

EL DORADO CITY COMMISSION MEETING MINUTES December 1, 2003

The El Dorado City Commission met in regular session on December 1, 2003 at 7:30 p.m. with the following present: Mayor Connie Phillips, Commissioner Mike Fagg, Commissioner Linda Clark, Commissioner Oral Taylor, Commissioner Brian Shepherd, City Manager Stan B. Stewart, Assistant City Manager, Gus Collins, City Clerk/Finance Director Dee Ann Grunder, City Planner Shaunna Johnson, City Engineer Dave Wagner, and City Attorney Mike Coash.

VISITORS

Peggy B. & Loresa Lewis	1009 Park	El Dorado, Kansas
Helen Gordon	634 Marmaton	El Dorado, Kansas
Kim Matthews	109 S. Emporia	El Dorado, Kansas
Jana James	1009 S. Emporia	El Dorado, Kansas
Nancy Thome	509 NW State Road 196	El Dorado, Kansas
Dorothy Sherrer	1823 Belmont	El Dorado, Kansas
Annie Karst	1398 SE Bluestem	El Dorado, Kansas
Raye Wise	10707 W. 95 th St. S	Clearwater, Kansas
C.A. Jarseb	1398 S.E. Bluestem Rd	El Dorado, Kansas
Alicia Maus	910 S. Emporia	El Dorado, Kansas
Amanda Heigh	909 S. Emporia	El Dorado, Kansas
Peter Knoop	911 S. Topeka	El Dorado, Kansas
Jessica Therrell	720 W. 2 nd Ave.	El Dorado, Kansas
Jerry & Teri Blount	131 Hillside	El Dorado, Kansas
Kendra, Jenae & Gage Waite	1925Country Club	El Dorado, Kansas
Shirley Mullin	905 S. Denver	El Dorado, Kansas
Richard & Leote Albright	417 Hillside St.	El Dorado, Kansas
Spencer Cune	721 W. 2 nd	El Dorado, Kansas
Rachelle Richey	721 W. 2 nd	El Dorado, Kansas
Steve Maus	910 S. Emporia	El Dorado, Kansas
Billy Therrell	720 W. 2 nd	El Dorado, Kansas
James L. Cook	719 Fredrick Drive	El Dorado, Kansas
Kurt Bookout	2520 Kacy Ct.	El Dorado, Kansas
John Banks	1824 Lawndale	El Dorado, Kansas
Richard Edds	1815 Quail Run	El Dorado, Kansas
Larry Adams	1756 W. 3 rd	El Dorado, Kansas
Pat Hicks	1147 A. Arthur	El Dorado, Kansas

Mayor Connie Phillips called to order the December 3rd City Commission Meeting. The Reverend Richard Edds provided the invocation.

PERSONAL APPEARANCE

Mayor Phillips recognized Commissioner Clark, who then announced the Citizen of the Month.

Commissioner Clark recognized Helen Gordon, 634 Marmaton as Citizen of the Month.

PLEDGE OF ALLEGIANCE

Ms. Toma's Third Grade Class from Lincoln School and the Stars, Danz & Cheers Teams led the Pledge of Allegiance.

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PERSONAL APPEARANCE

Jerry Blount, 131 Hillside, noted that he had been trying to find a balance between regulation and compassion to those individuals in need.

CONSENT AGENDA

- A. Approval of the November 17, 2003 City commission minutes.
- B. Approval of the November 25, 2003 Work Session minutes.
- C. Approval of Appropriation Ordinance No. 11-03 in the amount of \$859,634.05.
- D. Approval of the Engineer's Fifth Pay Estimate dated November 21, 2003 on Project No. 990, Paving Banks-Willhite First Addition to the Contractor, Central Paving, Inc., in the amount of \$66,093.80.
- E. Approval of the Engineer's Fifth Pay Estimate dated November 21, 2003 on Project No. 957-997, Paving Village Road. (Central to Sixth) to the Contractor, Central Paving, Inc., in the amount of \$154,852.99.
- F. Approval of the Engineer's Third Pay Estimate dated November 21, 2003 on Project No. 980, Paving Oak Street (6th to 7th) to the Contractor, Central Paving, Inc., in the amount of \$40,962.76.
- G. Approval of the engineer's Second and Final Pay Estimate dated November 21, 2003 on Project No. 965, Storm Sewer (400 Blk. Post Rd.) to the Contractor Middlecreek Mining, in the amount of \$1,060.66.
- H. Approval of the Engineer's Second Pay Estimate dated November 21, 2003 on Project No. 201, Sidewalks on the West side of the 400 Block S. Main, to the Contractor, Demo Construction, LLC, in the amount of \$831.53.
- I. Approval of the Engineer's First Pay Estimate dated November 21, 2003 on Project No. 207, Public Parking, in Central Avenue Park to the Contractor, Cornejo & Sons, in the amount of \$29,383.60. (Movie Theatre)
- J. Approval of 2004 Cereal Malt Beverage license applications as listed:
 - 1. American Legion Golf Course, 1801 W. Central
 - 2. Prairie Bowl, Inc., 307 S. Haverhill Road
 - 3. Falley's Food-4-Less, 524 N. Main
 - 4. Dillon Store #29, 700 N. Main
 - 5. Pizza Hut, 2423 W. Central
 - 6. Pizza Hut, 729 N. Main
 - 7.

Commissioner Clark moved that the Consent Agenda, as presented be approved, and Commissioner Fagg seconded the motion. Motion carried 5 to 0.

