

EL DORADO CITY COMMISSION – REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
October 21, 2019 – 6:30 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation** – Pastor Christine Gilson
- 4. Pledge of Allegiance**- Girl Scout Troop #40183

Proclamations and Recognition

Personal Appearances. Personal appearances are opportunities for organizations or citizens to make special presentations before the City Commission. Such appearances are scheduled in advance of the meeting by calling City Clerk Tabitha Sharp at (316) 321-9100 by 5:00 pm the Tuesday preceding the meeting. Presentations are limited to ten minutes. Any presentation is for information purposes only; no action will be taken.

6. Public Comments. Persons who wish to address the City Commission regarding items not on the agenda and that are under the jurisdiction of the City Commission may do so when called upon the Mayor. Comments on personnel matters and matters pending in court are not permitted. Speakers are limited to three minutes. Any presentation is for information purposes only; no action will be taken.

Consent Agenda (*Consent agenda items will be acted on by one motion unless a majority of the City Commission votes to remove an item for discussion and separate action.*)

7. Approval of City Commission Minutes from October 9 and City Commission Special Minutes from October 2, 2019.
8. Approval of temporary Cereal Malt Beverage License for Cameron Motter for El Dorado High School Wrestling Team, at 210 E. 2nd Street.

Old Business

9. None

New Business

10. Cemetery Regulations
11. Resolution of Intent for Orscheln Farm and Home LLC
12. Approval of North Main Park Playground Bid

Reports

13. City Commission and Advisory Board Updates
14. City Manager

Executive Session

15. None

Adjournment

16. Consideration of a motion to adjourn the October 21, 2019 regular meeting

PUBLIC COMMENT POLICY:

Citizens are encouraged to address the City Commission during regularly scheduled meetings. This policy is intended to provide some guidelines to ensure that all El Dorado citizens have a chance to address the Commission.

1. Each citizen will state their name and address before making comments.
2. There are no residency requirements.
3. Each citizen will have 3 minutes to present his or her comments.
4. An extension of time, if necessary, may be approved but must be by a majority of the City Commission.
5. Comments or questions will be directed only to the City Commission.
6. Citizens will follow the decorum policy.
7. Debate or argument between parties in the audience will not be allowed.
8. Certain legal issues may not be discussed. (Examples include but are not limited to personnel issues, lawsuits, etc.)
9. Violation of this public comment policy will result in the citizen being directed to cease or resume sitting.

Approved by the Commission this 2nd day of May 2005.

EL DORADO CITY COMMISSION MEETING

October 9, 2019

The El Dorado City Commission met in a regular session on October 9, 2019 at 6:30 p.m. in the Commission Room with the following present: Mayor Vince Haines, Commissioner Matt Guthrie, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, and City Engineer Scott Rickard, and City Clerk Tabitha Sharp.

VISITORS

Curt Zieman

128 N Vine

El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the October 9, 2019 meeting to order.

INVOCATION

Pastor Jurdan Counts, Park Avenue Baptist Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PRESENTATION

Fire Chief Joe Haag thanked Andy and Megan Reese for their assistance in helping the El Dorado Fire Department apply for and receive the equipment grant from Firehouse Subs.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comment.

There were no comments.

CONSENT AGENDA

Approval of City Commission Minutes from September 16, 2019 and Special City Commission Minutes from September 11, 2019.

Approval of Appropriation Ordinance No. 09-19 in the amount of \$1,930,160.02.

Approval of a temporary Cereal Malt Beverage License for El Dorado Community Partners at 206 North Griffith Street.

EL DORADO CITY COMMISSION MEETING

October 9, 2019

Approval of Cereal Malt Beverage License for Golden Asian Buffet at 2350 West Central Avenue.

Approval of temporary Cereal Malt Beverage License for Cameron Motter at 210 E 2nd Street.

Commissioner Nick Badwey moved to approve the consent agenda as amended.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

LIQUOR SALES TAX FUNDING APPROVAL – THRIVE! BUTLER

City Clerk Tabitha Sharp stated that Thrive! Butler and the Safehouse have requested funding for a babysitter during their programming. She stated that previous allocations have left a balance of approximately \$7,000 in the account, so there is plenty for their request.

Mayor Vince Haines asked if they fit the funding requirements.

City Clerk Sharp stated that they were funded earlier in the spring. She stated that the statute isn't clear, so the argument can be made at this time that their purpose fits.

Commissioner Kendra Wilkinson moved to allocate the Liquor Tax Monies in the amount of \$1,800 to Thrive! Butler and to authorize the City Manager to execute the appropriate documents and contracts with the recipient and that these funds are disbursed consistent with Kansas statutes.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

ORSCHLON FUNDING AGREEMENT

City Manager David Dillner stated that Orschlons has submitted their application for a funding agreement that will be used to pay for services provided in the development of the Tax Increment Financing District. He stated that this agreement will allow us to move forward with the steps that create the district.

Mayor Vince Haines asked if the funding exceeds the amount we spend if they would provide additional funds.

EL DORADO CITY COMMISSION MEETING

October 9, 2019

City Manager Dillner stated that the agreement provides for additional funding should that be an issue.

Commissioner Gregg Lewis moved to approve the funding agreement with Orscheln's and directed the Mayor to sign said agreement.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

DILAPIDATED HOMES UPDATE

City Engineer Scott Rickard stated that staff not heard from any of the interested parties for the following addresses: 1107 W Carr, 1108 W Carr, 426 W 7th and 802 S Taylor and so staff are ready to move forward with demolition. He stated that staff have solicited bids for the demolition of these four structures and the low bid was Stands Farms.

City Engineer Rickard stated that staff will update the City Commission regarding the fifth property in November. He stated that we have heard from them, they have stated that the owner's medical issues are preventing them from moving forward and they are requesting more time.

Commissioner Nick Badwey stated that he felt that they had enough time already, and if they are unable to provide any other information, it is time for the house to come down. He asked if they get someone to purchase it at auction if the new owner will get more time.

City Engineer Rickard stated that the deed has been filed with the demolition order on it, so anyone who purchases it will know that the home is being torn down. He reminded the City Commission that this process has been going on for a while, and so the owners have had time to deal with the situation.

Commissioner Matt Guthrie asked if there was enough money in the fund to cover all of the properties.

City Engineer Rickard stated that there is approximately \$15,000 in the fund now and there will be another transfer for 2019 before the end of the year, so there are adequate funds.

Commissioner Kendra Wilkinson asked if it was the responsibility of the person demolishing a home to do the backfill.

City Engineer Rickard stated that it was.

Commissioner Wilkinson requested that staff look into the property on Towanda that was recently demolished.

Commissioner Matt Guthrie moved

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Engineer Rickard stated that those costs will be assessed back on to that property in hopes that the City will receive some return on the property if it is sold.

KDOT COST-SHARE PROGRAM

City Engineer Scott Rickard stated that the State of Kansas has released this program as part of the new transportation program. He stated that the intent of the program is to make improvements to the highway system and to encourage growth.

City Engineer Rickard stated that staff hear a lot about McCollum and Main, especially during the school year. He stated that staff have proposed a round-about that will ease the traffic in that area and assist with the potential addition of a northwest trafficway.

City Engineer Rickard stated that the estimated cost is \$1.467 million, which will include a mill and overlay of Main from 12th to McCollum. He stated that the mill and overlay allowed us to contribute more which will increase the points our application receives.

City Engineer Rickard stated that he is hearing that this will be a very competitive program with about \$11 million available each year. He stated that this fall, there is an infusion of \$50 million that will not be available in the future.

Commissioner Gregg Lewis moved to direct the City Manager to submit an application to the Kansas Department of Transportation Cost Share Program.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

NEIGHBORHOOD REVITALIZATION POLICY RENEWAL

City Engineer Scott Rickard stated that the Neighborhood Revitalization Program is set to expire at the end of the year. He stated that staff have discussed the renewal with the Commission at previous work sessions.

City Engineer Rickard stated that there are 165 parcels currently in the program. He stated that properties can perform improvements on their parcel and receive approximately 95% of the new tax as a refund each year for ten years.

City Engineer Rickard reviewed the criteria for participation in the program. He stated that there is a minor change in this section, specifically C, the “and/or” was taken out and it only says “and” now. He stated that they added section E which includes properties in the Opportunity Zone.

City Engineer Rickard stated that previously it specified structures built prior to 1970, it has been changed to homes 50 years or older. He stated that new homes are no longer eligible.

Mayor Vince Haines stated that he would like to change the \$250,000 ceiling, especially in the Opportunity Zone. He encouraged them to change it to per unit or to increase to allow a better benefit for multi-family housing.

Commissioner Matt Guthrie stated that he understood that other entities had previously had a problem with that amount.

Mayor Haines stated that specifically as it refers to multi-family housing, that number is very limiting. He suggested limiting it to \$250,000 per single family unit or per dwelling unit.

Commissioner Kendra Wilkinson stated that she saw the Opportunity Zone as being more attractive to multi-family housing units.

Commissioner Gregg Lewis asked about the Adlesperger Addition on South Emporia.

