

EL DORADO CITY COMMISSION – REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
February 1, 2021 – 6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Invocation** – Pastor David Crook with First Southern Baptist Church
4. **Pledge of Allegiance**

Proclamations and Recognition

5. [Black History Month Proclamation](#)

6. 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.

7. 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.*)

8. Approval of [City Commission Minutes from January 19, 2021](#) and [Special City Commission Minutes from January 13, 2021.](#)

Old Business

11. None

New Business

12. [Department Presentations – Public Utilities and Engineering](#)
13. [9th Ave \(Gordy – Taylor\) Project Public Hearing](#)
14. [Advisory Board Appointments](#)

Reports

15. City Commission and Advisory Board Updates
16. City Manager

Adjournment

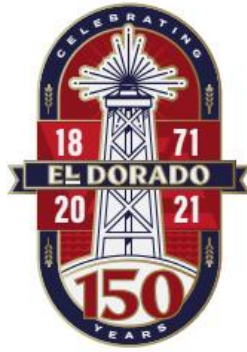
15. Consideration of a motion to adjourn the February 1, 2021 regular meeting

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.



PROCLAMATION

THE CITY OF EL DORADO, KANSAS

WHEREAS; Black History Month affords special opportunity to become more knowledgeable about black heritage, and to honor the many black leaders who have contributed to the progress of our nation; and

WHEREAS; the observance of Black history month calls our attention to the continued need to battle racism and build a society that lives up to its democratic ideals;

WHEREAS; such knowledge can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers of equality for minority groups, and the continuing struggle against racial discrimination and poverty;

WHEREAS; we urge our residents to join together in making this period of rededication to the principles of justice and equality for all people.

NOW, THEREFORE, BE IT RESOLVED, that I, Bill Young, Mayor of the City of El Dorado, Kansas, do hereby proclaim the month of February as:

BLACK HISTORY MONTH

Seal

Mayor Bill Young

Tabitha Sharp, City Clerk

EL DORADO CITY COMMISSION MEETING

January 19, 2021

The El Dorado City Commission met in a regular session on January 19, 2021 at 6:30 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Matt Guthrie, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Engineer Scott Rickard and City Clerk Tabitha Sharp. Absent: Commissioner Gregg Lewis and City Attorney Ashlyn Lindskog.

VISITORS

Curt Zieman	128 N Vine	El Dorado, KS
Kevin Wishart	220 E 1st Ave	El Dorado, KS
Brad Meyer	222 E 2nd	El Dorado, KS
Corey Landreth	Real Life Christian Church	El Dorado, KS
Kurt Bookout	2540 Kinder Dr	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the January 19, 2021 meeting to order.

INVOCATION

Pastor Corey Landreth, Real Life Christian Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITION

Mayor Bill Young read the proclamation declaring 2021 a year of celebration in honor of the 150th anniversary of the City of El Dorado.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of City Commission Minutes from January 4, 2021.

Approval of Appropriation Ordinance No. 12-20 in the amount of \$1,692,318.26.

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

EL DORADO CITY COMMISSION MEETING

January 19, 2021

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

NEW BUSINESS

DEPARTMENT PRESENTATIONS

Parks and Recreation Director Kevin Wishart presented the 2020 year in review for his department.

Commissioner Matt Guthrie asked how the surface at the tennis courts is holding up.

Parks and Recreation Director Wishart stated that he sends staff regularly to remove leaves and other debris to keep it nice.

Commissioner Guthrie asked if there were irrigation plans for that facility.

Parks and Recreation Director Wishart stated that there are not plans at this time for irrigation.

Public Works Director Brad Meyer presented the activities of the Public Works division in 2020.

Commissioner Nick Badwey stated that a friend of his adopted a dog and had a great experience.

Commissioner Guthrie asked how much the recycling building was being used.

Public Works Director Meyer stated that the cardboard bailer is housed there and they are using part of it for storage.

Commissioner Guthrie asked if there was a plan for the extra funding for snow removal.

Public Works Director Meyer stated that there would be. He stated that part of the issue now is experience and training for new employees.

VICE MAYOR APPOINTMENT

Commissioner Kendra Wilkinson moved to select Commissioner Gregg Lewis as Vice-Mayor for the year 2021.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0.

COMMUNITY BRAND ACCEPTANCE

City Clerk Tabitha Sharp stated that the Commission had directed staff to hire a company to design a new brand for the City of El Dorado. The City hired Bajillion in 2020 and they have completed the process. The City Commission has reviewed the proposed brand and staff are requesting that it be officially adopted along with the badge celebrating our 150th anniversary.

City Clerk Sharp stated that the company will be providing all of the elements and the marketing plan within the next two weeks.

Commissioner Matt Guthrie moved adopt the brand as presented for the City of El Dorado.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

APPLICATION TO REZONE 7.7 ACRES AT 2540 KINDER DRIVE

City Engineer Scott Rickard stated that Kurt Bookout is requesting a change in zoning at the property located at 2540 Kinder Drive from agricultural-residential to low density residential. This property is located in the extraterritorial jurisdiction for the City of El Dorado. He stated that the Planning Commission and Butler County have both recommended approval of the rezone.

Commissioner Nick Badwey moved to approve Case No. 20-04-REZ, requesting a rezoning of 7.7 acres at 2540 Kinder Drive to R-1 Low Density Residential District and that Ordinance No. G-1343 be approved.

