

EL DORADO CITY COMMISSION MEETING MINUTES November 5, 2001

The El Dorado City Commission met in regular session on November 5, 2001 at 7:30 p.m. The following were present: Mayor Connie Phillips, Commissioner Oral Taylor, Commissioner Betty Criss, Commissioner Brian Shepherd, Commissioner Brian Shepherd, Commissioner Brian L. Clites, City Manager Stan Stewart, Assistant City Manager Gus Collins, City Engineer David Wagner, City Fire Chief Brad Smith, and City Attorney Mike Coash. City Clerk Janet L. Arnold was absent.

VISITORS

Les Limon	1312 Joyce	El Dorado, Kansas
Lanie Ellis	922 Rim Rock Road	El Dorado, Kansas
Laci Burlison	702 S. Washington	El Dorado, Kansas
Loren Tregellas	303 Everett	Wichita, Kansas
Jay Moore	942 Cherokee	El Dorado, Kansas
Bobby Chastain	929 Walnut	El Dorado, Kansas
Matt Jacobs	El Dorado Times	El Dorado, Kansas
Jim Costello	Hutton Construction Co.	Colwich, Kansas
Vince Haines	300 N. Star	El Dorado, Kansas
Gay Crosley	411 Post Road	El Dorado, Kansas
Larry E. Crouse	206 N. Griffith	El Dorado, Kansas
Cherise M. Warren	3946 SW Haverhill Road	El Dorado, Kansas
Emidio Gomez	610 E. Eighth	El Dorado, Kansas
M. Gomez	829 S. Osage	El Dorado, Kansas
Denice Morris`	321 S. Denver	El Dorado, Kansas
Dick Morris	321 S. Denver	El Dorado, Kansas
Larry D. Seivley	1946 Lakeland	El Dorado, Kansas
Jean Brickley	515 N. Washington	El Dorado, Kansas
Don Brickley	515 N. Washington	El Dorado, Kansas
John Brickley	10299 NW 77 th	El Dorado, Kansas
Missy Brickley	10299 NW 77 th	El Dorado, Kansas
Mike Glendening	801 W. Cave Springs	El Dorado, Kansas
Mike Dorrell	1012 N. Taylor	El Dorado, Kansas

INVOCATION

Pastor Stan Seymour provided the invocation.

PLEDGE OF ALLEGIANCE

The following El Dorado Middle School Students, Laci Burlison, President, Student Council and Lanie Ellis, Vice President, Student Council along with their teacher Mr. Les Limón, Teacher led the Governing Body and the audience in the pledge of allegiance.

PERSONAL APPEARANCE

USRA Representatives Loren Tregellas, “Planes Over El Dorado”

Mr. Loren Tregellas appeared before the Governing Body to personally thank the City of El Dorado, the City Commission, Prairie Port, and the Airport Advisory Committee for their support with the Planes over El Dorado. This group has tentatively scheduled another united scale racing event in June, 2002. Mayor Phillips thanked Mr. Tregellas for his efforts.

DICK MORRIS – AMERICAN FLAG OF TULIPS

Mr. Dick Morris, 321 S. Denver, appeared before the Governing Body to inform them of the plans to plant approximately 6,000 red, white, and blue tulip bulbs at the El Dorado Depot. The tulips will be planted in the shape of the American flag. They plan for this flag to be 27 feet in length and 14.5 feet in width. Mr. Morris noted that Mr. Leland Seivley, owner of Seivley's Garden Center, along with City staff has helped with the arrangements. Mr. Morris also stated that he anticipates National attention, since this is the first one of it's kind.

Mr. Morris then stated that he will be purchasing the tulip bulbs and intends to sell them for \$1.00 each. He plans to donate the amount received over the purchase price of the bulbs to the local American Red Cross. The City Commission expressed enthusiasm and thanked Mr. Morris for his efforts.