City Engineer Rickard stated that for residential, it's the 50 years or older and addresses within the opportunity zone.

Mayor Vince Haines moved to approve the Neighborhood Revitalization Plan as presented with the alteration of removing the \$250,000 limit on properties within the Opportunity Zone.

Commissioner Gregg Lewis seconded the motion.

Commissioner Badwey asked if staff thought they could present this to the other entities.

City Engineer Rickard stated that if they have good reasoning, he thought they would be willing to approve it. He felt if an elected official attended those meetings with staff, it would help.

Motion carried 4 – 1 (Commissioner Matt Guthrie opposed).

Commissioner Nick Badwey moved to approve Resolution No. 2894, a resolution authorizing and directing the Mayor to execute an interlocal agreement with the Butler County Board of Commissioners, Butler Community College, Unified School District #490, and Unified School District #375, for the Neighborhood Revitalization Program.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

CDBG ENVIRONMENTAL REVIEW

EL DORADO CITY COMMISSION MEETING

October 9, 2019

City Manager David Dillner stated that the City has been awarded a CDBG grant for the purpose of rehabilitating the property at 142 N Main Street.

Commissioner Gregg Lewis moved to direct the Mayor to sign documents related to Grant No. 19-CR-002 for 142 N. Main.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

REPORTS

CITY COMMISSION

Commissioner Kendra Wilkinson stated that she attended the Historic District Community Forum today. She stated that they heard a presentation from the Kansas Oil Museum on researching homes in El Dorado and it was very interesting the amount of information they have. She stated that they also heard about a new business downtown called Psycho Kitty Kreations who will be offering jewelry and other crafts. She stated that Wade Wilkinson discussed the building he is rehabilitating and he will be leasing it to Great Beginnings for their retail shop. She stated that they also heard from Elks Lodge and they were very grateful for the City's contribution to their new building.

Commissioner Matt Guthrie stated that he attended the Kansas Supreme Court event on Monday evening and the breakfast the next morning. He stated that it was a very nice event.

Mayor Vince Haines thanked Senator Givens for planting the seed to get that event here in El Dorado.

Mayor Haines stated that he attended a REAP meeting last week and they discussed workforce. He stated that they have established a task force to better address the issue.

Mayor Haines stated that he also went to the Governor's Symposium for Early Childhood and they also discussed workforce in reference to not only attracting teachers, but child care so that adults could go to work.

Mayor Haines stated that he also attended the Historic Forum as well as the Chamber of Commerce Career Expo today. He thanked them for offering those events.

CITY MANAGER

EL DORADO CITY COMMISSION MEETING

October 9, 2019

City Manager David Dillner stated that the City has received notice of the CDBG grant in the amount of \$247,950 for the rehabilitation of the building at 142 N Main.

City Manager Dillner stated that the Police Department has received a \$33,900 grant for training regarding mental health issues. He stated that they also received a DOJ grant for vests.

City Manager Dillner stated that the Walnut River Water Festival will be at BCC for 4th graders and our water and wastewater staff will be present.

City Manager Dillner stated that SBA will be doing their annual healthfest on October 17th.

City Manager Dillner stated that the Kansas Oil Museum will be hosting the haunted cemetery tour on October 26th.

City Manager Dillner stated that the City will be hosting a pumpkin carving event, pre-registration is required.

City Manager Dillner stated that from 4 to 6 p.m. on October 31st, Main Street will be hosting their annual trick or treat event.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to recess into executive session pursuant to the non-elected personnel exception under K.S.A. 75-4319(b)(1), to discuss the City Manager's annual evaluation and to reconvene the meeting at 8:10 p.m. in the City Commission Room.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines called the meeting back to order at 8:12 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:13 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines

EL DORADO CITY SPECIAL COMMISSION MEETING

October 2, 2019

The El Dorado City Commission met in special session on October 2, 2019 at 5:00 pm at City Hall with the following present: Vice Mayor Kendra Wilkinson, Commissioner Matt Guthrie, Commissioner Nick Badwey, City Manager David Dillner, City Engineer Scott Rickard and City Clerk Tabitha Sharp. Absent: Mayor Vince Haines and Commissioner Gregg Lewis

VISITORS

Curt Zieman	128 N Vine	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Frank Patton	El Dorado Main Street	El Dorado, KS
Linda Baines	253 E Post Rd	El Dorado, KS

CALL TO ORDER

Vice Mayor Kendra Wilkinson called the October 2, 2019 Special City Commission meeting to order at 5:00 p.m.

DOWNTOWN PLANTERS

Vice Mayor Kendra Wilkinson stated that she had received a message from Mayor Haines stating that the Main Street Director had asked him for more time for the downtown community to discuss the planters.

City Manager David Dillner stated that staff were beginning with the Commission because they didn't want the public to make a recommendation that was outside of the scope of what the Commission wanted. He stated that they are looking for some direction from the Commission and then plan to take it to the public.

Commissioner Matt Guthrie confirmed that the proposal was for a reduction from 65 planters to 12.

Kevin Wishart, Parks and Recreation Director, stated that 12 was the starting point for staff. He stated that they have already removed the worst of the planters and taken an inventory of the remaining ones. He stated that of the 65, there are 8 or 10 with a serious irrigation issue and another 25 that the boxes need to be replaced soon.

Commissioner Guthrie asked if they would be able to be saved when we remove them.

Mr. Wishart stated that they are so old that they are likely going to crumble when they are moved.

Commissioner Guthrie asked if city staff are responsible for all maintenance and care.

Mr. Wishart stated that the master gardening group helped on the front end of the project, but staff maintain them annually.

Commissioner Guthrie stated that if there are fewer planter boxes, he would like to see more baskets.

Vice Mayor Wilkinson stated that she would like to add more boxes, maybe in the middle of the blocks the proposed ones are in.

Mr. Wishart stated that 12 was also a starting point because the corners are easiest to maintain and get irrigation to.

Commissioner Nick Badwey stated that he was in favor of reducing the number of planters.

Staff agreed to return with a plan for moving forward.

CEMETERY REGULATIONS

Kevin Wishart, Parks and Recreation Director, presented some changes to the cemetery rules and regulations. He stated that they were primarily grammar changes that needed to be cleaned up. He also provided a new fee structure that simplified the existing fees and changed the infant burial fee to the full cost as the same amount of work is required.

FITNESS COURT

Kevin Wishart, Parks and Recreation Director, stated that the City was made aware of a grant for a fitness court. He stated that staff had presented it to the Parks and Recreation Board, but they did not want to move forward with it if City funds had to be utilized.

The consensus amongst the City Commission was that they did not want to continue with this project at the current time.

KDOT COST SHARE PROGRAM

City Engineer Scott Rickard stated that the State of Kansas has made a program available for transportation project funding. He stated that there is additional money available, but an application would be due by October 10th.

City Engineer Rickard stated that staff would like to propose a round-a-bout at Main Street and McCollum Road. He stated that the area does not meet warrants for a signal, but that this plan could calm the conditions during the school year. He stated that it would also help if a northwest trafficway was added in the future. He stated that staff have

added some additional work on 12th Avenue in order to make our matching funds more attractive.

The City Commission agreed that the application should be sent in.

NEIGHBORHOOD REVITALIZATION PLAN RENEWAL

City Engineer Scott Rickard presented the statistics requested at the previous work session. He stated that there are currently 165 parcels in the Neighborhood Revitalization Program and that the current appraised value of those parcels is approximately \$29 million. He stated that the number of new homes has decreased over the past few years.

City Engineer Rickard stated that staff have included a few changes: adding properties in the Opportunity Zone in the plan; striking new homes from the plan and changing the rebate from ten to fifteen years.

The City Commission discussed options and reviewed a memo provided by Mayor Vince Haines in his absence. They decided to proceed with the plan as presented.

UPCOMING AGENDA ITEMS

City Manager David Dillner reviewed the upcoming agenda.

REPORTS

Vice Mayor Kendra Wilkinson asked about a question she had received regarding Velocity.

City Manager David Dillner stated that Velocity had discussed the issue with the City and would be talking to their employees about a better way to address questions regarding service in El Dorado in the future. He stated that staff will be discussing it internally as well.

City Manager Dillner stated that due to the condition of the old tennis courts, staff would like to begin removing them.

There was consensus to remove the old courts.

City Manager Dillner stated that Andy Waller has approached staff regarding the City purchasing a property he owns on Orient.

The City Commission instructed staff to find out what he wants for the property.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 6:56 p.m.

Commissioner Matt Guthrie seconded the motion.