Commissioner Kendra Wilkinson seconded the motion.

Roll Call Vote

Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Absent
Position No. 3	Commissioner Nick Badwey	Yes

VACATE RIGHT-OF-WAY IN RIVERSIDE ADDITION

City Engineer Scott Rickard stated that the adjacent residents at 9th Avenue near Oak Street in the Riverside Addition have requested the vacation of right-of-way.

City Engineer Rickard stated that we will maintain a 16 foot under lying utility easement. He stated that we have checked with all other utilities and they are supportive of the change.

Commissioner Matt Guthrie asked why the City held on to the property.

City Engineer Rickard stated that a lot of these areas were platted a long time ago and right-of ways were established but planned roads and such were not constructed. He stated that the adjacent owners will each get 50 feet with the underlying easement down the center.

Commissioner Matt Guthrie moves to adopt Ordinance No. G-1344 an ordinance vacating Right-of-Way in Riverside Addition to the City of El Dorado and maintaining a utility easement.

Commissioner Kendra Wilkinson seconded the motion.

Roll Call Vote

	Mayor Bill Young	Yes
Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Absent
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes

PROPOSED EQUIPMENT PURCHASES

City Manager David Dillner stated that the proposed plan for equipment replacement utilizes funds that were not expended in 2020. He stated that the 2021 general fund purchases include 4 patrol cars, squad 3 in the fire department, 3 single axle dump trucks with snow plows, 1 tandem axle dump truck with snow plow, and 4 mowers and 3 utility vehicles for the parks and recreation division. He stated that the enterprise funds will receive a ¾ ton crew truck, one single axle dump truck and an automated trash truck.

City Manager Dillner stated that other purchases will be moved up slightly in the previous plan showed to the City Commission in reaction to the ability to purchase these this year.

Commissioner Nick Badwey clarified the purchase price of a single axle.

City Manager Dillner stated that he mistakenly put the wrong price on the single axle, and he would confirm that price before the bid was completed.

Commissioner Badwey asked what a side mount mower was.

Public Works Director Brad Meyer stated that it was a mower used in the areas that run along ditches and roadsides where we can not get a rear mount mower in place.

Commissioner Nick Badwey moved to authorize the purchase of vehicles and equipment for 2021 as presented by the City Manager.

EL DORADO CITY COMMISSION MEETING

January 19, 2021

Commissioner Kendra Wilkinson seconded the motion.

Mayor Bill Young confirmed that the items would be bid and attempts would be made to purchase locally.

City Manager Dillner stated that they would.

Motion carried 4 – 0.

MASK ORDINANCE CONTINUATION

City Manager Dillner stated that due to the publication requirements, the Commission needed to review the ordinance tonight so that it could be continued on February 1st if the Commission wished. He stated that the only change to the prior ordinance would be the expiration date which would be 45 days from February 1st.

Commissioner Kendra Wilkinson asked if the State had a mandate.

City Manager Dillner stated that they did not have one, they left it to the Counties to decide.

Commissioner Wilkinson stated that she supported extending it.

Commissioner Nick Badwey stated that he felt like more people were wearing masks. He stated that his reasons were still the same for supporting the ordinance and was in favor of continuing it.

Commissioner Matt Guthrie stated that he was also for continuing the ordinance.

Mayor Bill Young stated that he felt that reviewing it now as opposed to February 1st as it was originally announced, was unfair to those that had been told we would review it then. He stated that he also felt that the numbers did not support the continuation of the ordinance.

Commissioner Wilkinson stated that while Butler County is going up, the cases in El Dorado are slowly going down. She doesn't like the idea of using the numbers for Butler County as justification.

Mayor Young stated that he understood her thoughts, but he felt that people needed to be invited to the conversation.

Commissioner Wilkinson stated that she is still for a mask mandate, but does not want to upset the businesses who are upset about enforcing it. She stated that she felt they should keep their word about discussing it on the 1st. She asked about the gap between the two ordinances.

EL DORADO CITY COMMISSION MEETING

January 19, 2021

City Clerk Tabitha Sharp stated that due to publication deadlines, if they passed the ordinance at the next meeting, it would not be enforceable until the following week because it would not be published until that Tuesday.

Commissioner Badwey stated that he didn't remember stating it would be discussed on the first, only that it would expire that day.

Mayor Young stated that he felt it was implied in the discussion that night.

Commissioner Guthrie stated that he was fine with passing it tonight and then allowing discussion on the 1st.

Commissioner Wilkinson stated that she wants the mask order to continue, but is concerned that business owners will not come talk to them.

Mayor Young stated that if they were just going to vote for the ordinance regardless of what the people say in a public comment section, they should just pass it tonight.

Commissioner Wilkinson stated that she believed the ordinance was doing good things, more people are wearing masks, the infection rate is going down and the vaccine is out. She stated that the extra 45 days were going to do more good than harm and so she was in support of passing the ordinance now.

Commissioner Nick Badwey moved to approve Ordinance No. G-1345, an Ordinance continuing the requirement for the wearing of masks or other face coverings in public space in El Dorado, Kansas.

Commissioner Matt Guthrie seconded the motion.

Roll Call Vote

Position No. 1	Commissioner Matt Guthrie	Yes
Position No. 2	Commissioner Gregg Lewis	Absent
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Bill Young	No

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

Commissioner Matt Guthrie asked if e-mailing public comments was still an option.

