



EL DORADO CITY COMMISSION – REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
May 17, 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. None

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. Dr. Kim Krull with Butler Community College – Kansas Promise Scholarship Act

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 May 3, 2021](#).
9. Approval of [Appropriation Ordinance 04-21 in the amount of \\$2,085,043.76](#)
10. Approval of [Resolution No. 2924 – 150th Anniversary Liquor Permit](#)
11. Approval of [Resolution No. 2926 – El Dorado Main Street Liquor Permit](#)
12. Approval of [Cereal Malt Beverage License for El Dorado Community Partners at 206 North Griffith on November 12, 2021](#)

Old Business

13. None

New Business

14. [Excess Sales Tax Projects Recommendations](#)
15. [Application to Rezone \(C-1 to C-2\) at 120 E. 4th Avenue](#)
16. [Bid Opening Project 571 – Civic Center Parking Mill and Overlay and Additional Lot Construction](#)
17. [Bid Approval for Project 582 - Southwest Traffic Way Mill and Overlay](#)
18. [Set Public Hearing for Assessments for Project 533-Paving Oil Hill/Rocky Road](#)

19. Set Public Hearing for Assessments for Project 542-Paving Douglas Road

Discussion Items

20. None

Reports

21. City Commission and Advisory Board Updates

22. City Manager

a. Economic Development Incentive Activity Report

Executive Session

23. None

Adjournment

23. Consideration of a motion to adjourn the May 17, 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.

EL DORADO CITY COMMISSION MEETING

May 3, 2021

The El Dorado City Commission met in a regular session on May 3, 2021 at 6:30 p.m. in the Commission Room 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. Absent: City Attorney Ashlyn Lindskog

VISITORS

Curt Zieman	128 N Vine	El Dorado, KS
Deanna Bonn	Everyday El Dorado	El Dorado, KS
Barbara Trent	316 Broadview	El Dorado, KS
Karen Hasting	301 S Taylor	El Dorado, KS
Vicki Adams	1770 Country Club Rd	El Dorado, KS
Brooke Morris	Big Brothers Big Sisters	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the May 3, 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

Mayor Bill Young read proclamations for Poppy Month and Public Service Recognition Week in the City of El Dorado.

Commissioner Kendra Wilkinson stated that it is also National Teacher Appreciation Week and thanked the local teachers for their work.

PERSONAL APPEARANCE

Brooke Morris with Kansas Big Brothers, Big Sisters gave a presentation on their program. She stated that they have littles in El Dorado that have been waiting for two years for a match.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of City Commission Minutes from April 19, 2021 and Land Bank Minutes from April 14, 2021.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

AUTHORIZATION FOR MYERS EAST ADDITION PUBLIC INFRASTRUCTURE

Commissioner Nick Badwey stated that his employer owns property in the benefit district and so he will be abstaining from the discussion and the vote.

City Engineer Scott Rickard stated that the property owner in the Myers East Addition has presented a petition for a sanitary sewer extension and paving extension. He stated that the total cost of the sewer project is \$229,512 and the cost of the paving project is \$278,666.77. He stated that the improvement district will be responsible for the entire sewer cost and for \$185,970.30 of the paving project cost. The city-at-large portion will be \$92,696.47.

Mayor Bill Young confirmed that the improvement district affects sixteen lots.

City Engineer Rickard stated that they are able to include two other lots in the area not currently served by city sewer.

Commissioner Kendra Wilkinson moved to approve Resolution No. 2922, a resolution determining the advisability of the making of certain internal improvements in 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 (Sanitary Sewer Improvements/Myers East Addition), and authorize the City Manager to execute documents required of the improvement.

Commissioner Matt Guthrie seconded the motion.

Motion carried 4 – 0 (Commissioner Badwey abstained).

Commissioner Kendra Wilkinson moved to approve Resolution No. 2923, a resolution determining the advisability of the making of certain internal improvements in 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 (Paving Improvements-Skyview

EL DORADO CITY COMMISSION MEETING

May 3, 2021

Drive/Myers East Addition), and authorize the City Manager to execute documents required of the improvement.

Commissioner Matt Guthrie seconded the motion.

Motion carried 4 – 0 (Commissioner Badwey abstained).

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

City Commissioner Kendra Wilkinson stated that the Parks and Recreation Department has held two forums regarding the proposal from the YMCA and the survey responses will be tabulated prior to the Parks and Recreation Board meeting.

Commissioner Wilkinson reminded citizens to please blow their grass back into their yards and out of the street.

Commissioner Gregg Lewis stated that Sarah Hoefgen is now the full time Assistant El Dorado Inc. Director.

Commissioner Matt Guthrie asked staff to mow at Rio Park.

CITY MANAGER REPORT

City Manager David Dillner stated that the pool and spray parks will open on May 29th.

City Manager Dillner stated that the bank stabilization project at Riverview is nearing completion. He stated that later this year the Parks Department will be replacing the old wooden playground equipment with the new equipment delivered earlier this year.

City Manager Dillner stated that the library is looking for teen volunteers.

