. Roger Cutsinger, representing Ramon and Betty Criss and Mr. and Mrs. Clement Sander appeared before the Governing Body regarding this final plat. He noted that this addition covers an area on the west end of Lakeland Drive.

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

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

PROJECT NO. 905 – YEAR 2000 SALES TAX PROGRAM PROJECT

City Engineer Remsberg noted that to initiate the street projects that have special assessments within the street program the City orders them in under Kansas State Statutes 12-6a. One of the proposed projects within this program would require assessments to the property owners. The streets involved in this project are Poplar Street (Olive to Central) and Olive Avenue (Poplar to High). The action requested for this meeting would be to create a public hearing on November 1, 1999. Letters will be mailed to property owners informing them of a public meeting that will be held by City staff on October 20, 1999 to answer any questions they might have.

RESOLUTION NO 2243 - ORDERING A PUBLIC HEARING

Commissioner Criss moved that Resolution No. 2243 ordering a public hearing on the paving of Project No. 905 more specifically described therein, be adopted.

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

WILLIAMS NATURAL GAS COMPANY EASEMENT

Mayor Seeber stated that the City had received a request that an easement be granted in our Industrial Park for the construction of a 6" gas line. An existing 6" product line is to be abandoned.

City Manager Stewart stated that the line located in the Industrial Park has had to be relocated at different times to allow for construction within the park. Williams Natural Gas Company has proposed to abandon this line and reroute it closer which would eliminate relocating the line when there is future construction within the park.

Commissioner Clites moved that the Mayor be authorized to execute an agreement to grant an easement to Williams Natural Gas Co. subject to a payment of \$4,000.00 and the stipulation that the easement covering the existing pipeline be abandoned.

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

SCHOOL RESOURCE OFFICE – AGREEMENT BETWEEN THE CITY AND U.S.D. #490

City Manager Stewart stated that the City and school district have agreed to provide a school resource officer for USD #490. This agreement will provide for the City police

officer to be assigned to the Middle and High Schools as a resource officer during the school year, or nine months. USD #490 will provide funding during this term and the City would be responsible for the remaining three months. A grant has been secured and approved to fund a portion of these costs.

Commissioner Kirkpatrick moved to authorize the Mayor to execute an agreement between the City and USD #490 providing for the assignment of police officers to work in the schools under the direction of the district as school resource officers, for a period ending May 31, 2000.

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

MISCELLANEOUS

WORK SESSION

City Manager Stewart noted that a work session is scheduled for October 13, 1999 at 11:30 a.m.

LEAGUE MEETING

City Manager Stewart stated that City staff and Commissioners had just recently returned from the Kansas League of Municipalities meetings held in Overland Park. He noted that Mayor Seeber had been elected to serve a three-year term on the League's Governing Body Board.

MAIN STREET

Main Street is having their annual meeting to be held in Fort Scott, Kansas on Wednesday, October 6, 1999.

AMBASSADORS BREAKFAST

The Ambassadors Breakfast is scheduled for Thursday, October 7, 1999. This will provide information regarding the City of Character designation.

CITY OF AUSUSTA

City staff received a letter from the City of Augusta thanking them for their help and participation during the flood in 1998.

LIBRARY BOARD VACANCY

Mayor Seeber noted that a letter of resignation had been received from one of the Library Board members. She then asked that anyone interested should contact a City Commission member or City staff by October 12, 1999.

ADJOURNMENT

Janet Arnold, City Clerk

Susan L. Seeber, Mayor