City Clerk Tabitha Sharp stated it was, she stated that anyone interested should send their thoughts to her at tsharp@eldoks.com.

EL DORADO CITY COMMISSION MEETING

January 19, 2021

Commissioner Nick Badwey stated that the library board met, he stated that they are maintaining their current hours and the curbside pickup. He stated that the library wanted people to know that all items should be returned to the drop box, not inside the library.

CITY MANAGER

City Manager David Dillner stated that the structure at 712 W Ash has been demolished. He stated that they have also been making improvements to the entryway to the Police Department and appreciate the public's patience in that project.

City Manager Dillner stated that the trash routes had changes in accordance with the holiday observed on Monday.

City Manager Dillner stated that the meeting with the State Park was canceled due to a conflict with the State office, we are working on rescheduling it.

City Manager Dillner stated that the library has challenged residents to read 150 hours this year in honor of the city's 150th anniversary.

City Manager Dillner stated that the utilities department will be completing some vapo-rooting to assist with sanitary sewer blockages over the next few weeks.

EXECUTIVE SESSION

Commissioner Kendra Wilkinson moved to recess into executive session pursuant to the non-elected personnel exception under K.S.A. 75-4319(b)(1) for the purposes of discussing non-elected personnel and succession plans and to reconvene the meeting at 8:05 p.m. in the City Commission Room.

Commissioner Nick Badwey seconded the motion.

Motion carried 4 – 0.

Mayor Bill Young called the meeting back to order at 8:05 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:06 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 4 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

EL DORADO CITY SPECIAL COMMISSION MEETING

January 13, 2021

The El Dorado City Commission met in special session on January 13, 2021 at 5:00 pm at City Hall with the following present: Mayor Bill Young, Commissioner Matt Guthrie, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Kevin Wishart	220 E 1 st Ave	El Dorado, KS
Tammy Schaffer	220 E 1 st Ave	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the January 13, 2021 Special City Commission meeting to order at 5:00 p.m.

LAKE MASTER PLAN RFP

City Manager David Dillner reviewed the proposed lake master plan request for proposals (RFP).

The City Commission agreed to wait and send the RFP out after staff had met with the State of Kansas to determine what they would allow.

ADVISORY BOARD APPOINTMENTS

City Clerk Tabitha Sharp reviewed the available advisory board seats and applications.

REGULAR AGENDA REVIEW

The City Commission reviewed items on the upcoming agenda.

REPORTS

Commissioner Nick Badwey stated that he would like to schedule a work session to discuss leaving the EFABC. The City Commission agreed to discuss it at an upcoming work session.

City Clerk Tabitha Sharp presented the 150th badge submitted by Bajillion.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 7:10 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

TO: City Commission
FROM: Kristina Traina, Administrative Assistant
SUBJ: Department Presentations for Public Utilities and Engineering
DATE: January 25, 2020

Background:

Each department provides a brief presentation for the City Commission and the citizens. They have been asked to provide 1) a summary of the past year's accomplishments; 2) a brief summary of projects and initiatives planned for the upcoming year; and 3) a brief summary of major trends/challenges affecting the department's operations.

The Administrative department is scheduled for the February 15th meeting.

Policy Issue:

None

Fiscal Impact:

None

Trade-offs:

None

Staff Recommendation:

None

Commission Actions:

None

[Return to Agenda](#)

TO: City Commission
FROM: Scott Rickard
SUBJ: Paving 9th Avenue (Gordy-Taylor) Project Public Hearing
DATE: January 25, 2021

Background:

Commission stated that they would be willing to initiate the street improvements on 9th Avenue. This process allows for the street to be brought up to City standards. The Commission must hold a public hearing to hear from owners within the Improvement District. If after the Public Hearing the Commission initiates the project, owners will have 20 days to file a protest petition after publication of the resolution. For the protest to be valid both 51% or more of the resident owners and owners of more than half of the property within the Improvement District must sign the petition.

Project Schedule:

Attachments:

Improvement District map, Cost Estimates, Resolution

Policy Issue:

The City Commission must hold a public hearing to allow citizens to express concerns regarding the project.

Alternatives:

N/A

Fiscal Impact:

The total cost of the project is \$1,244,987.38. The costs assessed to the City at Large including City Property within the Improvement District will be \$737,012.72 and the remaining Improvement District cost will be \$507,974.66. The total cost of the project will be bonded, therefore allowing the improvement district to pay off the debt over a twenty year period.

Trade-offs:

The decision of a governing body to provide public improvements often requires nearby property owners to equally be assessed a portion of the improvements. In such instances, this requires balancing community benefits with potentially negative impacts on the assessed property owners.

Staff Recommendation:

Open the public hearing and proceed with the improvements.

Commission Actions:

Commissioner _____ moved that Resolution No. 2918, a resolution determining the advisability of the making of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings, subject to protest (paving improvements/paving 9th Avenue).

Commissioner _____ seconded the motion.