City Manager Dillner stated that the Recreation Department will be offering a tennis program this summer.

City Manager Dillner stated that El Dorado Main Street is hosting their annual steak feed in June.

City Manager Dillner stated that the Chamber is hosting the annual Mayor's Prayer Breakfast this week.

City Manager Dillner stated that sales tax collections continue to trend upwards.

EL DORADO CITY COMMISSION MEETING
ADJOURNMENT

May 3, 2021

Commissioner Nick Badwey moved to adjourn the meeting at 6:53 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

RESOLUTION NO. 2924

A RESOLUTION TEMPORARILY EXEMPTING CERTAIN PORTIONS OF THE CITY OF EL DORADO, KANSAS FROM THE PROHIBITIONS ON THE DRINKING OR CONSUMPTION OF ALCOHOLIC LIQUOR AND/OR CEREAL MALT BEVERAGE WITHIN THE CORPORATE LIMITS OF THE CITY OF EL DORADO, KANSAS

WHEREAS, the City of El Dorado, Kansas plans to hold a 150th Anniversary Celebration on September 11, 2021, including: a parade, live music; arts and craft show, car show and beer garden; and

WHEREAS, the City is requesting to host a beer garden serving alcoholic liquor and/or cereal malt beverage located in the area identified in the map in Appendix A and permit authorized by this resolution; and

WHEREAS, K.S.A. 41-719 and the El Dorado Municipal Code Section 4.28 prohibit the drinking or consumption of alcoholic liquor or cereal malt beverage on public property within the city; and

WHEREAS, K.S.A. 41-2645 and the El Dorado Municipal Code Section 4.28 authorizes the City of El Dorado, Kansas to exempt, by ordinance specified property, from the prohibition on the drinking or consumption of alcoholic liquor or cereal malt beverage on public property; and

WHEREAS, this resolution does not authorize the possession or consumption of alcoholic liquor or cereal malt beverage outside the confines of the event; and

WHEREAS, the City of El Dorado, Kansas desires to temporarily exempt the area identified in the diagram attached to the permit authorized by this Resolution from the above-references prohibitions on the drinking or consumption of alcoholic liquor and/or cereal malt beverage on public property between the hours of 12:00 p.m. and 11:59 p.m. on September 11, 2021 so long as there is strict compliance with the laws and regulations of the State of Kansas, the City of El Dorado, Kansas Municipal Code, and the terms and conditions of this Resolution and any temporary permit issued pursuant hereto.

ADOPTED by the City Commission of El Dorado, Kansas, the 17th day of May 2021.

SIGNED by the Mayor, this 17th day of May, 2021.

Bill Young
Mayor

Attest:

Tabitha D. Sharp
City Clerk

Appendix A



RESOLUTION NO. 2926

A RESOLUTION TEMPORARILY EXEMPTING CERTAIN PORTIONS OF THE CITY OF EL DORADO, KANSAS FROM THE PROHIBITIONS ON THE DRINKING OR CONSUMPTION OF ALCOHOLIC LIQUOR AND/OR CEREAL MALT BEVERAGE WITHIN THE CORPORATE LIMITS OF THE CITY OF EL DORADO, KANSAS

WHEREAS, El Dorado Main Street plans to hold a steak feed as a fundraiser for their organization; and

WHEREAS, El Dorado Main Street is requesting to serve alcoholic liquor or cereal malt beverage located in the area identified in the map in Appendix A and permit authorized by this resolution; and

WHEREAS, K.S.A. 41-719 and the El Dorado Municipal Code Section 4.28 prohibit the drinking or consumption of alcoholic liquor or cereal malt beverage on public property within the city; and

WHEREAS, K.S.A. 41-2645 and the El Dorado Municipal Code Section 4.28 authorizes the City of El Dorado, Kansas to exempt, by resolution specified property, from the prohibition on the drinking or consumption of alcoholic liquor or cereal malt beverage on public property; and

WHEREAS, this resolution does not authorize the possession or consumption of alcoholic liquor or cereal malt beverage outside the confines of the event; and

WHEREAS, the City of El Dorado, Kansas desires to temporarily exempt the area identified in the diagram attached to the permit authorized by this Resolution from the above-references prohibitions on the drinking or consumption of alcoholic liquor and/or cereal malt beverage on public property between the hours of 5:00 p.m. and 9:00 p.m. on June 11, 2021 so long as there is strict compliance with the laws and regulations of the State of Kansas, the City of El Dorado, Kansas Municipal Code, and the terms and conditions of this Resolution and any temporary permit issued pursuant hereto.

ADOPTED by the City Commission of El Dorado, Kansas, the 17th day of May 2021.

SIGNED by the Mayor, this 17th day of May, 2021.

Bill Young
Mayor

Attest:

Tabitha D. Sharp
City Clerk

Appendix A



**PARTNERSHIP, FIRM OR ASSOCIATION
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, Ks.

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 licensed premises.