JOHN BRICKLEY

Mr. John Brickley, owner of 924 N. Topeka, appeared before the Governing Body to read aloud a prepared statement. During the course of Mr. Brickley's dialogue, Mayor Phillips requested that Mr. Brickley curtail his presentation since the letter was unrelated to the 924 N. Topeka issue. The letter focused more on allegations on certain City employees.

Ms. Gay Crosley, 411 Post Road, challenged the Governing Body to act in a professional manner by not making personal comments in the public regarding City business.

Mike Glendening, 801 W. Cave Springs, stated that he believed the Governing Body should apologize to Mr. Brickley for not letting him finish his personal appearance.

No further discussion.

CONSENT AGENDA

- A. Approval of the October 15, 2001 City Commission Minutes.
- B. Approval of Appropriation Ordinance No. 10-01 in the amount of \$6,807,049.99.
- C. Approval of the Engineer's First and Final Pay Estimate dated October 15, 2001 on Project No. 966, Sanitary Sewers for Criss Seventh, Phase I to the Contractor, Nowak Construction Co., Inc, in the amount of \$30,496.00.
- D. Approval for the Mayor to sign Right-of-Way Easements for the El Dorado Business Park Addition for Lot Nos. 1 through 8 in Block 1; and Lot Nos. 4, 5, and 6 in Block 3. These are easements needed for Utility, Drainage and Wetlands in the Business Park. They must be signed and filed with the Register of Deeds prior to selling the lots. They allow the City to protect the property as detailed in the project plans.
- E. Approval of an amendment of a tax exemption ordinance for Rustic Oak Furniture. The State Board of Tax Appeals has approved the order, contingent upon the Commission amending the original ordinance. The revision contains language that the property will be used for economic purposes.

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

Commissioner Criss seconded the motion.

PROJECT NO. 937 – PAVING EIGHTH AVENUE (MAIN TO OAK)

Mayor Phillips stated that at the October 1, 2001 meeting this Commission passed Resolution No. 2352, a resolution ordering in the Paving of Eighth Avenue (Main to Oak). Under Kansas law, the property owners are allowed to petition against the project. The petition to demonstrate that the property owners in the benefit district do not wish to pave Eighth Avenue is sufficient. 93.94% of the resident owners and 85.48% of the area of property owned by persons in the benefit district were against the project. The required numbers to be sufficient to protest the petition were 51% of the resident owners and over half of the area.

RESOLUTION NO. 2355 - SETTING OUT FINDINGS AND DETERMINATIONS OF THE GOVERNING BODY

Commissioner Taylor moved that Resolution No. 2355, a Resolution rescinding Resolution No. 2352, for the paving of Project No. 937, be adopted.

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

REQUEST TO CLOSE THIRD STREET

Mr. Vince Haines appeared before the Governing Body representing Hutton Construction Contractor for the YMCA, with a request to close Third Street temporarily, while under construction, between Vine Street and North Main.

Commissioner Clites moved to approve the temporary closure of the south lane of Third Street, between Vine and North Main in conjunction with the construction of the YMCA .

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

PUBLIC HEARING – PROJECT NO. 948 – PAVING DIAGONAL ROAD (SOUTH OF CENTRAL AVENUE)

PROJECT NO. 948 – FINAL COSTS

Total authorized		\$63,400.00
Benefit District	\$48,019.46	
City at Large	<u>12,647.08</u>	
Actual Total Project	\$60,666.54	\$60,666.54
Unexpended Total		\$ 2,733.46

ASSESSMENT ORDINANCE NO. S-1125

Commissioner Taylor moved that Ordinance No. S-1125, an ordinance apportioning and assessing the cost of construction of certain streets in the City of El Dorado, Kansas, as set forth in Project No. 948, and levying against several lots and parcels of land subject to be taxed for the payment of the cost of such improvements,” be approved.

Commissioner Criss seconded the motion.

ROLL CALL

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

MAIL ASSESSMENTS

Commissioner Shepherd moved that the City Clerk be instructed to mail to the owners of property assessed, at their last known Post Office address, a Notice of Assessment and a Statement of Cost, finally determine and assessed against the land so owned and assessed.