Estimated Assessments

Paving 9th (Gordy to Taylor)
Date:10/20/2020

OWNER OF RECORD	PROP. NO.	PROPERTY DESCRIPTION	ITEM	QUANTITY	UNIT	ASSESSMENT
Union Tank Car Co. Inc. 175 W Jackson Blvd Chicago, IL 60604	1	1802 Star St 167-35-0-20-03-001-00-0	Area Drives	117,397.0	S.F. S.Y.	\$126,385.17
			TOTAL			<u>\$126,385.17</u>
Kellie Naill 615 SE Rosalia Rd Rosalia, KS 67132	2	Lots 7 & 8 Hulls Addition 1002 N Taylor 167-35-0-30-06-004-00-0	Area Drives	12,600.0	S.F. S.Y.	\$13,564.68
			TOTAL			<u>\$13,564.68</u>
Jarrod Hammond Raven Hammond 1006 N Taylor El Dorado KS 67042	3	Lots 9 & 10 Hulls Addition 1006 N Taylor 167-35-0-30-06-003-00-0	Area Drives	6,300.0	S.F. S.Y.	\$6,782.34
			TOTAL			<u>\$6,782.34</u>
Jarrod Hammond 1006 N Taylor El Dorado KS 67042	4	Lots 3 & 4 Hulls Addition 1017 N Washington 167-35-0-30-06-006-00-0	Area	6,525.0	S.F. S.Y.	\$7,024.57
			TOTAL			<u>\$7,024.57</u>
Regina Wisely 402 W 9th El Dorado KS 67042	5	Lots 5 & 6 Hulls Addition 402 W 9th 167-35-0-30-06-005-00-0	Area Drives	13,050.0 35.0	S.F. S.Y.	\$14,049.14 \$2,100.00
			TOTAL			<u>\$16,149.14</u>
Michael Speidel Sherrie Speidel 1930 Lakeland Dr El Dorado KS 67042	6		Area Drives	22,379.0 35.0	S.F. S.Y.	\$24,092.38 \$2,100.00
			TOTAL			<u>\$26,192.38</u>
Richard L Wentworth, Sr 1021 N Gordy El Dorado KS 67042	7	1021 N Gordy 167-35-0-30-01-004-00-0	Area Drives	56,543.0 35.0	S.F. S.Y.	\$60,872.05 \$2,100.00
			TOTAL			<u>\$62,972.05</u>
Vance Tipton Wanda Tipton 924 N Gordy El Dorado KS 67042	8	927 N Gordy 167-35-0-30-09-001-00-0	Area Drives	10,350.0	S.F. S.Y.	\$11,142.42
			TOTAL			<u>\$11,142.42</u>
Larry Kasney Della Kasney 919 N Gordy El Dorado, KS 67042	9	919 N Gordy 167-35-0-30-09-002-01-0	Area Drives	22,608.0	S.F. S.Y.	\$24,338.92
			TOTAL			<u>\$24,338.92</u>

Megan Neff	10		Area	52,092.0	S.F.	\$56,080.28
211 W 9th		211 W 9th	Drives	35.0	S.Y.	\$2,100.00
El Dorado, KS 67042		167-35-0-30-09-002-00-0				
			TOTAL			\$58,180.28
City of El Dorado	11		Area	135,285.0	S.F.	\$145,642.71
PO Box 792			Drives	35.0	S.Y.	\$2,100.00
El Dorado KS 67042		900 N Taylor				
		167-35-0-30-10-001-00-0	TOTAL			\$147,742.71

CITY OF EL DORADO, KANSAS

10/20/2020

ENGINEER'S ESTIMATE OF COST FOR PETITION

TOTAL PROJECT COSTS

Project #

Improvement: Paving 9th Gordy to Taylor

CONSTRUCTION QUANTITIES

ITEM NO.	DESCRIPTION	UNITS	NO. OF UNITS	UNIT COST	TOTAL COST
1	Pavement Removal	S.Y.	3,800.0	\$5.00	\$19,000.00
2	Common Excavation	C.Y.	4,237.0	15.25	64,614.25
3	6 1/2" Reinforced Rock Base	S.Y.	7,000.0	15.50	108,500.00
4	2'-6" Curb & Gutter	L.F.	3,200.0	22.00	70,400.00
5	BM-2(10%rap) Asph. Conc. Pvm.	TONS	1,425.6	65.00	92,664.00
6	BM-2 Asph. Conc. Pvm.	TONS	734.0	70.00	51,380.00
7	6" Reinforced Driveways	S.Y.	300.0	60.00	18,000.00
8	Storm Sewer Pipe	L.F.	1,200.0	90.00	108,000.00
9	Storm Sewer Inlets	Ea.	12.0	5,800.00	69,600.00
10	Mobilization	L.S.	1.0	10,000.00	10,000.00
11	Site Restoration	L.S.	1.0	8,500.00	8,500.00
12	Erosion Control	L.S.	1.0	6,000.00	6,000.00
13	Rail Crossings	Ea.	4.0	50,000.00	200,000.0

CONSTRUCTION SUBTOTAL \$826,658.25

ADMINISTRATION ITEMS

TEMPORARY FINANCING	\$	82,665.83
MISC.	\$	5,000.00
CONTINGENCIES	15.00% \$	123,998.74
DESIGN ENGINEERING	\$	82,665.83
CONSTRUCTION ENGIN / ADMIN	\$	123,998.74

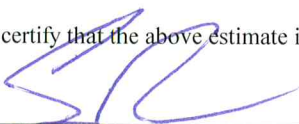
PROJECT TOTAL \$ 1,244,987.38

Improvement District Costs \$ 507,974.66

City at Large Improvement Distri \$ 144,518.70

Total City At Large Costs \$ 737,012.72

I hereby certify that the above estimate is correct to the best of my knowledge.