SECTION 2 – APPLICANT INFORMATION

Kansas Sales Tax Registration Number (required): 83-1610439

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

Name of Partnership/Firm/Association
El Dorado Community Partners
Place of Business Street Address

Phone No.

City

Zip Code

SECTION 3 – LICENSED PREMISE

Licensed Premise
(Business Location or Location of Special Event)

DBA Name
El Dorado Community Bldg.

Business Location Address
206 N. Griffith

City
El Dorado State
Ks Zip
67042

Business Phone No.
NA

Mailing Address
(If different from business address)

Name

Address

City

State

Zip

- ☐ I own the proposed business location.
☒ I do not own the proposed business location.

Business Location Owner Name(s)
Barber County

SECTION 4 – PARTNER AND FIRM/ASSOCIATION MEMBER INFORMATION

List each partner or member of a firm/association and their spouse*, if applicable. Attach additional pages if necessary.

Partner/Member Name
Loren Jack

Title
President

Date of Birth

Residence Street Address
[REDACTED]

City State Zip Code
[REDACTED]

Spouse Name
Kathy Jack

Title

Date of Birth

Residence Street Address
[REDACTED]

City State Zip Code
[REDACTED]

Partner/Member Name
Kare Rush

Title
Vice-President

Date of Birth

Residence Street Address
[REDACTED]

City State Zip Code
[REDACTED]

Spouse Name
Karyl Rush

Title

Date of Birth

Residence Street Address
[REDACTED]

City State Zip Code
[REDACTED]

Partner/Member Name

Title

Date of Birth

Residence Street Address

City

State

Zip Code

Spouse Name

Title

Date of Birth

Residence Street Address

City

State

Zip Code

SECTION 4 – PARTNER AND FIRM/ASSOCIATION MEMBER INFORMATION (CONTINUED)

Partner/Member Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Partner/Member Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Partner/Member Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Partner/Member Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Partner/Member Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Partner/Member Name	Title	Date of Birth
Residence Street Address	City	State Zip Code
Spouse Name	Title	Date of Birth
Residence Street Address	City	State Zip Code

SECTION 5 – MANAGER OR AGENT INFORMATION

My place of business or special event will be conducted by a manager or agent.		☐ Yes ☒ No
If yes, provide the following:		
Manager or Agent Name	Phone No.	Date of Birth
Residence Street Address	City	State Zip Code
Manager or Agent Spousal* Information		
Manager or Agent Spouse Name	Phone No.	Date of Birth
Residence Street Address	City	State Zip Code

SECTION 6 – QUALIFICATION FOR LICENSURE

Applies to each partner or member of a firm or association AND their spouses*.

Are all persons identified in Sections 4 & 5 are Citizens of the United States*.	☒ Yes ☐ No
Have all persons identified in Sections 4 & 5 have been a resident of Kansas for at least one year prior to application*.	☒ Yes ☐ No
Have all persons identified in Sections 4 & 5 been residents of this county for at least six months*?	☒ Yes ☐ No
All persons identified in Sections 4 & 5 are at least 21 years old*?	☒ Yes ☐ No
Within 2 years immediately preceding the date of this application, have any of the persons identified in Sections 4 & 5 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
Does the partnership, firm or association have a manager, officer or director who was an officer, manager, director or stockholder owning in the aggregate more than 25% of the stock of a corporation that had a CMB license revoked or was convicted of a violation of the Club and Drinking Establishment Act or the CMB laws?	☐ Yes ☒ No
Has the spouse of any partner or member ever been convicted of any of the crimes identified in Section 6 during the time the partner or member held a CMB license?	☐ Yes ☒ No