Motion carried 3 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines

**INDIVIDUAL/SOLE PROPRIETOR
APPLICATION FOR LICENSE TO SELL CEREAL MALT BEVERAGES**
(This form has been prepared by the Attorney General's Office)

☒ City or ☐ County of El Dorado

SECTION 1 – LICENSE TYPE

Check One: ☐ New License ☐ Renew License ☒ Special Event Permit

Check One:

- ☒ License to sell cereal malt beverages for consumption on the premises.
☐ License to sell cereal malt beverages in original and unopened containers and not for consumption on the licensee's premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required):

I have registered as an Alcohol Dealer with the TTB. ☐ Yes (required for new application)

Name <u>Cameron Motter</u>	Phone No. [REDACTED]	Date of Birth [REDACTED]
Residence Street Address [REDACTED]	City <u>El Dorado, KS</u>	Zip Code <u>67042</u>

Applicant Spousal Information

Spouse Name <u>Demi Motter</u>	Phone No. [REDACTED]	Date of Birth [REDACTED]
Residence Street Address [REDACTED]	City <u>El Dorado, KS</u>	Zip Code <u>67042</u>

SECTION 3 – LICENSED PREMISE

Licensed Premise (Business Location or Location of Special Event)	Mailing Address (If different from business address)
DBA Name <u>El Dorado Senior Center</u>	Name <u>Cameron Motter</u>
Business Location Address <u>210 E. 2nd</u>	Address [REDACTED]
City <u>El Dorado</u> State <u>KS</u> Zip <u>67042</u>	City <u>El Dorado, KS</u> State <u>KS</u> Zip <u>67042</u>
Business Phone No. <u>316-321-0142</u>	☐ I own the proposed business location. ☒ I do not own the proposed business location.
Business Location Owner Name(s) <u>City of El Dorado - Jennifer Zimmerman</u>	

SECTION 4 – APPLICANT QUALIFICATION

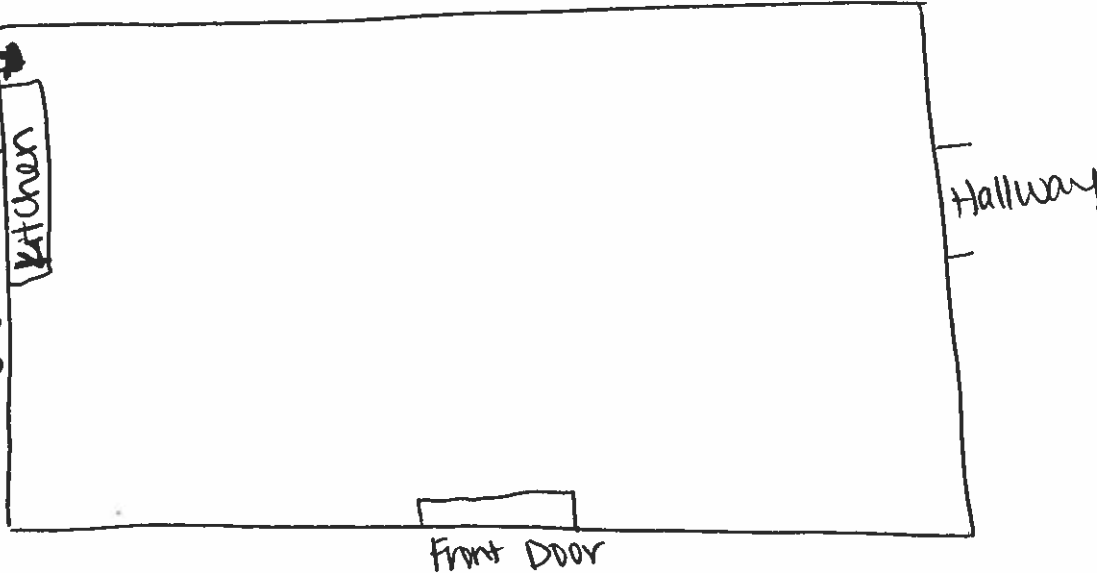
I am a U.S. Citizen	☒ Yes ☐ No
I have been a resident of Kansas for at least one year prior to application.	☒ Yes ☐ No
I have resided within the state of Kansas for <u>30</u> years.	
I am at least 21 years old.	☒ Yes ☐ No
I have been a resident of this county for at least 6 months.	☒ Yes ☐ No
Within 2 years immediately preceding the date of this application, neither I nor my spouse* have been convicted of, released from incarceration for or released from probation or parole for any of the following crimes: (1) Any felony; (2) a crime involving moral turpitude; (3) drunkenness; (4) driving a motor vehicle while under the influence of alcohol (DUI); or (5) violation of any state or federal intoxicating liquor law.	☐ Yes ☒ No
My spouse has previously held a CMB license.	☐ Yes ☒ No
My spouse has never been convicted of one of the crimes mentioned above while licensed.	☐ Yes ☒ No

SECTION 5 – MANAGER OR AGENT QUALIFICATION		
My place of business or special event will be conducted by a manager or agent.		☐ Yes ☐ No
If yes, provide the following:		
Manager/Agent Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code
Manager or Agent Spousal Information		
Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	Zip Code
Qualification Statement		
My manager/agent and his/her spouse* meets all of the qualifications in Section 4.		☐ Yes ☐ No
SECTION 6 – DURATION OF SPECIAL EVENT		
Start Date	Time	☐ AM ☒ PM
End Date	Time	☐ AM ☒ PM

Proceed to Section 7 on the next page.

SECTION 7 – LICENSED PREMISE

In the space below, draw the area you wish to sell or deliver CMB. Include entrances, exits and storage areas. Do not include areas you do not wish to license. If you wish to attach a drawing, check the box: ☐ 8 1/2" by 11" drawing attached.



I declare under penalty of perjury under the laws of the State of Kansas that the foregoing is true and correct.
(K.S.A. 52-601)

SIGNATURE

DATE 9-23-2019

FOR CITY/COUNTY OFFICE USE ONLY:

- ☐ License Fee Received Amount \$ _____ Date _____
(\$25 - \$50 for Off-Premise license or \$25-200 On-Premise license)
- ☐ \$25 CMB Stamp Fee Received Date _____
- ☐ Background Investigation ☐ Completed Date _____ ☐ Qualified ☐ Disqualified
- ☐ Verified applicant has registered with the TTB as an Alcohol Dealer
- ☐ New License Approved Valid From Date _____ to _____ By: _____
- ☐ License Renewed Valid From Date _____ to _____ By: _____
- ☐ Special Event Permit Approved Valid From Date _____ to _____ By: _____

A PHOTOCOPY OF THE COMPLETED FORM, TOGETHER WITH THE STAMP FEE REQUIRED BY K.S.A. 41-2702(e), MUST BE SUBMITTED WITH YOUR MONTHLY REPORT (ABC-307) TO THE ALCOHOLIC BEVERAGE CONTROL, 915 SW HARRISON STREET, TOPEKA, KS 66612.

* Applicant's spouse is not required to meet the citizenship, residency or age requirements. If renewal application, applicant's spouse is not required to meet the no criminal history requirement. K.S.A. 41-2703(b)(9)

2018 Commission Priorities

Water Sales • Community Image • Industrial and Business Parks • Parks and Recreation • Public Safety

TO: City Commission
FROM: Kevin Wishart
SUBJ: Cemetery Regulations
DATE: September 27, 2019

Background:

The existing rules and regulations for the City of El Dorado Cemeteries were last updated in July, 2007. Revisions to the rules and regulations are attached, and are minor in scope. Most of the changes to this document are for grammar.

Staff are also providing suggested changes to the fee schedule at the cemeteries. They are included in your packet.

Policy Issue:

City Commission approval is necessary to establish a guideline for operations and fee schedule for the cemetery division.

Alternatives:

1. Make no changes.
2. Approve the policy and fee schedule as presented.
3. Request more information from staff on the policy and/or fee schedule for discussion at a later date.

Fiscal Impact:

There will be no fiscal impact for the rules and regulations. The fee schedule will have a small fiscal impact, the proposed fees will better reflect the costs to the city for services.

Staff Recommendation:

Approve the new documents as presented.

Commission Actions:

Commissioner _____ moved to approve Resolution No. ____, a resolution providing revised cemetery regulations for the City of El Dorado, Kansas.

Commissioner _____ seconded the motion.

Commissioner _____ moved to approve the proposed fee schedule for the cemeteries in the City of El Dorado, Kansas.

Commissioner _____ seconded the motion.

City of El Dorado Cemeteries

Cemetery Fees

<u>Spaces</u>	<u>Resident</u>	<u>Non-Resident</u>
Grave Space (All Cemeteries)	\$450.00	\$650.00
Deed Fee	Please refer to the Butler County Register of Deeds Fee Schedule	

Opening and Closing Costs

Full Body Burial	\$400.00	\$600.00
Cremation – Ground Burial	\$250.00	\$450.00
Lawn Crypt	\$600.00	\$800.00
Surcharge for Late Arrivals (Weekdays – Arriving after 3:30 PM) <i>(Weekend – Arriving after 12:00 PM)</i>	\$300.00	\$500.00
Saturday Surcharge <i>Full Burial</i>	\$300.00	\$500.00
<i>Cremation</i>	<i>\$100.00</i>	<i>\$100.00</i>

(All Saturday Services must arrive no later than 12:00 PM)

Disinterments – Double the costs of a regular opening and closing fee, and the opening and closing fee if re-interring in a city owned cemetery.