Scott Rickard

Engineering Department

IMPROVEMENT DISTRICT

Project 000 - Paving
9th Ave (Gordy St to Taylor St)

Improvement Dist. ----

Property #

1

SF In District

123,456

Property Lines ———



2020

W 10TH AVE

N STAR ST

9TH AVE

N TAYLOR ST

N GORDY ST

W 8TH AVE

1
117,397
Union Tank
Representation

3
6,300
2
12,600

4
6,525
5
13,050

6
22,379

7
56,543

11
135,285

8
10,350
10
52,092
9
22,608

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON FEBRUARY 1, 2021**

The governing body met in regular session at the usual meeting place in the City, 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, pursuant to a notice duly published in the *Butler County Times-Gazette*, the Mayor opened the public hearing and announced that anyone desiring to be heard in connection with the advisability of making the following described improvements (the "Improvements"):

Paving 9th Avenue (Gordy St. to Taylor St.)

would now be heard.

Thereafter, the Mayor adjourned the public hearing.

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS FOR THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS, SUBJECT TO PROTEST (PAVING IMPROVEMENTS/PAVING 9TH AVENUE).

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 Resolution having been adopted by majority vote of the members elect of the governing body, it was given No. _____; was directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Butler County, Kansas, all as required by law and as set forth in the Resolution. The City Clerk was further directed to advise the governing body at the end of the protest period as to whether or not a protest petition has been filed thereto.

* * * * *

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon 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

NOTE: To be recorded with the Register of Deeds of Butler County, Kansas

(Published in the *Butler County Times-Gazette* on February 6, 2021)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS FOR THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS, SUBJECT TO PROTEST (PAVING IMPROVEMENTS/PAVING 9TH AVENUE).

WHEREAS, K.S.A. 12-6a01 *et seq.* (the “Act”) authorizes the governing body of any city to make or cause to be made municipal works or improvements which confer a special benefit upon property within a definable area of the city and the levying and collecting of special assessments upon property in the area deemed by the said governing body to be benefited by such improvements for special benefits conferred upon such property by any such improvements and to provide for the payment of all or any part of the costs of the improvements out of the proceeds of such special assessments; and

WHEREAS, the Act provides that before any contract is let or any work is ordered or authorized for an improvement, the governing body shall by resolution direct and order a public hearing on the advisability of the improvement, and to give notice of the hearing by not less than two (2) publications in a newspaper, such publications to be a week apart and at least three (3) days shall elapse between the last publication and the hearing; and such notice shall be given as to (a) the time and place of the hearing; (b) the general nature of the proposed improvements; (c) the estimated or probable cost of the proposed improvements; (d) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (e) the proposed method of assessment; and (f) the proposed apportionment of the cost between the improvement district and the City-at-large; and

WHEREAS, the governing body of the City of El Dorado, Kansas (the “City”) has heretofore by Resolution No. _____, directed and ordered a public hearing on the advisability of certain internal improvements in the City, pursuant to the Act; and providing for the giving of notice of said public hearing in the manner required by the Act; and

WHEREAS, a Notice of Public Hearing was duly published once each week for two (2) consecutive weeks in the *Butler County Times-Gazette*, the official newspaper of the City in accordance with the Act; and

WHEREAS, said public hearing was duly held this date, pursuant to such notice; and

WHEREAS, the Act provides that the governing body may, by a majority vote of the entire members-elect thereof, at any time within six (6) months after the final adjournment of the hearing on the advisability of making improvements, adopt a resolution authorizing the improvements in accordance with the findings of the governing body upon the advisability of the improvements, which resolution shall be effective upon publication once in the official City newspaper; provided, the improvements shall not be commenced if, within twenty (20) days after publication of the resolution ordering the improvement, written

protests signed by both fifty-one per cent (51%) or more of the resident owners of record of property within the improvement district and the owners of record of more than half of the total area of such improvement district are filed with the City Clerk; and

WHEREAS, the governing body hereby finds and determines it to be necessary to make its findings, by resolution, as to the advisability of the proposed improvement, the general nature of the proposed improvement; the estimated or probable cost of the proposed improvement; the extent of the proposed improvement district to be assessed for the cost of the proposed improvement; the proposed method of assessment; and the proposed apportionment of the cost between the improvement district and the City-at-large; and further finds and determines it to be necessary to authorize the making of the improvements, by Resolution, in accordance with its findings, subject to the filing of protest thereto, and to provide for the publication thereof, all as required by the Act.

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

Section 1. Findings of Advisability. The governing body hereby finds and finally determines that:

(a) It is advisable to make the following improvements (the “Improvements”):

Paving 9th Avenue (Gordy St. to Taylor St.), to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$1,244,987.38, exclusive of interest on financing and administrative and financing costs; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is:

See **Exhibit A** attached hereto.

(d) The method of assessment is: equally per square foot.

In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 40.8% or approximately \$507,974.66 to be assessed against the Improvement District and 59.2% or approximately \$737,012.72 to be paid by the City-at-large.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body as set forth in **Section 1** of this Resolution; except that, the Improvement shall not be commenced if, within twenty (20) days after publication of this Resolution, written protests signed by both fifty-one per cent (51%) or more of the resident owners of record of property within the Improvement District **and** the owners of record of more

than half of the total area of the Improvement District are filed with the City Clerk. The City Clerk shall report to the governing body at the end of said protest period as to whether or not any such protest petition has been filed.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the “Bonds”). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Butler County, Kansas, and shall be effective upon publication.