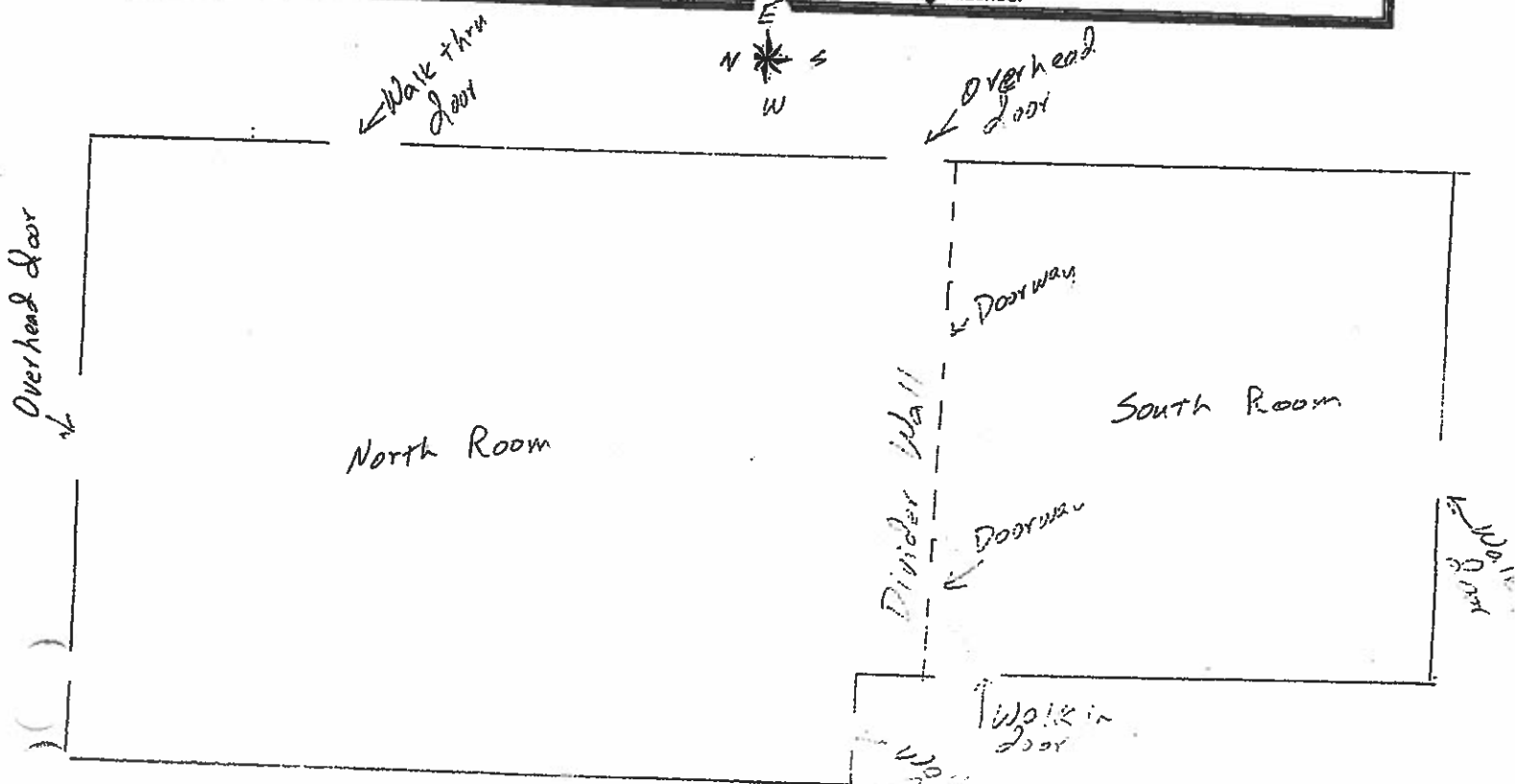
SECTION 7 – DURATION OF SPECIAL EVENT

Start Date November 12- 2021	Time 4:00 PM	☐ AM ☒ PM
End Date November 12- 2021	Time 11:00 PM	☐ AM ☒ PM

Proceed to Section 8 on the next page.

SECTION 8 - 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 ☐ A 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 and that I am authorized by the partnership/firm/association to complete this application. (K.S.A. 52-601)

SIGNATURE

[Handwritten Signature]

DATE 5-7-2021

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 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)

TO: City Commission
FROM: Tabitha Sharp, City Clerk
SUBJ: Excess Sales Tax Project Recommendations
DATE: May 11, 2021

Background:

The 2021 Excess Sales Tax Committee met this year to discuss the allocation of the excess sales tax funds from 2019. The City of El Dorado collected \$2,683,572 in 2020 from the one cent sales tax. After ordinance items were removed (\$600,000 for street rehabilitation, \$1,650,000 for property tax reduction and \$100,000 for economic development), a total of \$334,812 was available for allocation by the excess sales tax committee. The committee met to review the process and proposals after which they provided the following recommendations with a unanimous vote.

Committee Chair Wade Wilkinson will be present to the recommendations of the group.

Recommendation #1:

Proposed Projects	Amount
McDonald Stadium Project Bank	\$50,000
Chelsea Bike Path	\$19,890
Central/East/Lake Bleachers	\$55,000
Band Shell Improvements	\$80,000
Paving South Side of Sunset Cemetery	\$92,439
Concession/Restroom Facility TBD	\$37,483
TOTAL PROPOSED AMOUNT	\$334,812

The committee also requested that any funds that are saved while completing the projects listed, be used for the concession/restroom facility.

Attachments:

Excess Sales Tax Committee Presentation
Excess Sales Tax Committee Minutes
Excess Sales Tax Ordinance

Policy Issue:

The City Commission must accept or reject the recommendations of the Sales Tax Committee as they are the ultimate authority for the expenditure of these funds. If they are accepted for consideration and the Commission determines a greater need prior to 2022 when the funds can be spent, they could re-allocate them as they see fit.

Fiscal Impact:

The excess sales tax funds allow the City to complete projects that otherwise may not be funded due to budget restrictions. This year's recommendations will allow for the completion of four to five projects and allow for the City to save some funds for necessary McDonald Stadium improvements.

Trade-offs:

Each year the committee must decide which projects should be done with the funding available. While we will complete the projects listed above, others the committee did not select will not be completed.

Staff Recommendation:

Accept the recommendation of the excess sales tax committee.

Commission Actions:

Commissioner _____ moved to accept the recommendation of the Excess Sales Tax Committee.

