El DORADO CITY COMMISSION MEETING MINUTES November 19, 2001

The El Dorado City Commission met in regular session on November 19, 2001. The following were present: Mayor Connie Phillips, Commissioner Oral Taylor, Commissioner Betty Criss, Commissioner Brian Clites, City Manager Stan Stewart, Assistant City Manager Gus Collins, City Engineer David Wagner, City Clerk Janet L. Arnold, and City Attorney Mike Coash. Commissioner Brian Shepherd was absent.

VISITORS

Mary & Steven Bentz	924 N. Topeka	El Dorado, Kansas
Elmer Rohr		El Dorado, Kansas
Bryan Ladson	1774 Lakeland	El Dorado, Kansas
Homer Reynolds	254 Warren	El Dorado, Kansas
Marian Ruck Jackson		Rosalia, Kansas
Dwayne & Rhonda Moore	342 Simpson Road	El Dorado, Kansas
Mary McCoy	336 Simpson Road	El Dorado, Kansas
Chester McCoy	336 Simpson Road	El Dorado, Kansas
R. K. Love	1418 Sunset	El Dorado, Kansas
Mike Dorrell	719 Charron	El Dorado, Kansas
Mike Glendening	801 W. Cave Springs	El Dorado, Kansas
Billy R. Jones	401 S. Denver	El Dorado, Kansas
Jack L. Swafford	1974 Country Club Rd.	El Dorado, Kansas
Kurt Spivey	538 N. Tenth	Towanda, Kansas
Debra Lynch	509 N. Washington	El Dorado, Kansas
Patricia Duncan		El Dorado, Kansas
Jan Thompson	1933 N. Main	El Dorado, Kansas
Matt Jacobs	El Dorado Times	El Dorado, Kansas
Jean Brickley	515 N. Washington	El Dorado, Kansas
Don Brickley	515 N. Washington	El Dorado, Kansas
David & Loresa Lewis		El Dorado, Kansas
Art Anderson	635 Marmaton	El Dorado, Kansas
Donald Adlesperger	2048 SW 40th	El Dorado, Kansas
Thomas V. Murry	830 Delmar	El Dorado, Kansas
Kathy Daines	924 N. Topeka, #F1	El Dorado, Kansas
Angela Reed	1031 Clark Apt. #8	El Dorado, Kansas
Trish Spella	924 N. Toepka #E3	El Dorado, Kansas
Gay Crosley	411 Post Road	El Dorado, Kansas
Megan Crosley	411 Post Road	El Dorado, Kansas
Marietta Brown	141 N. Emporia	El Dorado, Kansas
Julia Cruz		El Dorado, Kansas
Silvia Chico	924 N. Toepka, #104	El Dorado, Kansas
John Brickley	924 N. Topeka	El Dorado, Kansas
Arthur Chico	924 N. Topeka	El Dorado, Kansas
Cherise M. Warren	3946 SW Haverhill Rd.	El Dorado, Kansas
Steve Smith	El Dorado Times	El Dorado, Kansas

INVOCATION

Father Mike Nolan provided the invocation.

PLEDGE OF ALLEGIANCE

El Dorado Middle School Students

El Dorado Middle School Student, Tiffany Ladson along with her teacher, led the Governing Body and the audience in the pledge of allegiance.

CONSENT AGENDA

A. Approval of the November 5, 2001 City Commission Minutes.

B. Approval of the November 13, 2001 Work Session Minutes.

C. Approval of the Engineer's Fourth Pay Estimate dated November 15, 2001, on Project No. 949 paving Fredrick (Towanda to Webb), Webb (Fredrick to Arthur), Leonard Court, Audrey Dr. (Towanda to Webb), Charron (Towanda to Webb), Edgemoore (Towanda to Webb), to the Contractor, Central Paving, Inc., in the amount of $ 55,242.18.

D. Approval of the Engineer's Third and Final Revised Pay Estimate dated November 14, 2001 on Project No. 951 Repaving 12th Avenue (Main to East City Limits) to the Contractor, Central Paving, Inc., in the amount of $642.76.

E. Approval of the Engineer's Fourth Pay Estimate dated November 14, 2001 on Project No. 905 repaving Poplar (100 Block South), Olive (Poplar to High) to the contractor, Central Paving, Inc., in the amount of $ 2,209.17.

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

Commissioner Criss seconded the motion and it carried 4-0.

RESPONSE TO PERSONAL APPEARANCE ON NOVEMBER 5, 2001 AND PERSONAL APPEARANCE POLICY DISCUSSION

Mayor Phillips stated that the City Commission has always desired and encouraged public participation and believes that public input is very important to the process. Before considering a policy, the Mayor, on behalf of the City Commission, responded to the personal appearance of November 5, 2001 noting that she would prefer to continue the policy of allowing personal appearances, with specific guidelines outlined. After the Mayor's response, the other City Commissioner's in attendance provided their responses noting that they would also prefer to continue allowing personal appearances.

Mr. John Brickley, 924 N. Topeka, appeared before the Governing Body regarding his previous appearance before the Commission. In his opinion he was treated unfairly since he was not allowed to continue with the reading of his prepared letter.

A few city residents appeared regarding the personal appearance policy. The general consensus was that they would prefer that the Governing Body continue to allow personal appearances.

A policy that would set procedures in place for the general public to address the City Commission at City Commission meetings was then discussed and will be considered at the next regularly scheduled City Commission meeting. City Attorney Mike Coash stated the constitutional rights concerning commission meetings. He noted that the public is allowed to be in attendance to hear the items of the meeting, but citizens are only allowed to speak if given permission by the City Commission. Also, the written procedure currently in place is basically the same as the proposed policy. The policy regarding personal appearances does not limit input on specific agenda items.

KANSAS DEPARTMENT OF PARKS & WILDLIFE AND THE CITY OF EL DORADO – SOCCER FIELDS

Mayor Phillips noted that the City Commission approved Phase I of the construction of the soccer fields to be located adjacent to the existing Lake Adult Softball Diamonds. An agreement is required for the City to use this property. This agreement is between the State and the City that will allow the City to construct a five-field, soccer complex at this location.

Commissioner Taylor moved to authorize the City Manager to enter into an agreement between the City and the State of Kansas Department of Parks and Wildlife for the construction of soccer fields and the continued use of this area for recreation purposes.

Commissioner Criss seconded the motion and it carried 4-0.

AGREEMENT WITH KDOT-US 77 (MCCOLLUM ROAD NORTH TO DEGRAFF

Mayor Phillips noted that the Kansas Department of Transportation had made a request to make modifications to Main Street (US-77 Highway) within the corporate limits of the City. Plans indicate that they are going to modify the intersection of McCollum Road and north to the City limits. KDOT has prepared and provided the necessary agreement to proceed with their request.

Commissioner Criss moved that Resolution No. 2357, a resolution relating to benefits obtainable by cities under federal and state aid programs, be adopted.

Commissioner Taylor seconded the motion and it carried 4-0.

MISCELLANEOUS

WORK SESSION

City Manager Stewart stated that a work session was scheduled for Wednesday, November 28, 2001 at 3:00 p.m.

CANNON VALLEY WOODWORK

City Manager Stewart reported that the State has worked with Cannon Valley Woodwork and workers should be getting their last paycheck that they had not yet received.

ADJOURNMENT

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Janet L. Arnold, City Clerk **Connie Phillips, Mayor**