Miscellaneous Fees

Monument Setting Fee	\$ 50.00
Space Transfer Fee	Please refer to the Butler County Register of Deeds Fee Schedule

RULES AND REGULATIONS

**BELLE VISTA, SUNSET LAWNS AND WALNUT VALLEY MEMORIAL PARK
CEMETERIES**

EL DORADO, KANSAS

**EFFECTIVE
October 21, 2019**

STATEMENT

The following Rules and Regulations have been adopted for the mutual protection of owners of Interment Rights in the City of El Dorado's cemeteries. All owners of Interment Rights and other persons within the Cemetery, and all Interment Rights sold therein shall be subject to these Rules and Regulations as they now exist, and as same may reasonably hereinafter be amended or altered by the City of El Dorado. Any reference to these Rules and Regulations in any purchase agreement entered into by the City of El Dorado, or in any Certificate of Interment Rights issued by the City of El Dorado, shall have the same force and effect as if set forth in full therein.

GENERAL REGULATIONS

Ownership and Management

Belle Vista, Sunset Lawns and Walnut Valley Memorial Park Cemeteries are owned by the City of El Dorado with operation and maintenance provided by the City.

The office of the City Clerk is located in the City Building, 220 E. First, El Dorado, Kansas. The office is open Monday through Friday from 8:00 AM to 5:00 PM. All questions concerning cemetery records, purchasing procedure, interment arrangements, care and other services may be directed to this office at 316-321-9100, or the Cemeteries office at either 316-321-3410.

Cemetery Management Services

The following services are to be provided only by the Cemeteries' management:

1. Interment and disinterment.
2. Care of all lots, to include mowing of the grounds at reasonable intervals, the seasonal removal of leaves and other debris, the trimming of grass around markers and monuments, and the leveling of grave spaces.
3. General maintenance such as tree work, road work, snow removal, maintenance of water lines, trash removal, etc. shall be performed as necessary.
4. Employees will suspend their labors near graveside services.

Conduct in the Cemeteries

1. No person shall litter any part of the cemetery grounds with rubbish or debris.
2. No person shall pick or mutilate any flower or disturb any tree, shrub or other plant material.
3. No alcoholic beverages shall be consumed on the premises.
4. Animals shall not be allowed to enter the cemeteries unleashed.
5. Firearms shall not be discharged in the cemeteries unless as part of an authorized volley at burial or memorial services.
6. No person shall damage any monument, marker, urn, vault or other cemetery structure or property.
7. No form of advertising shall be allowed on the premises unless approved by the Park & Cemetery Superintendent.
8. The speed limit shall be 10 mph.
9. All City of El Dorado traffic codes shall be observed.
10. No person shall drive off established roads without permission of the management.
11. Cemetery roads shall not be used as public thoroughfare.
12. Entry into the cemeteries shall be limited to daylight hours.
13. Motorized pleasure vehicles shall not be allowed within the cemeteries.

Purchase of Burial Space

1. All cemetery spaces are to be purchased for the interment of human remains.
2. No cemetery spaces will be purchased for speculative purposes
3. Upon complete payment for spaces, a deed will be issued. If purchased by more than one person, each person's interest will be specified.
4. All spaces are purchased subject to rules and regulations now in force and to those that may be adopted in the future.
5. Cemetery Spaces are exempt from property taxes and cannot be seized on execution. No mortgage or other encumbrance can be given on any burial space.
6. The sale or transfer of any Interment Right by any Owner shall not be binding upon the Cemetery unless same shall first be duly approved in writing by a duly authorized representative of the City of El Dorado. This procedure is required in order that the Cemetery may at all times have a complete and accurate record of all Owners. The Cemetery shall make available to its owners, upon their request, necessary forms to affect any sale or transfer of Interment Rights. A nominal transfer fee shall be charged. No transfer of any kind of interment rights shall be recognized by the City for any purpose, if done in any manner other than provided herein.

Burials/Services

1. No interment will take place until the interment rights are paid for in full, with the exception of indigent cases.
2. All burials must be made in a durable, non-deteriorating grave liner.
3. If the deceased is not the owner of the interment rights or a member of the owner's immediate family, written permission by the owner or agent must be filed before interment will be permitted.
4. If any opening or closing fees are not paid prior to burial, the funeral director making arrangements for burial will be responsible for all such charges. These fees must be paid within 90 days of the end of the month in which interment took place.
5. Openings requested by funeral directors will be construed as requested by the lot owner. The cemetery management will not be responsible for errors in openings if given incorrect information.
6. Cremations may be buried on top of a traditional burial/grave. Not more than two (2) cremations per grave space are allowed on top of a traditional burial/grave.
7. Not more than three (3) cremations will be allowed per space.
8. All funeral processions within the cemetery will be under the direction of the management.
9. Funeral designs and floral pieces will be removed by the management when in their opinion they become unsightly.
10. Graves will be opened by City of El Dorado employees or their agent.
11. Sundays and Holidays: No interment or disinterment shall be scheduled on a Sunday or a Holiday: New Year's Day Martin Luther King Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving or Christmas Day.

Lot Care

Monuments and Markers

1. One upright marker or monument is permitted per grave space. Exceptions are as follows;
 - i. Walnut Valley Memorial Park; all markers, monuments, and footstones must lay flush with the ground and material used be granite, bronze on granite or bronze on concrete with granite or concrete being no less than 3 ½" thick. All bronze markers must meet minimum size requirements; Infant Marker 10"x 20", Single Marker 24"x 12", Lawn Crypt Marker 16"x 24", Double Marker 36"x 13". Individual mausoleums are not permitted. Benches will only be allowed in designated areas.
 - ii. Sunset Lawns Cemetery; all of Section H; and the e½ of lots 61-72 and the w½ of lots 73-84a of Section D all markers/monuments and foot stones will lay flush with the ground and material used must be either bronze on granite, bronze on concrete or solid granite no less than 3 ½" thick. No upright monuments, markers, individual mausoleums or benches will be allowed in these areas.
2. All monuments, foot stones, corner markers, vases and benches are to be constructed of durable granite, cut stone from recognized quarries, standard bronze, quality marble or standard metal. Two vases are allowed per monument and must be attached securely to the collar or monument by the monument owner's agent.
 - i. All monuments and markers will be installed upon a foundation, either one constructed by the City of El Dorado's employees at the owner's expense or by a monument company upon receiving a permit from the City. Exception; foundations for monuments and markers at Walnut Valley Memorial Park are not allowed due to size limitations of grave spaces.
 - ii. Foundations for bases of monuments must be 5" wider than the monument base.
 - iii. The top of the foundation will be smooth and level and will not be higher than four and one half (4 ½) inches below grade for a flush marker and not higher than two (2) inches below grade for all other markers and monuments. Concrete collars are required to be placed on top of foundations at Sunset Lawns and Belle Vista Cemeteries with a minimum of 5" of concrete on all four sides. Collars will not extend beyond the perimeter of owner's burial space or lot.
3. Cemetery benches will only be allowed in designated areas of Walnut Valley Memorial Park.
 - i. North and West Side perimeters of Section A, and the South and West side perimeters of Section C.
 - ii. No benches will be allowed in Section B or along the cemetery frontage.
 - iii. Benches will not be allowed if they impede or prevent access to any part of the cemetery.
 - iv. Benches will not be allowed as a headstone/monument, or foot stone.

- v. Benches must be placed upon a collar either made of granite or concrete with a concrete foundation underneath.
4. At Sunset Lawns and Belle Vista Cemeteries benches are allowed with specific stipulations.
 - i. Benches may be used as a headstone with the collar not exceeding two feet (2') in width.
 - ii. Benches may also be placed on a lot owner's vacant grave space and along the perimeter of the cemeteries at the discretion of the Cemetery Superintendent.
 - iii. Benches will not be allowed if they impede or prevent access to any part of the cemetery.
 - iv. Benches will not be allowed as a foot stone.
 - v. Benches must be placed upon a collar either made of granite or concrete with a concrete foundation underneath.
5. All monuments and markers will be installed by the owner's agent once a monument permit is issued by the cemetery management. The cemetery will be responsible for installing government markers. Only bronze or granite government markers will be allowed at Walnut Valley Memorial Park.
6. Those persons engaged in placing monuments or markers shall provide adequate planking to protect the turf.
7. The site shall be left in a clean and orderly condition.

Decorations

1. Not more than one concrete or durable plastic floral container will be permitted per space. Floral containers must be installed upon a concrete foundation constructed at the owner's expense. It is the lot owner's responsibility to maintain the floral container. If any floral container becomes unsightly it will be discarded by the cemetery management. Floral containers will not be allowed at Walnut Valley Memorial Park.
2. In addition to one floral container and up to two vases, there will not be more than one grave decoration, natural or artificial, per grave space. Anything in excess will be removed by the management. However, from five (5) days preceding Memorial Day to seven (7) days following, more than one decoration is permitted. Decorations must be placed in a hanging basket, flush container or a moveable, non breakable container.
3. Winter grave decorations are permitted beginning October 1 through March 15. Decorations not removed by March 15 will be considered abandoned and will be disposed of by the management.
4. Coping, fences, curbs structures of wood or other equally perishable material are prohibited. These structures or enclosures established on any lot previous to the implementation of this policy, which have, in the judgment of the Cemetery Superintendent become unsightly by reason of neglect or age shall be removed.
5. The planting of flowers, perennials, shrubs and trees on a lot will not be permitted without the consent of the management.
6. No tree or shrubs will be pruned or removed without the consent of the management.