Commissioner _____ seconded the motion.

[Return to Agenda](#)

Sales Tax Committee 2021

EL DORADO
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Ordinance G-1281

- The City of El Dorado has voted in favor of a 1 percent sales tax since 1990.
- The current sales tax began October 1, 2019 and will end September 30, 2024.
- The ordinance states the following:
 - \$1,650,000 for property tax reduction
 - \$600,000 for street rehabilitation
 - \$100,000 for economic development

Excess Sales Tax

- After Ordinance items are removed, the remaining balance is considered excess and a committee appointed by the Commission provides recommendations for those funds.
- Per Ordinance, the excess sales tax can be used for services and functions provided directly by the City, or Capital Expenditures that directly support City operations or items that are included in the current Capital Improvement Plan.
 - Capital Expenditure – an addition or structure that enhances the value of a property, a replacement or upgrade that extends the life of an asset or equipment acquisition.
 - Capital Improvement Plan – the current Capital Improvement Plan of the City of El Dorado, Kansas as adopted by the City Commission.

Calendar

- Introduction Meeting March 29th at 5:30 p.m.
- Follow-up Meeting if necessary TBD.
- Tentative Work Session Presentation, April 28th 5:00 p.m.
- Tentative Commission Presentation May 19th 6:30 p.m.

Update on Prior Allocations to Other Groups

- Main Street Façade Grant (\$3,000 in 2016, 2017 and 2018 and \$5,000 in 2019) – At this time, they have \$3,176 remaining of their \$14,000.
- El Dorado Chamber of Commerce (2018 \$10,000 and 2019 \$5,000) – At this time, they have \$8,434 remaining of their \$15,000.
- Miniature Golf Course (\$80,000) – Grantee has received first half of the funds and construction is underway.

Update on Prior Allocations - 2017

- McDonald Stadium (\$35,000) – There is \$7,337.50 remaining of the original grant amount, the 2020 Excess Sales Tax Committee granted an additional \$8,000, bids are out for work in 2021.
- Bike Path Solar Lights (\$59,000) – Waiting on installation, \$12,297 remaining.
- Ball Field improvements (\$20,198) – Improvements on fence work continue, \$1,952.04 remaining.

Update on Prior Allocations - 2018

- Graham Park Restroom (\$60,000) – \$40,000 reallocated to North Main Playground for concrete base after a new design was created. Received approval from other utilities and will construct the facility this year.
- Graham Park Shelter (\$16,000) – Received approval from other utilities and will construct this year.

Update on Prior Allocations - 2019

- East Park Concession/Restroom Facility (\$30,000) – Project expanded, in discussion with BCC regarding a partnership to complete the project.
- Batting Cage at Central Park (\$15,000) – \$6,801.70 remaining, net will be put up in the spring. There will likely be funds left after the project is complete. Those will be transferred for allocation next year.

Update on Prior Allocations - 2020

- McDonald Stadium Bank (\$40,000)
- All City Projects Completed
- Fire Station No. 1 Doors - \$1,240.56 remaining to be transferred back to the excess fund for allocation next year.

Update on Prior Allocations 2021

- McDonald Stadium Bank (\$50,000)
- Riverview Playground (\$60,000) – Equipment has been delivered, will be put in place after Walnut River bank project is complete
- Civic Center Parking Lot (\$141,402) – Electrical work will begin soon and then paving will be scheduled
- Spray Park Pump Replacements (\$20,000) – Parts are being ordered and installed.
- Senior Center Painting (\$7,400) – Work is being scheduled.
- Central/East Bleachers (\$25,845) – Bleachers ordered
- Park Maintenance Shop Painting (\$4,800) – Work is being scheduled.
- Graham Park Playground North (\$50,000) – Bids will be sent out later this year.
- East Park Batting Cage (\$15,000) – Scheduled for Fall 2021
- Additional Funds for McDonald Stadium Electrical Project (\$8,000) – Electrician has been hired, project is being scheduled with him.

2020 Collections

Date Received	Amount
1/30/2020	\$223,607
2/26/2020	\$238,176
3/25/2020	\$199,407
4/30/2020	\$200,408
5/31/2020	\$216,964
6/29/2020	\$220,617
7/30/2020	\$230,328
8/30/2020	\$240,240
9/30/2020	\$216,561
10/31/2020	\$230,454
11/30/2020	\$226,682
12/31/2020	\$240,128
Total	\$2,683,572

Excess available for allocation

Sales Tax Calculation	
2020 Total Sales Tax Collections	\$2,683,572
Subtract Street Rehabilitation	\$600,000
Subtract Property Tax Reduction	\$1,650,000
Subtract Economic Development	\$100,000
Total Excess Sales Tax Available for 2021	\$334,812

Proposed Projects	Amount
McDonald Stadium Project Bank	\$50,000
West Park Development	\$100,000
Chelsea Bike Path	\$19,890
Pine and 1 st Parking	\$78,952
Central/East/Lake Bleachers	\$55,000
Forest Park Improvements (electric, façade, parking)	\$160,000
Paving South Side of Sunset Cemetery	\$92,439
Paving work at Belle Vista	\$48,632
TOTAL PROPOSED AMOUNT	\$659,295

Excess Sales Tax Advisory Committee
March 29, 2021 5:30 p.m.
City Commission Room

Members Present

Dan Davis
Lindsay Mills
Mel Arnold
Robbie Pollard
Wade Wilkinson
Steve Fellers

Members Absent

Matt Jacobs

Staff Present

Tabitha Sharp
Tammy Schaffer
Kevin Wishart
Scott Rickard

City Clerk Tabitha Sharp welcomed the group and asked them to introduce themselves. After introductions were made, she stated that a chair should be nominated to present the recommendations of the committee to the City Commission.