PUBLIC HEARING FOR PROJECT NOS. 223, 224-2004 SALES TAX PROJECT

Mayor Phillips noted that the Commission has established December 1, 2003, as the date for a Public Hearing on Project Nos. 223 and 224. A property owner's informational meeting was held on November 20th. The streets to be included in this program to have assessed improvements are as follows:

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Project No. 223

Haverhill Rd. From a point 300 feet South of the South line of Towanda to the South line of Central

Project No. 224

Gordy Street From the North line of Central to the South line of Third
W. First Avenue From the West line of Gordy to the West line of Main
E/ First Avenue From the East line of Main to the West line of Vine
W. Second Avenue From the West line of Gordy to the West line of Main
E. Second Avenue From the East line of Main to the West line of Vine

Property owners were notified by mail and an informational meeting was held on November 20, 2003. Five property owners attended.

PUBLIC HEARING

Mayor Phillips declared the public hearing to be open. No one appeared.

Resolution of Findings and Advisability of the Improvement – Resolution NO. 2443

Commissioner Shepherd moved that Resolution No. 2443, a resolution setting out the findings and determinations, and authorizing the paving of Project Nos. 223 and 224, be adopted, and authorize the City Manager to prepare plans and take bids on these projects.

Commissioner Taylor seconded the motion. Motion carried 5-0.

REZONING AT BANKS-WILLHITE ADDITION

Mayor Phillips noted that the Planning Commission reviewed a request to rezone Lots 2, 3, 4, 5, & 6 of Block 2 in Banks-Willhite Addition from R-3 Multi-Family Residential to R-1 Single-Family Residential.

City Planner Shaunna Johnson stated the Planning Commission reviewed this at their last planning meeting in November and recommended approval of this request. It still conforms to the future land use map.

John Banks, 1824 Lawndale, stated that the six lots could have basements and felt that would serve the development better. The area to the west will also have basements, but there is a hundred-year flood plain. Mr. Banks indicated they felt they could build senior houses without basements.

Commissioner Fagg moved that the recommendation of the Planning Commission be accepted and that Ordinance No. G-950, “an ordinance amending portions of the Zoning Regulations of the City of El Dorado, Kansas,” be approved.

Commissioner Shepherd seconded the motion.

ROLL CALL

Position No. 1	Commissioner Oral Taylor	yes
Position No. 2	Commissioner Linda Clark	yes
Position No. 3	Commissioner Brian D. Shepherd	yes
Position No. 4	Commissioner Michael A. Fagg	yes
	Mayor Connie Phillips	yes

Motion carried 5-0.

REZONING – 606 NORTH VINE

Mayor Phillips stated that Agenda Item No. 4 had to do with rezoning at 606 North Vine and turned it over to Shaunna Johnson.

City Planner Shaunna Johnson stated the Planning Commission reviewed the request to re-zone the property located at 606 North Vine. The applicant, Ronald Evans, requested that the property be re-zoned from R-1 to C-1. His intent for the property is to develop it into storage units. The Planning Commission recommended approval of this and it does conform with future land use of this area.

Commissioner Shepherd moved that the recommendation of the Planning Commission be accepted and that Ordinance No. G-951, “an ordinance amending portions of the Zoning Regulations of the City of El Dorado, Kansas,” be approved.

Commissioner Clark seconded the motion.

ROLL CALL

Position No. 1	Commissioner Oral Taylor	yes
Position No. 2	Commissioner Linda Clark	yes
Position No. 3	Commissioner Brian D. Shepherd	yes
Position No. 4	Commissioner Michael A. Fagg	yes
	Mayor Connie Phillips	yes

Motion carried 5-0.

Mayor Phillips asked when this would be started. Mr. Evans stated that weather permitting that it would be after the first of the year.

ZONING TEXT AMENDMENT.

Mayor Phillips noted that this item was also a zoning text amendment and was a request from a citizen.

Shaunna Johnson noted that David Turner requested that the Planning Commission review the Zoning Regulations to allow chain-link fences in the front yard. The existing regulations allow chain-link fences in the side and rear yards. Decorative and ornamental fencing with 50% capacity are the only types of fences allowed in front yards, which can not exceed 4-feet in height.

Commissioner Shepherd stated that we shouldn’t discourage chain-link fences if fences are allowed in the front yard, based on appearances only.

Commissioner Fagg stated that it should be looked at on a case-by-case basis and the neighbors should be able to provide input in this decision.

Mayor Phillips stated that it was inappropriate for the city to set standards for specific neighborhoods for what is allowed and not allowed.

Commissioner Taylor moved that the recommendation of the Planning Commission to deny the request be accepted.

Mayor Phillips seconded the motion.

Motion carried 4-1 with Commissioner Shepherd against. He did not have any objections if further discussion could be made at a later date.

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City Manager Stan Stewart indicated that we could ask the Planning Commission to consider this issue during their annual review.

CITY MANAGER'S REPORT

City Manager Stan Stewart noted that the Work Session Meeting would be held December 10th at 11:30 a.m.

Mr. Stewart noted that Sedgwick/Butler County had initiated a study two proposed development of the 254 Corridor between El Dorado, Kansas Dorado and Wichita. After visits with the committee during the Work Session, we will decide the level of support of the concept.

Twelfth & Main - signal should be completed by the first of the year.

The first Town Meeting has been scheduled at the Depot on December 4th at 6:00 p.m. The format will be a specific topic each time. The Park Master Plan will be the first topic.

Mayor Phillips thanked Damon Crank and David Sammons for the work they did on the Christmas lights.

The Oil Hill Street Improvement Informational Meeting will be Thursday, December 4th at 5:30 p.m. at the Civic Center.

City Engineer Dave Wagner noted that the paving on Village Road was completed and repair on the parking lot at the Police Station should begin this week.

ADJOURNMENT

Mayor Phillips adjourned the meeting at 8:30 p.m.

City Clerk Dee Anne Grunder

Mayor Connie Phillips