Other

Ordinances and Rules and Regulations

The City Commission shall adopt ordinances for the proper management and operation of the Cemeteries. The City Manager shall prepare suitable rules and regulations consistent with the ordinances and policies of the Commission to operate the Cemeteries in an efficient manner. All persons who may enter the Cemeteries, including owners, are subject to the ordinances, rules and regulations of the City and all amendments as adopted ~~from time to time~~.

Errors

1. The City shall not be held responsible for any orders given by telephone, or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in a lot where interment is desired.
2. The City reserves, and shall have, the right to correct any errors that may be made by the department either on making interments, disinterment's or removals, or in the description, transfer or conveyance or any interment property either by cancelling such conveyance and submitting and conveying in lieu thereof other interment property of equal value and similar location as far as possible; as may be selected by the cemetery department, or in sole discretion of the City Manager, by refunding the amount of money paid on account of said purchase.
3. In the event the error shall involve the interment of the remains of any person in such property, the City reserves, and shall have, the right to remove and reinter the remains to such other property of equal value and similar location as may be substituted and agreed upon.
4. In the event rules are violated, the City of El Dorado will notify the offending property owner and or monument company and allow a reasonable amount of time for the violations to be corrected. If at the end of this time the violation remains, the City of El Dorado reserves the right to remedy the violation by corrective measures or by removing the offending item and billing the property owner and or Monument Company for the work.

RESOLUTION NO. ____

**A RESOLUTION PROVIDING REVISED CEMETERY
REGULATIONS FOR THE CITY OF EL DORADO, KANSAS**

WHEREAS, the City of El Dorado owns the following cemeteries: Belle Vista, Sunset Lawns and Walnut Valley Memorial Park and operation and maintenance are provided by the City; and

WHEREAS, regulations for the operation and utilizations of the cemetery system in El Dorado, KS are necessary for the mutual protection of the owners of internment rights in the City's cemeteries and the City of El Dorado; and

WHEREAS, the regulations will be applied to all internment rights sold within the cemeteries; and

WHEREAS, the City Commission has reviewed the proposed regulations and wishes to adopt those proposed policies.

NOW, THEREFORE, BE IT RESOLVED by the City of El Dorado governing body that the attached cemetery regulations be adopted.

ADOPTED by the City Commission of the City of El Dorado, in Butler County, Kansas, the 21st day of October, 2019.

SIGNED by the Mayor, this 21st day of October, 2019.

Vince Haines
Mayor

Attest:

Tabitha D. Sharp
City Clerk

2018 Commission Priorities

Water Sales • Community Image • Industrial and Business Parks • Parks and Recreation • Public Safety

TO: City Commission
FROM: Tabitha Sharp, City Clerk
SUBJ: Resolution of Intent for Orscheln Farm and Home LLC
DATE: October 18, 2019

Background:

The City has received an application from Orscheln Farm and Home LLC for an Industrial Revenue Bond to finance the construction of their new building. The application requests Industrial Revenue Bonds not to exceed \$6 million, for the costs of acquisition, construction and equipping of their new facility.

Policy Issue:

The City Commission is asked to consider whether to grant Industrial Revenue Bonds to the project for economic development purposes.

Alternatives:

The City Commission may choose to deny the request.

Fiscal Impact:

There will be no fiscal impact for this portion of the Orscheln project.

Staff Recommendation:

Approve the Resolution

Commission Actions:

Commissioner _____ moved to approve Resolution No. _____, a Resolution determining the advisability of issuing industrial revenue bonds for the purpose of financing the acquisition, construction and equipping of a commercial facility located in El Dorado, KS; and authorizing execution of related documents.

Commissioner _____ seconded the motion.

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON OCTOBER 21, 2019**

The governing body met in regular session at the usual meeting place in the City of El Dorado, Kansas on October 21, 2019, at 6:30 p.m., the following members being present and participating, to wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A COMMERCIAL FACILITY TO BE LOCATED IN SAID CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

Thereupon, Commissioner _____ moved that said Resolution be adopted. The motion was seconded by Commissioner _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea:

Nay:

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. _____ and was signed by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

On motion duly made, seconded and carried, the meeting hereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of El Dorado, Kansas held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

[SEAL]

City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS DETERMINING THE ADVISABILITY OF ISSUING TAXABLE INDUSTRIAL REVENUE BONDS FOR THE PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A COMMERCIAL FACILITY TO BE LOCATED IN SAID CITY; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

WHEREAS, the City of El Dorado, Kansas (the "Issuer") desires to promote, stimulate and develop the general economic welfare and prosperity of the City of El Dorado, Kansas, and thereby to further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas; and

WHEREAS, pursuant to the provisions of the Kansas Economic Development Revenue Bond Act, as amended and codified in K.S.A. 12-1740 *et seq.* (the "Act"), the Issuer is authorized to issue revenue bonds for such purposes, and it is hereby found and determined to be advisable and in the interest and for the welfare of the Issuer and its inhabitants that revenue bonds of the Issuer in a principal amount not to exceed \$6,000,000 be authorized and issued, in one or more series, to provide funds to pay the costs of the acquisition, construction and equipping of a commercial facility (the "Project") located in the Issuer and to be leased by the Issuer to Orscheln Farm and Home, L.L.C., a Missouri limited liability company (the "Tenant").

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS:

Section 1. **Public Purpose.** The governing body of the Issuer hereby finds and determines that the Project will promote, stimulate and develop the general economic welfare and prosperity of the Issuer, and thereby further promote, stimulate and develop the general economic welfare and prosperity of the State of Kansas.

Section 2. **Authorization to Acquire Project; Intent to Issue Bonds.** The Issuer is hereby authorized to proceed with the acquisition, construction and equipping of the Project and to issue its revenue bonds, in one or more series, in a principal amount not to exceed \$6,000,000 (the "Bonds") to pay the costs thereof, subject to satisfaction of the conditions of issuance set forth herein.

Section 3. **Conditions to Issuance of Bonds.** The issuance of the Bonds is subject to: (a) the passage of an ordinance authorizing the issuance of the Bonds; (b) the successful negotiation of a Trust Indenture, Site Lease, Lease, Bond Purchase Agreement or other legal documents necessary to accomplish the issuance of the Bonds, the terms of which shall be in compliance with the Act and mutually satisfactory to the Issuer and the Tenant; (c) the successful negotiation and sale of the Bonds to a purchaser or purchasers yet to be determined (the "Purchaser"), which sale shall be the responsibility of the Tenant and not the Issuer; (d) the receipt of the approving legal opinion of Gilmore & Bell, P.C. ("Bond Counsel") in form acceptable to the Issuer, the Tenant and the Purchaser; (e) the obtaining of all necessary governmental approvals to the issuance of the Bonds; (f) the satisfactory negotiation and execution of a Real Estate Purchase Contract between the City and the Tenant with respect to the sale by the City of certain land associated with the Project; and (g) the commitment to and payment by the Tenant or Purchaser of all expenses relating to the issuance of

the Bonds, including, but not limited to: (i) expenses of the Issuer and the Issuer Attorney; (ii) any underwriting or placement fees and expenses; (iii) all legal fees and expenses of Bond Counsel; and (iv) all recording and filing fees, including fees of the Kansas Board of Tax Appeals.

Section 4. Sales Tax Exemption. The Governing Body hereby determines that pursuant to the provisions of K.S.A. 79-3601 *et seq.* (the “Sales Tax Act”), particularly 79-3606(b) and (d) and other applicable laws, sales of tangible personal property or services purchased in connection with construction of the Project and financed with proceeds of the Bonds are entitled to exemption from the tax imposed by the Sales Tax Act; provided proper application is made therefore. In the event that the Bonds are not issued for any reason, the Tenant will not be entitled to a sales tax exemption under the terms of the Sales Tax Act and will remit to the State Department of Revenue all sales taxes that were not paid due to reliance on the sales tax exemption certificate granted hereunder.

Section 5. Reliance by Tenant; Limited Liability of Issuer. It is contemplated that in order to expedite acquisition of the Project and realization of the benefits to be derived thereby, the Tenant may incur temporary indebtedness or expend its own funds to pay costs of the Project prior to the issuance of the Bonds. Proceeds of Bonds may be used to reimburse the Tenant for such expenditures made not more than 60 days prior to the date this Resolution is adopted. The Bonds herein authorized and all interest thereon shall be paid solely from the revenues to be received by the Issuer from the Project and not from any other fund or source. The Issuer shall not be obligated on such Bonds in any way, except as herein set out. In the event that the Bonds are not issued, the Issuer shall have no liability to the Tenant.