Dan Davis nominated Wade Wilkinson to serve as chair.

Lindsay Mills seconded the motion.

Motion carried 6 – 0.

Tabitha Sharp provided an introduction to the sales tax committee. She reviewed the ordinance and process for the committee and then gave updates on previous projects. She stated that collections for 2020 totaled \$2,683,572. She stated that after Ordinance items were removed, there would be \$334,812.

Tabitha Sharp, Parks and Recreation Director Kevin Wishart and City Engineer Scott Rickard presented the following projects for consideration by the excess sales tax committee.

Proposed Projects	Amount
McDonald Stadium Project Bank	\$50,000
West Park Development	\$100,000
Chelsea Bike Path	\$19,890
Pine Avenue and 1 st Avenue Parking Changes	\$78,952
Central/East/Lake Bleachers	\$55,000
Forest Park Improvements (electric, façade, parking)	\$160,000
Paving South Side of Sunset Cemetery	\$92,439
Paving work at Belle Vista	\$48,632
TOTAL PROPOSED AMOUNT	\$659,295

Tabitha Sharp stated that Matt Jacobs was unable to make the meeting due to illness, but has reviewed the projects and would like to recommend the Stadium Bank, Bleachers, Chelsea Bike Path, Pine and First Parking, West Park and the remainder to Forest Park.

Wade Wilkinson stated that he would like to see more money put into the restroom and concession facility project at East Park so it could be completed. He stated that they should begin with putting the funds in the McDonald Stadium Project Bank.

Lindsay Mills stated that she wanted to voice her support for the West Park development, she felt it was important to that area.

Wade Wilkinson stated that he felt the school playground was sufficient for the area and that the \$100,000 could do more in other areas than it would be able to do in that area.

Steve Fellers, Robbie Pollard and Dan Davis agreed with Wade Wilkinson.

Steve Fellers stated that he was supportive of the Chelsea Bike Path project. He felt it would provide a better way for students to get to the high school.

Robbie Pollard stated that he felt that it was a bad idea because it would invite golf carts and other traffic to the area.

Scott Rickard stated that it was possible to add bollards to the end of the sidewalk to discourage those from traversing the area.

Steve Fellers asked how the ditch would be navigated.

Scott Rickard stated that staff have a bridge available that could be used in the area.

Dan Davis asked if conversations had been held with the school district.

Scott Rickard stated that he didn't believe they would have the conversation before it went to Commission, but the school district and the city have a good partnership when it comes to projects such as this.

Dan Davis stated that in the past the committee has embraced projects that increase safety and so he would support it.

Lindsay Mills, Mel Arnold and Wade Wilkinson all agreed.

Wade Wilkinson asked if the Main Street project in the 90s was paid for by the City-at-Large or by an improvement district.

Scott Rickard stated that there was a federal grant and an improvement district that paid for the project.

Wade Wilkinson asked if this project could be funded through one of those grants.

Scott Rickard stated that he didn't think it could be.

Steve Fellers asked for more information on what it would look like.

Scott Rickard stated that it would extend the curb out into the road more and change the parking to diagonal. He stated that generally people only drive as fast as they feel safe, and extending the curb would, in his opinion, slow traffic and provide a safer area for pedestrians to cross.

Dan Davis asked if staff had to choose between the cemetery parking and this project, which would they prioritize.

Scott Rickard stated that in his opinion the cemetery roads were more important at this time.

Wade Wilkinson stated that he was not in favor of the 1st and Pine Parking project.

The committee asked to table this item until they made it through the others.

The committee agreed to fully fund the purchase of bleachers.

Wade Wilkinson stated that he supported the Forest Park improvements.

Lindsay Mills stated that she supported the parking lot portion.

Steve Fellers stated that he did not want to put more money into that facility.

Wade Wilkinson stated that once 9th is paved and improvements were made to the band shell, the area would be a great place for events.

Steve Fellers stated that he didn't think that the \$80,000 would be enough to fix it and staff would return in a few years for more money.

Kevin Wishart stated that it needs a professional to come in and do some patching and repair to the facility.

Robbie Pollard stated that the electrical there is just patch work and it really needs some better lighting and other work.

Lindsay Mills confirmed that the bathrooms are in working order.

Kevin Wishart stated that they were.

Wade Wilkinson asked if lighting was needed in the pool parking lot.