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ADOPTED by the governing body of the City on February 1, 2021.

(SEAL)

By: _____

Name: Bill Young

Title: Mayor

ATTEST:

By: _____

Name: Tabitha Sharp

Title: City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on February 1, 2021, as the same appears of record in my office.

DATED: February 1, 2021.

By: _____

Name: Tabitha Sharp

Title: City Clerk

EXHIBIT A

PROPERTY DESCRIPTION PAVING 9th AVENUE (GORDY ST. TO TAYLOR ST.)

Beginning at a point which is on the East right-of-way line of the A.T. & S.F. RR. And 1,404.11 feet East of the Southwest corner of the Northwest Quarter of Section 35, Township 25 South, Range 5 East of the Sixth PM; thence Northerly along said Est right-of-way line 2,763.62 feet to a point on the North line of said Northwest Quarter and 547.8 feet East of the Northwest Corner of the said Northwest Quarter; thence East 326 feet along said North line to a point on the West right-of-way line of the A.T. & S.F. RR Spur; thence Southeasterly along said RR Spur right-of-way 1,571.92 feet to the centerline of the West Branch of the Walnut River; thence Southwesterly along said center line of the said River and said RR Spur right-of-way line to a point which is 350 feet at a right angle to the center line of said RR Spur; thence Southeasterly along said Spur right-of-way line 78 feet to a point on the East Bank of said river; thence following the East bank of said river to a point of intersection with the East line of the Northwest Quarter of the Northwest Quarter of said Section 35; thence North along said East line of said Section 110 feet to the center line of said river; thence following the centerline of said river to a point on the South line of the Northwest Quarter of Section 35; thence West 295.93 feet to the point of beginning, in Butler County.

1802 Star St

Lots 7 & 8 Hulls Addition

1002 N Taylor

Lots 9 & 10 Hulls Addition

1006 N Taylor

Lots 3 & 4 Hulls Addition

1017 N Washington

Lots 5 & 6 Hulls Addition

402 W 9th

That part of the Southwest Quarter of Section 35, Township 25 South, Range 5 East of the 6th PM described as: Beginning 14 feet North of the cornerstone of the Northwest corner of the Atchison, Topeka and Santa Fe Railroad land thence West 22 feet, more or less to the East line of Washington Street, formerly Broad Street; thence South 310 feet, more or less, to the North line of Ninth Avenue, formerly Fourth Avenue; thence East 112 feet, more or less, to the West boundary line of the Atchison, Topeka and Santa Fe Railroad land, thence Northwesterly along the Westerly line of said railroad land 324 feet, more or less, to the beginning; AND beginning at the Intersection of the North line of said Ninth Avenue and the East line of said Washington Street; thence West 40 feet; thence North to the North line of Tenth Avenue; thence East 40 feet; thence South along the Est line of Washington Street to the point of beginning, in the City of El Dorado, Butler County, Kansas

330 W 9th

Commencing at the Northeast corner of the depot grounds of the Florence, El Dorado and Walnut Valley Railroad, thence running in a Southeasterly direction along the East side of said depot grounds 265 feet to a stake; thence North 88° 30' East 487 feet; thence North 314 feet, more or less, to the Northeast corner of the public highway known as Bogardus Ave *now Gordy Street) thence West 156 feet, more or less, to the Southeast corner of a tract of land which was at one time owned by Harry Cousland; thence West 430 feet, more or less, to the place of beginning, being in the Southwest Quarter of Section 35, Township 25 South, Range 5 East of the 6th P.m. and

Commencing at a stake on the East line of the Florence, El Dorado and Walnut Valley depot grounds 265 feet south of the northeast corner of said depot grounds, thence North 88° 30' East about 459 feet to the West line of a street; thence South along the West line of said street 202.9 feet; thence South 88° 30' West nearly parallel to said North line, 400 feet, more or less, to the East line of said depot grounds; thence North 18 West along said East line of said depot grounds to the place of beginning, being in the Southwest Quarter of Section 35, Township 25 South, Range 5 East of the 6th P.M. in Butler County, Kansas.

1021 N Gordy

That part of the Southwest Quarter of Section Numbered 35, Township Numbered 25 South, Range Numbered 5 East of the 6th P.M., described as Beginning at a point 240 feet East of a point that is 467 ½ feet South and 18 degrees East of the Northeast Corner of the Depot Grounds of the Florence-El Dorado and Walnut Valley Railroad Company; thence East 160 feet; thence South 90 feet; thence West 160 feet; thence North 90 feet to the place of beginning, EXCEPT Beginning at a point 240 feet East of a point that is 467.5 feet South and 18 degrees East of the Northeast Corner of the Depot Grounds of the Florence-El Dorado and Walnut Valley Railroad Company, thence East 45 feet; thence South 90 feet; thence West 45 feet; thence North 90 feet to the point of beginning of excepted tract, all in Butler County, Kansas