Section 6. Further Action. The Clerk is hereby authorized to deliver an executed copy of this Resolution to the Tenant. The Mayor, Clerk and other officials and employees of the Issuer, including the Issuer’s counsel and Bond Counsel, are hereby further authorized and directed to take such other actions as may be appropriate or desirable to accomplish the purposes of this Resolution, including, but not limited to: (a) cooperate with the Tenant in filing an application for a sales tax exemption certificate with the Kansas Department of Revenue with respect to Bond-financed property; and (b) execution on behalf of the Issuer of the information statement regarding the proposed issuance of the Bonds to be filed with the State Board of Tax Appeals pursuant to the Act.

Section 7. Effective Date. This resolution shall become effective upon adoption by the Governing Body.

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City of El Dorado, Kansas on October 21, 2019.

[SEAL]

Mayor

Attest:

City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the Issuer adopted by the governing body on October 21, 2019, as the same appears of record in my office.

DATED: October 21, 2019.

City Clerk

2018 Commission Priorities

Water Sales • Community Image • Industrial and Business Parks • Parks and Recreation • Public Safety

TO: City Commission
FROM: Tabitha Sharp, City Clerk
SUBJ: Playground Equipment Bid Approval
DATE: October 21, 2019

Background:

The Sales Tax Committee in 2019 recommended approval of funding for new playground equipment at North Main Park in the amount of \$80,000 to be spent in 2020. Staff received notice of several end of year deals such as matching grants and free installation or freight that playground equipment companies were offering, and requested to go out to bid earlier to take advantage of them. Four companies submitted bids for the playground equipment last week. The bid tabulation is below.

	Option 1	Surface	Option 2	Surface	Option 3	Surface	Notes
Gametime	\$ 79,942.07	\$ 109,800.00					Surface quote includes \$31,500 for installation of equipment
Athco	\$ 78,085.00	\$ 55,400.00	\$ 72,300.00	\$ 62,800.00	\$ 77,000.00	\$ 62,650.00	Installation and Freight included on all options
Playscape	\$ 79,221.51	\$ 73,169.12					Includes one day of supervised build
Miracle	\$ 77,948.00	\$ 125,931.00					Surface quote includes \$35,931 for installation of equipment

Staff submitted two designs to the Parks and Recreation Board from the lowest and best bidder, and received two votes for each option. The options are attached, and staff will need a deciding vote from the City Commission on the final option.

Policy Issue:

The City Commission reviews the bids and awards the contract to the lowest and best bidder.

Fiscal Impact:

Staff are recommending the bid from Athco for a total of no more than \$77,000, which includes shipping and installation for free. The remaining sales tax funds will be used for site prep and ground cover. Staff are looking for funds to utilize the Pour-in-Place option. There is currently about \$55,000 in the Special Parks Fund, so we would still need to cover approximately \$8,000 for the remainder of the surfacing.

Trade-offs:

Should the City Commission choose to go with another bid, staff will be required to take funds for site prep and ground cover from the budget. This would decrease funding for other items in the parks department. If we utilize all of the special parks funds for surface, there will be no balance left for any other items until we receive another liquor tax allocation.

Staff will also be required to re-bid the projects if the City Commission does not accept the bid as recommended because the prices are only good for sixty days.

Staff Recommendation:

Accept the bid and direct staff to move forward with the playground and surface installation.

Commission Actions:

Commissioner _____ moved that since Athco, LLC has submitted the lowest and best bid for playground equipment and surfacing at North Main Park, the City Manager be directed to award the bid to said contractor.

Commissioner _____ seconded the motion.



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North Main Park

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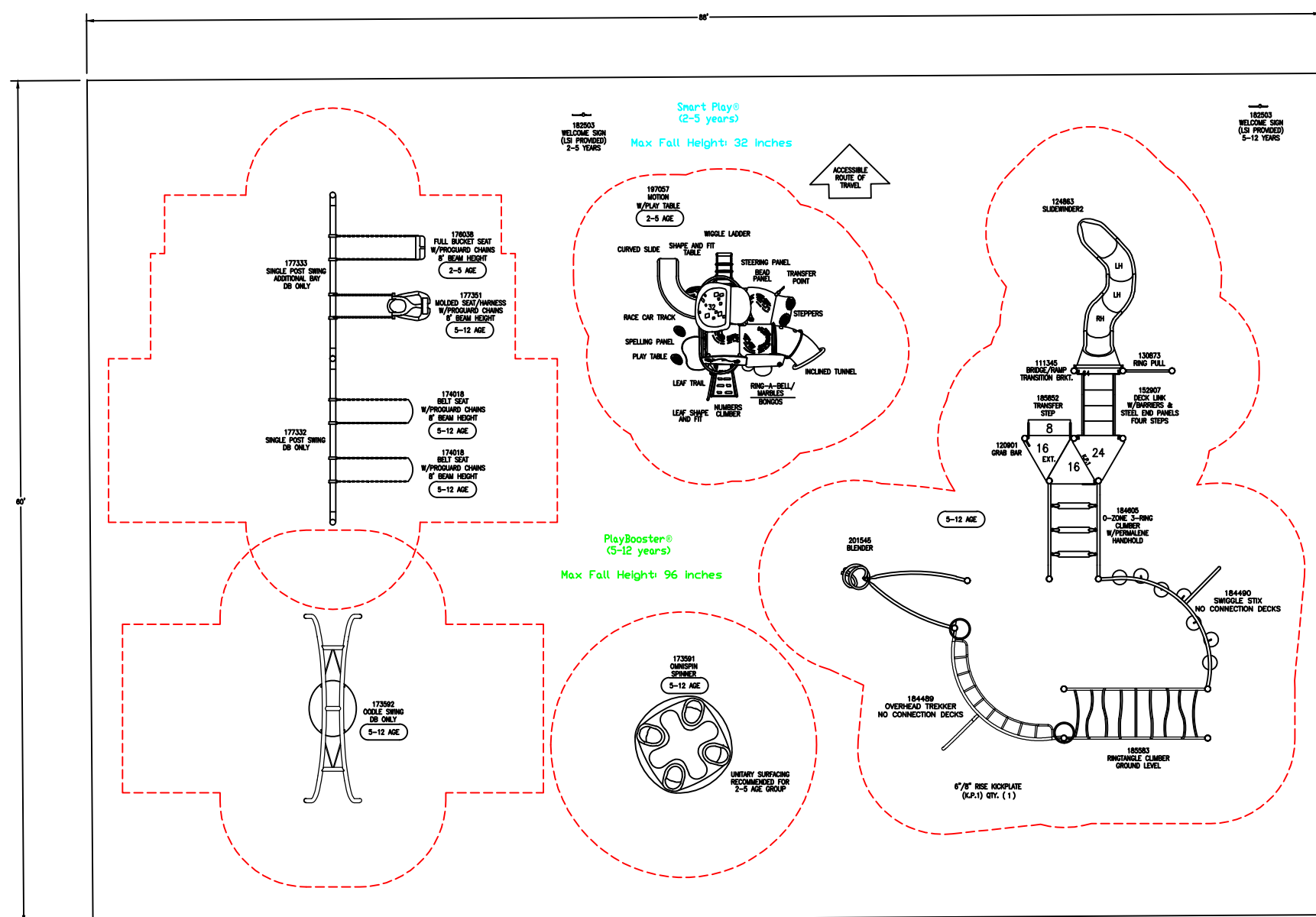
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5-12 AREA

TOTAL ELEVATED PLAY COMPONENTS	2		
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY RAMP	0	REQUIRED	0
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY TRANSFER	2	REQUIRED	1
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS SHOWN	11	REQUIRED	1
TOTAL DIFFERENT TYPES OF GROUND LEVEL COMPONENTS	8	REQUIRED	8

2-5 AREA

TOTAL ELEVATED PLAY COMPONENTS	10		
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY RAMP	0	REQUIRED	0
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY TRANSFER	9	REQUIRED	9
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS SHOWN	3	REQUIRED	3
TOTAL DIFFERENT TYPES OF GROUND LEVEL COMPONENTS	3	REQUIRED	3

SCALE IN FEET:



North Main Park

El Dorado, KS

ATHCO, L.L.C.

Matt Cline

SYSTEM TYPE:
PlayBooster & Smart Play

DRAWING #:
1140505-02-01

landscape
structures



The play components identified on this plan are IPEMA certified. (Unless model number is preceded with *) The use and layout of these components conform to the requirements of ASTM F1487. To verify product certification, visit www.ipema.org

THIS PLAY AREA & PLAY EQUIPMENT IS DESIGNED FOR AGES 2-12 YEARS UNLESS OTHERWISE NOTED ON PLAN.

IT IS THE MANUFACTURERS OPINION THAT THIS PLAY AREA DOES CONFORM TO THE A.D.A. ACCESSIBILITY STANDARDS, ASSUMING AN ACCESSIBLE PROTECTIVE SURFACING IS PROVIDED, AS INDICATED, OR WITHIN THE ENTIRE USE ZONE.