Kevin Wishart stated that a larger conversation was going to be held about the pool and projects surrounding it.

Wade Wilkinson stated that he would not support this project if the pool was moved.

Steve Fellers asked if they had to choose between the parking and the band shell, which is more important.

Scott Rickard stated that the band shell is in more need for it to be usable and to prevent further deterioration.

Steve Fellers stated that his vote would be to save the parking lot for later and do the band shell.

Dan Davis asked if staff thought the \$80,000 would cover the band shell repairs.

Kevin Wishart stated that it would get them a long way.

Wade Wilkinson asked if the parking lot could be added into the pool project.

Kevin Wishart stated that staff are going to have a conversation with the Commission this year regarding the pool and could include this parking lot in that conversation.

Wade Wilkinson stated that he was good with doing the band shell and waiting on the parking lot until direction regarding the pool is given.

The committee agreed.

Dan Davis stated that he wasn't very excited about the cemetery paving projects.

Steve Fellers stated that he understood that it was a good project for those who use those roads, but he also wasn't very excited about it.

Robbie Pollard asked what the paving project would look like.

Scott Rickard stated that it would be asphalt.

Wade Wilkinson asked how many spaces were left at Belle Vista.

Kevin stated that it is not full, there are probably about 80 left. He stated that Sunset South has a significant number of spaces available. He stated that as long as he is Director, he would continue to request funds for paving the cemetery because he believes it is needed.

Wade Wilkinson asked if they could use the funds allocated for the streets from the one cent sales tax.

Scott Rickard stated that it is already committed several years out.

Wade Wilkinson stated that he would support paving the south side of Sunset Cemetery and use the remaining funds for a restroom/concession facility at one of the ball fields.

The committee discussed it further and agreed.

Excess Sales Tax Committee Proposed Projects	Amount
McDonald Stadium Project Bank	\$50,000
Chelsea Bike Path	\$19,890
Central/East/Lake Bleachers	\$55,000
Forest Park Improvements (electric, façade, parking)	\$80,000
Paving South Side of Sunset Cemetery	\$92,439
Restroom/Concession Facility	\$37,483
TOTAL PROPOSED AMOUNT	\$334,812

Meeting adjourned at 7:04 p.m.

ORDINANCE NO. G-1281

AN ORDINANCE PLEDGING THE FUTURE USE OF ALL THE REVENUE WHICH MAY BE RECEIVED BY A ONE PERCENT RETAILERS' SALES TAX LEVIED IN THE CITY OF EL DORADO, SHOULD THE QUALIFIED ELECTORS OF SUCH CITY VOTE IN FAVOR THEREOF.

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

Section 1: In the event the electors of El Dorado, Kansas, approve the continuation of the one percent retailers' sales tax, at an election to be held in association with the general election on November 6, 2018, the Governing Body hereby pledges to use the revenues in the following manner:

- a. The first \$1,650,000 from the tax shall be used annually for property tax reduction for the inhabitants of the city; and
- b. The next \$600,000 shall be allocated annually for Street Rehabilitation within the City of El Dorado; and
- c. The next \$100,000 from the tax shall be allocated annually to Economic Development Projects and Initiatives as provided herein; and
- d. The remaining balance of sales tax proceeds shall be allocated to municipal services and functions provided directly by the City, or Capital Expenditures that directly support City operations and that are included in the current Capital Improvement Plan.

The retailers' sales tax shall continue in full force and effect for a period of five years from and after the first day of October 2019.

Section 2: In the event the electors determine to extend the one percent sales tax for another five-year period, the existing Sales Tax Advisory Committee shall continue in existence, the membership to remain the same or be changed as provided by the Governing Body. The Committee shall continue to solicit input from the community for suggestions on appropriate uses for sales tax proceeds, and shall annually hold public meetings and a public hearing concerning the proposed uses of the sales tax revenue in accordance with the provisions of this ordinance.

Section 3: The following terms shall be defined for the purposes of this ordinance as provided herein:

"Capital Expenditure" shall mean an addition or structure that enhances the value of a property, a replacement or upgrade that extends the useful life of an asset, or the acquisition of vehicles or equipment.

"Capital Improvement Plan" shall mean the current Capital Improvement Plan of the City of El Dorado, Kansas, as adopted by the City Commission.

"Street Rehabilitation" shall mean maintaining and rehabilitating the existing geometrical alignment of improved city streets, which includes portions of curb and gutter removal and replacement, mill and overlays, pavement surface treatments, full depth pavement replacement, and pavement related storm drainage facilities.

"Economic Development Projects and Initiatives" shall mean efforts by the City that facilitate:

- a. Business attraction strategies that encourage firms from outside of the City to locate headquarters or other operations within the corporate limits of the City;
- b. Business creation strategies that focus on encouraging the formation of new companies that are locally based and will remain in the community and grow;
- c. Business retention strategies to keep existing businesses in the community and to encourage them to expand their operations within the community;
- d. Enterprise development strategies meant to assist entrepreneurs in support of the creation, growth, and survival of their businesses;

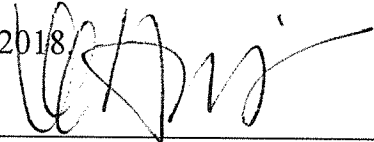
- e. Housing strategies that provide affordable options for the workforce; and
- f. Public infrastructure projects that have the potential to increase tax base.