927 N Gordy

Beginning at a point 400 feet East and 90 feet South of a point 467 ½ feet South 18 degrees East of the Northeast Corner of the Depot Grounds of the Florence, El Dorado and Walnut Valley Railroad Company, the same being in the Southwest Quarter of Section 35, Township 25 South, Range 5 East of the 6th P.M., thence West 115 feet; thence South 115 feet; thence East 115 feet; thence North 115 feet to the place of beginning in Butler County, Kansas AND Beginning at a point on the East line of the Florence, El Dorado and Walnut Valley Railroad Depot grounds at the Northwest Corner of the One-Half acre of land deeded to August Kullman by Josiah P Champion July 22, 1885; thence East on Kullman's North line 314 feet, more or less, to the West line of a street; thence North 67.25 feet along the West line of said street, West parallel to the South line of said tract 337 feet, more or less,

to the East line of said Depot grounds, South 18 degrees East 70 feet, more or less, to beginning, being a part of the Southwest Quarter of Section 35, Township 25 South, Range 5 East of the 6th P.M., Butler County, Kansas

919 N Gordy

Beginning at a point 141.22 feet East of a point 467 ½ feet South 18 degrees East of the Northeast Corner of the Depot Grounds of the Florence, El Dorado and Walnut Valley Railroad Company, the same being in the Southwest Quarter of Section 35, Township 25 South, Range 5 East of the 6th P.m., Butler County, Kansas; thence East 145.00; thence South 205 feet; thence West 222 feet; to the East line of the Right of Way of the Florence, El Dorado and Walnut Valley Railroad; thence in a Northwesterly direction along the East line of said right of way 52.40 feet; thence East 92.66 feet; thence North 155 feet to the point of beginning. AND Beginning at a point 467 ½ feet South and 18 degrees East of the Northeast Corner of the Depot Grounds of the Florence, El Dorado and Walnut Valley Railroad Company, then same being in the Southwest Quarter of Section 35, Township 25 South, Range 5 East of the 6th P.m., Butler County Kansas; thence East 141.22 feet; thence South 155 feet; thence West 92.66 feet to the East line of the Right of Way of the Florence, El Dorado and Walnut Valley Railroad; thence in a Northwesterly direction along the East line of said right of way to the point of beginning.

211 W 9th

Beginning at a point 75 feet North of the Northeast Corner of Block 5 in North El Dorado, now an Addition to the City of El Dorado, and running thence North 258 feet; thence East 58 feet, more or less, to the West line of the right of way of the Atchison, Topeka & Santa Fe Railway; thence Southeasterly with said West line of said right of way to a point due East of the place of beginning, and thence West to the place of beginning, being a part of the Southwest Quarter of Section 35, Township 25 South, Range 5 East of the 6th P.M. AND Lots 1, 2, 3, 4 and the South 13 feet of Lot 5 in West View Addition to the City of El Dorado' and beginning at the Southwest Corner of said Lot 1; thence East 140 feet; South 12 ½ feet; West 140 feet; North 12 ½ feet, to place of beginning

900 N Taylor

CERTIFICATE OF NO PROTEST

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

I, the City Clerk of the City of El Dorado, Kansas, do hereby certify that Resolution No. _____ authorizing Paving 9th Avenue, was duly published once in the ***Butler County Times-Gazette***, the official newspaper of the City, on February 6, 2021, as required by law; that more than twenty (20) days has elapsed from the date of said publication; and that there has been no sufficient written protest against the making of said improvements filed in the office of the City Clerk in accordance with K.S.A. 12-6a01 *et seq.*

WITNESS my hand and official seal on March _____, 2021.

(Seal)

Tabitha Sharp, City Clerk
City of El Dorado, Kansas

TO: City Commission
FROM: City Clerk Tabitha Sharp
SUBJ: Advisory Board Appointments
DATE: January 6, 2021

Background:

The following applications have been received for the available advisory board positions. The lake staff have requested that their position on the CTC be listed as a Lake Representative. Whomever is available from their office will attend the meetings.

Advisory Board	Number of Seats	Term	Notes
BOZA	2	3 Years	
CTC	3	2 Years	Deanna Bonn, Tiya Tonn and a Lake Representative
Library	2	4 Years	David Worley and Judith Cole
Planning Commission	4	3 Years	David Stewart and Scott Hackler
Parks and Recreation	2	2 Years	Loren Anthony
Sales Tax	6 1 other filled by Planning Commission	2021	Bill – (has 2 appts.) Matt – Lindsay Mills Gregg – Dan Davis Nick – Robbie Pollard Kendra – Mel Arnold

Policy Issue:

The City Commission must approve advisory board appointments and the proposed charter ordinances.

Alternatives:

Not applicable.

Fiscal Impact:

Each advisory board has the ability to influence decisions regarding the budget; the Commission must ensure that they choose individuals who will be responsible board members who will consider the ramifications of their recommendations on the citizens.

Trade-offs:

None

Staff Recommendation:

Approve the applications received.

Commission Actions:

City Commissioner _____ moved to accept the advisory board appointments as presented.

City Commissioner _____ seconded the motion.

CURRENT MEMBER

Name of Board Member: David Worley

Board:Chair

Date of Term Expiration:12/31/2020

Board Member: Please check the following applicable boxes regarding your interest in serving another term on the Board. Please sign the form and return it as soon as possible in the stamped envelope provided for your convenience.

☒ x I am interested in serving another term. (Please list what expertise and/or capabilities you would bring to this board, committee, or task force.)

Address [REDACTED]

E-mail Address [REDACTED]

Phone Number: [REDACTED]

Please circle your preferred method of contact: E-mail Phone x

Expertise/Capabilities (Attach additional sheets if necessary): I now have the experience of working with other board members and the vision of the library in our community. I know and understand the budget and feel I am a good steward of taxpayers money.