THIS CONCEPTUAL PLAN WAS BASED ON INFORMATION AVAILABLE TO US. PRIOR TO CONSTRUCTION, DETAILED SITE INFORMATION INCLUDING SITE DIMENSIONS, TOPOGRAPHY, EXISTING UTILITIES, SOIL CONDITIONS, AND DRAINAGE SOLUTIONS SHOULD BE OBTAINED, EVALUATED, & UTILIZED IN THE FINAL DESIGN. PLEASE VERIFY ALL DIMENSIONS OF PLAY AREA, SIZE, ORIENTATION, AND LOCATION OF ALL EXISTING UTILITIES, EQUIPMENT, AND SITE FURNISHINGS PRIOR TO ORDERING. SLIDES SHOULD NOT FACE THE HOT AFTERNOON SUN.

CHOOSE A PROTECTIVE SURFACING MATERIAL THAT HAS A CRITICAL HEIGHT VALUE TO MEET THE MAXIMUM FALL HEIGHT FOR THE EQUIPMENT (REF. ASTM F1487 STANDARD CONSUMER SAFETY PERFORMANCE SPECIFICATION FOR PLAYGROUND EQUIPMENT FOR PUBLIC USE, SECTION 8 CURRENT REVISION). THE SUBSURFACE MUST BE WELL DRAINED. IF THE SOIL DOES NOT DRAIN NATURALLY IT MUST BE TILED OR SLOPED 1/8" TO 1/4" PER FOOT TO A STORM SEWER OR A "FRENCH DRAIN".

AREA OF ACCESSIBLE/PROTECTIVE SURFACING (POURED-IN-PLACE SUGGESTED) 5,278 SQ.FT.

DESIGNED BY:

KAA

COPYRIGHT: 10/10/2019
LANDSCAPE STRUCTURES, INC.
601 7th STREET SOUTH - P.O. BOX 198
DELANO, MINNESOTA 55328
PH: 1-800-328-0035 FAX: 1-763-972-6091

Date Previous Drawing # Initials





North Main Park

Made in the U.S.A. Statement

El Dorado, KS

October 10, 2019

1140505-02-01

Proudly made in the U.S.A.

Nearly all of our play products are made in Delano, Minnesota.*

This allows us to maintain control over the quality of the play equipment you purchase. While other manufacturers are increasingly sourcing components from overseas, Landscape Structures equipment is proudly made in the U.S.A.



**Total Product
Made in the U.S.A.**

98%

Calculation includes standard play products only.

*Our fabrication, rotomolding, welding and painting operations in Delano, Minnesota, U.S.A. produce the vast majority of our standard play components.

For a better tomorrow
we play today.®

playlsi.com

Proudly presented by:



North Main Park

Model Information

El Dorado, KS

October 10, 2019

1140505-02-01



SlideWinder2®



Deck Link w/Steel Barriers



O-Zone® 3-Ring Climber w/Permalene® Handholds



Ring Tangle® Climber Ground Level



Overhead Trekker™ Ladder



Ring Pull



Swiggle Stix® Bridge



Blender™ Spinner



Grab Bar

Models shown include standard play products only.

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North Main Park

Model Information

El Dorado, KS

October 10, 2019

1140505-02-01



Motion



OmniSpin® Spinner



Belt Seat w/Chains



Full Bucket Seat w/Chains



**Molded Bucket Seat (5-12 yrs)
w/Harness and w/Chains**



Oodle® Swing



Single Post Swing Frame



**Single Post Swing Frame Additional
Bay**

Models shown include standard play products only.

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Proudly presented by:





North Main Park

Model Information

El Dorado, KS

October 10, 2019

1140505-02-01

Models shown include standard play products only.

For a better tomorrow
we play today.®

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Proudly presented by:



Quote



ATHCO, LLC
13500 W. 108th St.
Lenexa, KS 66215
P: 800-255-1102 F: 913-469-8134
athco@athcollc.com

Date: 10/11/2019
All prices subject to acceptance within 30 days

Prepared by: **Matt Cline**

To accept this quote, sign here and return

TO: Tabitha Sharp
City Clerk
City of El Dorado, KS

Payment Terms Net 30 days

Description - Landscape Structures Option 2	QTY	UNIT PRICE	TOTAL
PlayBooster Design #1140505-2-1 for Ages 5-12 with: Bridge/Ramp Transition Bracket, Swiggle Stix, Ring Tangle, Deck Link w/Barriers Steel End Panels 4 Steps, O-Zone 3-Ring Climber w/Permalene Handholds 16"Deck Diff Attached to 16"Dk DB, Blender Spinner, Grab Bar, Overhead Trekker Ladder, Ring Pull, SlideWinder2 64", and Welcome Sign (LSI Provided)	1	\$ -	\$ -
Smart Play Motion w/ Play Table for Ages 2-5	1	\$ -	\$ -
OmniSpin Spinner for Ages 2-12	1	\$ -	\$ -
Oodle Swing	1	\$ -	\$ -
5" O.D. 2-Bay Single Post Swing w/ (2) Belt Seats, (1) Full Bucket Seat, and (1) Molded Bucket Seat w/ Harness for Ages 5-12. All seats w/ ProGuard Chains.	1	\$ -	\$ -
		\$ -	\$ -
Equipment lead time for delivery is (2) weeks from order		\$ -	\$ -
		\$ -	\$ -
5,280 Sq. Ft. PIP Rubber for 96" Max. Fall Height, 50% Color/Black EPDM Top Coat - \$62,800. Concrete sub-base by Owner.		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -

NOTES: Installation includes all equipment listed. Site prep by Owner.

SUBTOTAL	\$	77,600.00
INSTALLATION		Included
FREIGHT		Included
SALES TAX - N/A	\$	-
DISCOUNT FOR 2019 DELIVERY	\$	(5,300.00)
Quote Total	\$	72,300.00

Owner responsible for relocating any utilities at footing locations
Owner responsible for poured-in-place security during cure time. ATHCO not liable for damage incurred after installation.
Assumes no rock at footing locations. Additional charges for labor and equipment rental will be incurred for removal of rock above or below grade.
Proposals with labor (installation/repairs are subject to sales tax unless a "Project Tax Exemption Certificate" is provided when placing the order

Thank you!



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North Main Park

1140505-03-01 • 10.11.2019

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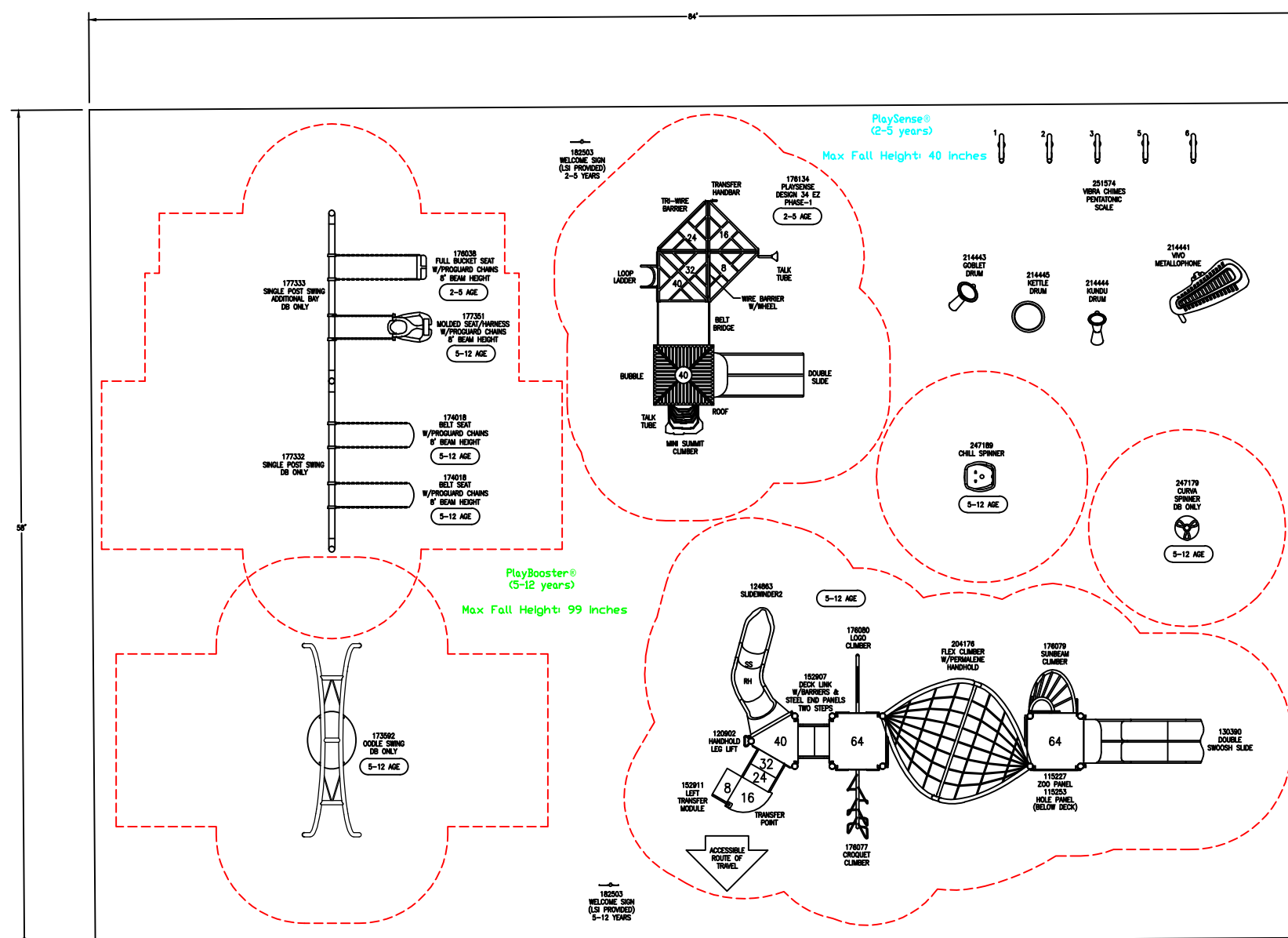
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5-12 AREA

