

EL DORADO CITY COMMISSION MEETING MINUTES November 15, 1999

The El Dorado City Commission met in regular session on November 15, 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 Chase	5225 NW Ohio Street	El Dorado, Kansas
Kenneth Wagner	2608 W. Third Ave.	El Dorado, Kansas
Helen Wagner	2608 W. Third Ave.	El Dorado, Kansas
R.M. Williams	1104 Delmar	El Dorado, Kansas
Wilford E. Phares	1374 Terrace Drive	El Dorado, Kansas
Eva & Eldon Phillips	309 Diagonal	El Dorado, Kansas
Ed Jilg	105 Hillside	El Dorado, Kansas
Katherine Miller	113 E. Locust	El Dorado, Kansas
Mike Glendening	801 W. Cave Springs	El Dorado, Kansas
John Wilkinson	1016 S. Denver	El Dorado, Kansas
Karen Kenney	El Dorado Main St.	El Dorado, Kansas
Donald Adlesperger	2048 SW 40 th	El Dorado, Kansas

INVOCATION

Pastor Richard Edds provided the invocation.

PLEDGE OF ALLEGIANCE

City Attorney Mike Coash led the audience and Governing Body in the pledge of allegiance.

PERSONAL APPEARANCES

SENIOR AMBASSADORS

Mr. Kenneth Wagner, 2608 W. Third, appeared before the Governing Body on behalf of the Senior Ambassadors to request that the community center be named the Marv McCown Community Center.

Mayor Seeber thanked Mr. Wagner for his appearance and presentation.

EL DORADO GATEWAY

Richard Chase, 5225 NW Ohio Street Road, appeared to inform the Governing Body that the group "Scenic El Dorado" has begun a project that will provide landscaping on west Central between Haverhill Road and Boyer Road. They will begin planting more trees and shrubs third week of November.

KATHERINE MILLER

Ms. Katherine Miller, 113 E. Locust, expressed her concern with the cat problem in her area.

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Mayor Seeber informed Ms. Miller that City staff would review this situation.

MAIN STREET QUARTERLY REPORT

Karen Kenney, 5856 NE Cole Creek Road, provided the Governing Body with a copy of the Main Street Report and the current newsletter. Ms. Kenney then gave a detailed report of the activities of Main Street.

CONSENT AGENDA

- A. Approval of the November 1, 1999 City Commission Minutes.
- B. Approval of the November 8, 1999 Work Session Minutes.

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

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

EL DORADO BUSINESS PARK

City Manager stated that the City Commission approved the annexation and plat of the El Dorado Business Park. He noted that the Industrial Park committee of El Dorado, Inc., recommended \$2.50 per square foot without any special assessments.

Mayor Seeber questioned how the committee arrived at the amount of \$2.50 per square foot. She indicated that the committee should have a few realtors review the property to help determine a price.

City Manager Stewart noted that the committee along with a consultant arrived at the proposed amount. He further noted that they compared this rate with other area communities and the committee's intention is to set the cost at an amount that will help recoup some of the improvement costs of these properties.

Commissioner Storrer stated that in his opinion the properties that front on Central should have a higher cost per square foot than those that don't front on Central.

Mike Glendening, 801 W. Cave Springs, questioned why the Governing Body was just now setting a price for this property. It was his understanding that a portion of the property had already been purchased.

City Manager Stewart noted that at the time the property was originally purchased by the City, Mr. Ralph Hobson purchased a portion of the property from the City. This transaction was included in the original acquisition of the property. He further noted that this was taken care of in a public hearing approximately 1 ½ years ago.

Commissioner Storrer noted that Mr. Hobson intended to purchase this entire piece of property. The City asked him to sign an agreement stating that he would not purchase the property and the City would in turn sell him the specific acreage he was interested in. By handling the purchase in this manner, the City was able to save a great deal of money, which in turn saved the taxpayers.

Mr. Glendening noted that, in his opinion, since the City was able to sell the property to Mr. Hobson it should have also been offered to other citizens.

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City Attorney Mike Coash noted that the original acquisition for this property was performed legally and simultaneously with Mr. Hobson's purchase. He stated that proceeding with the purchase in this manner not only saved the City a great deal of money but also the taxpayers.

The Governing Body chose to table this item to further discuss and establish a fair price for this property.

CIVIC CENTER PROJECT – CONSIDERATION OF CHANGE ORDER NO. 2

City Manager Stewart noted that at the time the City Commission approved the bids and the contract was awarded, an allocation of between \$42,000 and \$66,000 for the construction of fence sections along Central Avenue and Vine Street was included. The architect, Prigmore/Krevins, has now submitted an option for the City Commission's consideration. The option provides for three sections of decorative fence, approximately 96 lineal feet, along Central Avenue in various masonry forms and powder coated steel fence construction. Total cost is \$53,600.

Commissioner Storrer moved to approve Change Order No. 2, the construction of the fence section for the Civic Center as approved by Alternate #4 in the original bids in the amount of \$53,600.

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

INTERIM ZONING

City Manager Stewart stated that the Planning Commission is currently in the process of revising the Comprehensive Plan, Zoning and Subdivision Regulations for the City. In order to provide a transition period, it is recommended that Interim Zoning Regulations be adopted for the C-1 and O-I Districts. The intent of these regulations is:

- To protect the City during the preparation of updates to the comprehensive plan and zoning ordinance from development and new uses of land which may be contrary to the promotion of the health, safety, quality of life, comfort and general welfare of the City;
- To protect the character of existing neighborhoods and districts; and
- To provide for appropriate transitions to new and amended regulatory requirements.