☐ I am not interested in serving another term.

☐ I am interested in serving on a different board or committee of the City. Please send me an interest form/application.

Signed:

David Worley

CURRENT MEMBER

Name of Board Member: Dianna M. Bonn

Board: CTC

Date of Term Expiration: December

Board Member: Please check the following applicable boxes regarding your interest in serving another term on the Board. Please sign the form and return it as soon as possible in the stamped envelope provided for your convenience.

☒ I am interested in serving another term. (Please list what expertise and/or capabilities you would bring to this board, committee, or task force.)

Address: [REDACTED]

E-mail Address: [REDACTED]

Phone Number: [REDACTED]

Please circle your preferred method of contact. E-mail

Phone

Expertise/Capabilities (Attach additional sheets if necessary):

Marketing
Promotion
Videography/Filmmaking
Radio Show host

☐ I am not interested in serving another term.

☐ I am interested in serving on a different board or committee of the City. Please send me an interest form/application.

Signed:

D. M. Bonn

Board Member

1/11/21

Date

Name of Board Member: Scott Hackler

Board: Planning & Zoning

Date of Term Expiration: 12-31-2020

X I am interested in serving another term. (Please list what expertise and/or capabilities you would bring to this board, committee, or task force.)

scott @ wells designs. net

act: E-mail

Expertise/Capabilities (Attach additional sheets if necessary):

____ I am interested in serving on a different board or committee of the City. Please send me an interest form/application.

Signed: _____
Board Member

12-28-2020

CURRENT MEMBER

Name of Board Member:	JUDITH K. COLE
Board:	LIBRARY
Date of Term Expiration:	

Board Member: Please check the following applicable boxes regarding your interest in serving another term on the Board. Please sign the form and return it as soon as possible in the stamped envelope provided for your convenience.

☒ I am interested in serving another term. (Please list what expertise and/or capabilities you would bring to this board, committee, or task force.)

Address:



E-mail Address: jcole209@yahoo.com

Phone Number:



Please circle your preferred method of contact: E-mail Phone

Expertise/Capabilities (Attach additional sheets if necessary):

--

☐ I am not interested in serving another term.

☐ I am interested in serving on a different board or committee of the City.
Please send me an interest form/application.

Signed:

Judith K. Cole

Board Member

Rev. March 2017

11-23-20

Date

CURRENT MEMBER

Name of Board Member: LOREN ANTHONY
Board: PARK AND REC.
Date of Term Expiration:

Board Member: Please check the following applicable boxes regarding your interest in serving another term on the Board. Please sign the form and return it as soon as possible in the stamped envelope provided for your convenience.

☒ I am interested in serving another term. (Please list what expertise and/or capabilities you would bring to this board, committee, or task force.)

Address:

E-mail Address: JACQUELINEANTHONY@ATT.NET

Phone Number:

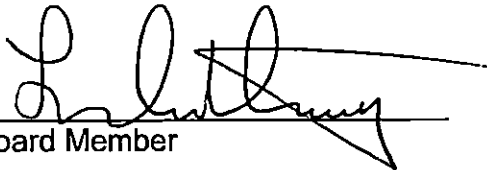
Please circle your preferred method of contact: E-mail Phone

Expertise/Capabilities (Attach additional sheets if necessary):

☐ I am not interested in serving another term.

☐ I am interested in serving on a different board or committee of the City. Please send me an interest form/application.

Signed:


Board Member

12-31-20
Date

CURRENT MEMBER

Name of Board Member: DAVID STEWART
Board: PLANNING COMMISSION
Date of Term Expiration: DECEMBER 31, 2020

Board Member: Please check the following applicable boxes regarding your interest in serving another term on the Board. Please sign the form and return it as soon as possible in the stamped envelope provided for your convenience.

☒ I am interested in serving another term. (Please list what expertise and/or capabilities you would bring to this board, committee, or task force.)

Address: [REDACTED]

E-mail Address: stewart@gravityworks-architecture.com

Phone Number: [REDACTED]

Please circle your preferred method of contact: E-mail Phone

Expertise/Capabilities (Attach additional sheets if necessary):

LICENSED ARCHITECT - KANSAS, MISSOURI & ARIZONA

MULTIPLE-TERM PLANNING COMMISSION MEMBER - CURRENT VICE-CHAIR, PAST CHAIR

☐ I am not interested in serving another term.

☐ I am interested in serving on a different board or committee of the City. Please send me an interest form/application.

Signed:


Board Member


Date

CURRENT MEMBER

Name of Board Member: *Tiya Tona*
Board: *Convention & Tourism Committee*
Date of Term Expiration: *12-31-20*

Board Member: Please check the following applicable boxes regarding your interest in serving another term on the Board. Please sign the form and return it as soon as possible in the stamped envelope provided for your convenience.

☒ I am interested in serving another term. (Please list what expertise and/or capabilities you would bring to this board, committee, or task force.)

Address:

E-mail Address:

Phone Number:

Please circle your preferred method of contact E-mail Phone

Expertise/Capabilities (Attach additional sheets if necessary):

*Tourism
Event Planning
Fund Raising*

☐ I am not interested in serving another term.

☐ I am interested in serving on a different board or committee of the City. Please send me an interest form/application.

Signed:

Tiya Tona

Board Member

Date

1-7-2021