TOTAL ELEVATED PLAY COMPONENTS	6		
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY RAMP	0	REQUIRED	0
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY TRANSFER	4	REQUIRED	4
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS SHOWN	8	REQUIRED	2
TOTAL DIFFERENT TYPES OF GROUND LEVEL COMPONENTS	6	REQUIRED	6

2-5 AREA

TOTAL ELEVATED PLAY COMPONENTS	6		
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY RAMP	0	REQUIRED	0
TOTAL ELEVATED COMPONENTS ACCESSIBLE BY TRANSFER	6	REQUIRED	3
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS SHOWN	2	REQUIRED	2
TOTAL DIFFERENT TYPES OF GROUND LEVEL COMPONENTS	2	REQUIRED	2

SCALE IN FEET:



North Main Park
El Dorado, KS

ATHCO, L.L.C.
Matt Cline

SYSTEM TYPE:
PlayBooster & PlaySense
DRAWING #:
1140505-03-01



landscape
structures



The play components identified on this plan are IPEMA certified. (Unless model number is preceded with *) The use and layout of these components conform to the requirements of ASTM F1487. To verify product certification, visit www.ipema.org

THIS PLAY AREA & PLAY EQUIPMENT IS DESIGNED FOR AGES 2-12 YEARS UNLESS OTHERWISE NOTED ON PLAN.

IT IS THE MANUFACTURERS OPINION THAT THIS PLAY AREA DOES CONFORM TO THE A.D.A. ACCESSIBILITY STANDARDS, ASSUMING AN ACCESSIBLE PROTECTIVE SURFACING IS PROVIDED, AS INDICATED, OR WITHIN THE ENTIRE USE ZONE.

THIS CONCEPTUAL PLAN WAS BASED ON INFORMATION AVAILABLE TO US. PRIOR TO CONSTRUCTION, DETAILED SITE INFORMATION INCLUDING SITE DIMENSIONS, TOPOGRAPHY, EXISTING UTILITIES, SOIL CONDITIONS, AND DRAINAGE SOLUTIONS SHOULD BE OBTAINED, EVALUATED, & UTILIZED IN THE FINAL DESIGN. PLEASE VERIFY ALL DIMENSIONS OF PLAY AREA, SIZE, ORIENTATION, AND LOCATION OF ALL EXISTING UTILITIES, EQUIPMENT, AND SITE FURNISHINGS PRIOR TO ORDERING. SLIDES SHOULD NOT FACE THE HOT AFTERNOON SUN.

CHOOSE A PROTECTIVE SURFACING MATERIAL THAT HAS A CRITICAL HEIGHT VALUE TO MEET THE MAXIMUM FALL HEIGHT FOR THE EQUIPMENT (REF. ASTM F1487 STANDARD CONSUMER SAFETY PERFORMANCE SPECIFICATION FOR PLAYGROUND EQUIPMENT FOR PUBLIC USE, SECTION 8 CURRENT REVISION). THE SUBSURFACE MUST BE WELL DRAINED. IF THE SOIL DOES NOT DRAIN NATURALLY IT MUST BE TILED OR SLOPED 1/8" TO 1/4" PER FOOT TO A STORM SEWER OR A "FRENCH DRAIN".

AREA OF ACCESSIBLE/PROTECTIVE SURFACING (POURED-IN-PLACE SUGGESTED) 4,870 SQ.FT.

DESIGNED BY:
KAA

COPYRIGHT: 10/10/2019
LANDSCAPE STRUCTURES, INC.
601 7th STREET SOUTH - P.O. BOX 198
DELANO, MINNESOTA 55328
PH: 1-800-328-0035 FAX: 1-763-972-6091

Date Previous Drawing # Initials



North Main Park

Made in the U.S.A. Statement

El Dorado, KS

October 11, 2019

1140505-03-01

Proudly made in the U.S.A.

Nearly all of our play products are made in Delano, Minnesota.*

This allows us to maintain control over the quality of the play equipment you purchase. While other manufacturers are increasingly sourcing components from overseas, Landscape Structures equipment is proudly made in the U.S.A.



**Total Product
Made in the U.S.A.**

99%

Calculation includes standard play products only.

*Our fabrication, rotomolding, welding and painting operations in Delano, Minnesota, U.S.A. produce the vast majority of our standard play components.

For a better tomorrow
we play today.®

playlsi.com

Proudly presented by:



North Main Park

Model Information

El Dorado, KS

October 11, 2019

1140505-03-01



Double Swoosh Slide®



SlideWinder2®



Croquet Climber



Deck Link w/Steel Barriers



Flex Climber w/Permalene® Handholds



Logo Climber



Sunbeam Climber



Hole Panel (Permalene®)



Zoo Panel

Models shown include standard play products only.

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North Main Park

Model Information

El Dorado, KS

October 11, 2019

1140505-03-01



Handhold Leg Lift



Design 34 EZ - Phase 1



Rhapsody® Goblet Drum



Rhapsody® Kettle Drum



Rhapsody® Kundu Drum



Rhapsody® Vibra® Chimes - Pentatonic Scale



Rhapsody® Vivo® Metallophone



Chill® Spinner



Curva® Spinner

Models shown include standard play products only.

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North Main Park

Model Information

El Dorado, KS

October 11, 2019

1140505-03-01



Belt Seat w/Chains



Full Bucket Seat w/Chains



**Molded Bucket Seat (5-12 yrs)
w/Harness and w/Chains**



Oodle® Swing



Single Post Swing Frame



**Single Post Swing Frame Additional
Bay**

Models shown include standard play products only.

**For a better tomorrow
we play today.®**

playlsi.com

Proudly presented by:



Quote



ATHCO, LLC
13500 W. 108th St.
Lenexa, KS 66215
P: 800-255-1102 F: 913-469-8134
athco@athcollc.com

Date: 10/11/2019
All prices subject to acceptance within 30 days

Prepared by: **Matt Cline**

To accept this quote, sign here and return

TO: Tabitha Sharp
City Clerk
City of El Dorado, KS

Payment Terms Net 30 days

Description - Landscape Structures Option 3	QTY	UNIT PRICE	TOTAL
PlayBooster Design #1140505-3-1 for Ages 5-12 with: Croquet Climber 64", Deck Link w/Barriers Steel End Panels 2 Steps, Flex Climber, Logo Climber 64", Sunbeam Climber, Hole Panel, Zoo Panel, Handhold Leg Lift, Double Swoosh Slide 64", SlideWinder2 40", and Welcome Sign (LSI Provided)	1	\$ -	\$ -
PlaySense Design 34 EZ for Ages 2-5	1	\$ -	\$ -
Chill Spinner	1	\$ -	\$ -
Curva Spinner	1	\$ -	\$ -
Rhapsody Vibra Chomes Pentatonic Scale	1	\$ -	\$ -
Rhapsody Vivo Metallophone	1	\$ -	\$ -
Rhapsody Goblet Drum	1	\$ -	\$ -
Rhapsody Kundu Drum	1	\$ -	\$ -
Rhapsody Kettle Drum	1	\$ -	\$ -
Oodle Swing	1	\$ -	\$ -
5" O.D. 2-Bay Single Post Swing w/ (2) Belt Seats, (1) Full Bucket Seat, and (1) Molded Bucket Seat w/ Harness for Ages 5-12. All seats w/ ProGuard Chains.	1	\$ -	\$ -
		\$ -	\$ -
Equipment lead time for delivery is (2) weeks from order		\$ -	\$ -
		\$ -	\$ -
4,872 Sq. Ft. PIP Rubber for 99" Max. Fall Height, 50% Color/Black EPDM Top Coat - \$62,650. Concrete sub-base by Owner.		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -
		\$ -	\$ -

NOTES: Installation includes all equipment listed. Site prep by Owner.

SUBTOTAL	\$ 80,000.00
INSTALLATION	Included
FREIGHT	Included
SALES TAX - N/A	\$ -
DISCOUNT FOR 2019 DELIVERY	\$ (3,000.00)
Quote Total	\$ 77,000.00

Owner responsible for relocating any utilities at footing locations

Owner responsible for poured-in-place security during cure time. ATHCO not liable for damage incurred after installation.

Assumes no rock at footing locations. Additional charges for labor and equipment rental will be incurred for removal of rock above or below grade.

Proposals with labor (installation/repairs are subject to sales tax unless a "Project Tax Exemption Certificate" is provided when placing the order

Thank you!