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

EAST PARK RESTROOMS

Mayor Phillips stated that the City has an annual program to improve the park facilities and comply with ADA regulations. One of the projects included in the 2001 Budget was work on the East Park restrooms.

RECEIVING THE BIDS

Mayor Phillips spread the bids for the record.

Keystone Construction	\$ 9,799.00
Diamond D. Construction	8,750.00

AWARDING THE CONTRACT

Commissioner Criss moved that as Diamond D Construction Company has submitted the lowest and best bid for the East Park restroom project that the project be awarded to Diamond D Construction.

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

MUTUAL AID AGREEMENT WITH THE EL DORADO CORRECTIONAL FACILITY

Fire Chief Smith stated that a mutual aid agreement was initially signed between the City of El Dorado and the El Dorado Correctional Facility in 1991 with a stipulation that every three years it be reviewed. The agreement outlines the services that are available to

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each entity from the different departments. Our services to the El Dorado Correctional Facility include structure firefighting, wild land firefighting, and Haz-Mat. The agreement is drawn up as such that anytime a need may arise our services may be withdrawn. The services from El Dorado Correctional Facility include search and rescue, transportation, hostage negotiation and snipers. They may withdraw their services if the need would arise.

Commissioner Clites moved to approve the Mutual Aid Agreement between the City of El Dorado and the El Dorado Correctional Facility.

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

PROJECT NO. 974 – 2002 SALES TAX PROJECT

City Engineer Wagner stated that the proposed action establishes December 3, 2001 as the date for a Public Hearing on Project No. 974, which is proposed to be included in the year 2002 Sales Tax Program Projects. This action is required due to the fact that property owners will be assessed for a portion of this work. The streets involved are as follows:

Project No. 974

FOURTH AVENUE-	From the West line of Frazier to the East line of High
FRAZIER STREET-	From the South line of Fourth to the South line of Sixth
THIRD AVENUE-	From the East line of Jones to the East line of Orchard

Property owners will be notified by mail and an informational meeting will also be held on November 27, 2001.

RESOLUTION NO. 2356

Commissioner Criss moved that Resolution No. 2356 ordering a public hearing on the paving of Project No. 974 more specifically described therein, be adopted.

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

BOARD APPOINTMENTS

Mayor Phillips stated that the City Commission with several other community organizations have been working on the “Fine Art of Living Well” initiative. An over-all strategy is being finalized. This committee would be in charge of overseeing the implementation of this strategy.

TRANSFORMATION TEAM

Commissioner Taylor moved that Dr. Jackie Vietti, Ted Farmer, Donna Naill, Heidi Hulse, Jennifer Callaway, Ed Gard and Brian Clites be appointed/re-appointed to the Transformation Team for a one-year term to expire October 1, 2002.

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

MISCELLANEOUS

WORK SESSION

A work session is scheduled for November 13, 2001 at 3:00 p.m.

TOWNSHIP VILLAGE

City Manager Stewart stated the City crews are working to increase the water pressure in the Township Village area and anticipate improvement by the first of the year.

REAP MEETING

City Manager Stewart stated that the Tourism Committee of REAP was focusing on the issue of airfares at Wichita Mid-Continent Airport. The objective was to lower the fares.

UNITED WAY

City Manager Stewart stated that he was proud of the City employees that met their United Way goal for 2001 of \$7,500.00.

NEW FLAGS

Mayor Phillips noted that the City of El Dorado, Prairie Port, and the El Dorado CVB have purchased 75 new flags to replace those that have been flying in the downtown area since the attack on America on 9-11-01. Mayor Phillips thanked those that contributed to this purchase.

DOG KENNELS

Commissioner Shepherd requested that the Governing Body and City staff research the City's policy in regard to kennels within the city limits.

Janet L. Arnold, City Clerk

Connie Phillips, Mayor