Mayor Seeber stated that since this is what is anticipated to pass with the new regulations for the City, why not pass the new zoning regulations permanently now.

City Engineer Remsberg stated that since there will be more discussion that will include all of the zones, City staff's recommendation is to wait until that time to pass the permanent regulations.

Mr. John Wilkinson, 1016 S. Denver, stated that he was present at the last Planning Commission meeting and he was not aware of this item. He questioned why an interim zoning was being considered since the Planning Commission had not yet discussed this.

City Manager Stewart stated that it was City staff's opinion that the transition would be more efficient to have the interim zoning.

Mr. Don Adlesperger, 2048 SW 40th, stated that he was in favor of the interim zoning. In his opinion, this would provide the City with more control over what type of facilities

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were constructed on west Central and throughout the city, which would make the area more attractive.

Commissioner Clites moved that Ordinance No. G-866, AN ORDINANCE PROVIDING FOR THE APPROVAL OF INTERIM ZONING REGULATIONS FOR C-1 AND O-I DISTRICTS, to expire January 17, 2000, be adopted.

Commissioner Kirkpatrick seconded the motion.

ROLL CALL

Mayor Susan J. Seeber	No
Commissioner Brian L. Clites	Yes
Commissioner Betty Criss	Yes
Commissioner Betty J. Kirkpatrick	Yes
Commissioner Don Storrer	Yes

PLANNING COMMISSION RECOMMENDATION – SPECIAL USE PERMIT FOR TRINITY UNITED METHODIST CHURCH

The Planning Commission held a Public Hearing on October 28, 1999 regarding a request for a Special Use Permit for an addition to an existing church. The request was made by Trinity United Methodist Church. This property is currently zoned R-1. The Planning Commission recommended to the City Commission that the request be approved.

Commissioner Kirkpatrick moved that in the case of the Special Use Permit for an addition to the existing Trinity United Methodist Church at 430 Eunice, the City Commission adopt the recommendation of the Planning Commission and that Resolution No. 2256, A RESOLUTION SETTING OUT THE FINDINGS OF THE CITY OF EL DORADO IN SPECIAL USE CASE NO. 99-07 be adopted.

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

PLAT OF THE ADLESERGER BROTHER LEGION HILLS ESTATE

At the October 28, 1999 Planning Commission meeting, the Planning Commission reviewed and approved the Final Plat of Adlesperger Brothers Legion Hills Estates Addition, which covers an area on the North side of Towanda Avenue, in the South Central portion of the American Legion Golf Course. The Preliminary Plat was reviewed and approved at the September 30, 1999 meeting. The Planning Commission placed stipulations on the plat as follows:

- 1) The lot line in Lot 14 of Section A be moved to the north 5 feet to comply with setback requirements.
- 2) Lots 1, 2, 3, 4, and 5 in Block B and lots 1 and 14 in Block A be restricted to only having access onto Birdie Lane and not on to Towanda.
- 3) The benefit district include the entire subdivision when Towanda Street is paved.
- 4) Conditions 2 and 3 be included in the restrictive covenants, along with any other restrictive covenants the developer deems necessary.
- 5) The restrictive covenants be submitted before the final plat can be approved.

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Commissioner Criss moved that the public easements and rights-of-way contained in the Final Plat of Adlesperger Brothers Legion Hills Estates Addition be accepted.

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

PROJECT NO. 928 – SANITARY SEWER TO SERVE CRISS FOURTH ADDITION

A petition for this work was filed earlier this year and plans and specifications were then ordered to be prepared. The project is now ready to bid.

Commissioner Kirkpatrick moved that the City Engineer’s plans, specifications and estimate of cost amounting to \$200,000 for Project No. 928 as filed by the City Engineer in the City Clerk’s Office on November 12, 1999, be approved and that the City Manager solicit bids for the construction of Project No. 928 and that the bids be considered at the regular meeting on December 6, 1999.

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

MISCELLANEOUS

BIKE PATH

City Manager Stewart stated that the tunnels under the railroad tracks are in the process of being welded. The contractors are past completion date and are paying damage costs.

CHARETTE – COMPREHENSIVE PLAN REVIEW

City Manager Stewart noted that the “Charette” with the community members and the Planning Commission is scheduled for November 18, 1999 at the El Dorado Depot.

TRAFFIC STUDY

The Traffic Study has been presented to the Planning commission and is scheduled to be on the next City Commission agenda.

CHRISTMAS LIGHTING/MAYOR’S COFFEE

City Manager Stewart stated that the Mayor’s Coffee is scheduled to be held directly following the Christmas Lighting at the Depot on Friday, November 26, 1999.

WORK SESSION

City Manager Stewart stated that a work session is scheduled for Friday, November 26, 1999 at 4:00 p.m.

CELEBRATION OF FREEDOM

City Manager Stewart complimented everyone involved with the Celebration of Freedom activities and parade.

TENNIS COURT OVERLAY

Mayor Seeber questioned the progress of the tennis court overlay. It was noted that it is scheduled to begin the middle of November.

BCCC FOOTBALL TEAM

Commissioner Kirkpatrick congratulated the BCCC Football Team for their success so far this season.

ADJOURNMENT

Janet L. Arnold, City Clerk

Susan J. Seeber, Mayor