Any such efforts shall provide a reasonable expectation of a return on investment to the City in the form of increased property taxes, sales taxes, transient guest taxes, or other municipal revenue. The City Commission shall place a higher priority on projects and initiatives that leverage public and/or private investment that seek to accomplish the aforementioned strategies and that create or retain livable wage jobs.

Section 4: This Ordinance shall be published once in the official city newspaper.

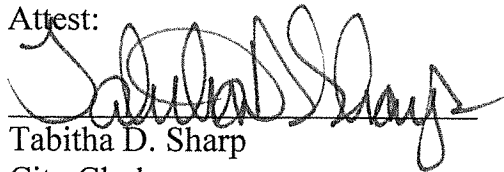
PASSED by the Governing Body of the City of El Dorado, Kansas, and

APPROVED by its Mayor, this 6th day of August 2018



Vince Haines
Mayor

Attest:



Tabitha D. Sharp
City Clerk

TO: City Commission
FROM: Engineering Department
SUBJ: Application to Rezone (C-1 to C-2) at 120 E. 4th Avenue
DATE: May 10th, 2021

Background:

The Planning Commission held a public hearing on April 22nd, 2021, to review an application to rezone 120 E. 4th Avenue from General Business District (C-1) to Central Business District (C-2). The Planning Commission voted to unanimously recommend approval of the rezoning application (7-0).

Attachments:

Planning Commission Minutes
Planning Commission Memorandum
Zoning Map
Ordinance

Policy Issue:

Zoning districts restrict properties to a specific set of land uses. The uses allowed in the proposed zoning are generally the same as the existing zoning with less automobile storage and maintenance uses allowed by-right. The proposed zoning district also waives parking and setback requirements and allows for expansion on the property.

Fiscal Impact:

Approval of the zoning map amendment will create little to no fiscal impact on the City of El Dorado at this time.

Trade-offs:

Due to the size of the property, the current business already utilizes on-street parking and adjacent private parking via parking agreement. However, existing setbacks and parking requirements prevent any expansion of the structure currently on the property.

Staff Recommendation:

Approve the rezoning application.

Commission Actions:

Commissioner _____ moved to approve Case No. 21-02-REZ, requesting a rezoning of 120 E. 4th Avenue to C-2 Central Business District and that Ordinance No. G-1352 be approved.

Commissioner _____ seconded the motion.

Roll Call Vote

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

[Return to Agenda](#)

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission
FROM: Jay Shivers, AICP, City Planner
CC: Scott Rickard, Engineer Director
RE: Zone Change Application - 120 E. 4th Avenue

Lluvia Quintero and Alfredo Nunez are requesting a zone change from C-1 General Business District to C-2 Central Business District at 120 E. 4th Avenue. The applicants are asking for a zone change to expand the structure on the property. Under the C-1 zoning, the property has very limited parking and expansion options. The property is small and similar in size to many older residential lots in town. It measure approximately 165 feet by 50 feet for a total of 8,250 square feet. The property currently has a single structure measuring 65 feet in length and 29 feet in width for a total of 1,885 square feet in size.

The regulations state the Planning Commission shall make findings of fact to determine whether the application is found to be compatible with the following:

- A) *Character of the neighborhood.* The character of the area is generally a mix commercial and industrial. The property is on the same block as a large strip center that is now primarily office space, to the west is the Main Street corridor and associated mix of commercial uses, the train station event space is to the south, and light industrial uses are occurring to the east across Vine Street.
- B) *Consistency with the Comprehensive Plan and ordinances of the City of El Dorado.* The Future Land Use Map (FLUM) designates the subject property and adjacent property north of 4th Avenue as Commercial. The Commercial land use designation recommends “commercial, retail, restaurant, and professional office land uses that serve the needs of the community as a whole and perhaps a larger region.” Property to the south of 4th Avenue is generally designated Downtown Mixed Use and is associated with the C-2 Central Business District zoning.
- C) *Adequacy of public utilities and other needed public services.* The lot is serviced by all utilities.
- D) *Suitability of the uses to which the property has been restricted under its existing zoning.* The subject property is currently zoned C-1 General Business District and is restricted to generally commercial uses. However, given the size of the lot, various future uses under C-1 could have difficulty meeting parking requirements.
- E) *Length of time property has remained vacant as zoned.* The property has a single 1,885 square foot structure built in 1984.

F) *Compatibility of the proposed district classification with nearby properties.* The C-2 zoning district is compatible with the existing C-1 and I-1 zoning and associated uses in this area.

G) *The extent to which the zoning amendment may detrimentally affect nearby properties.* The rezoning generally allows the same uses to occur on the property but provides relief from setback and parking requirements.

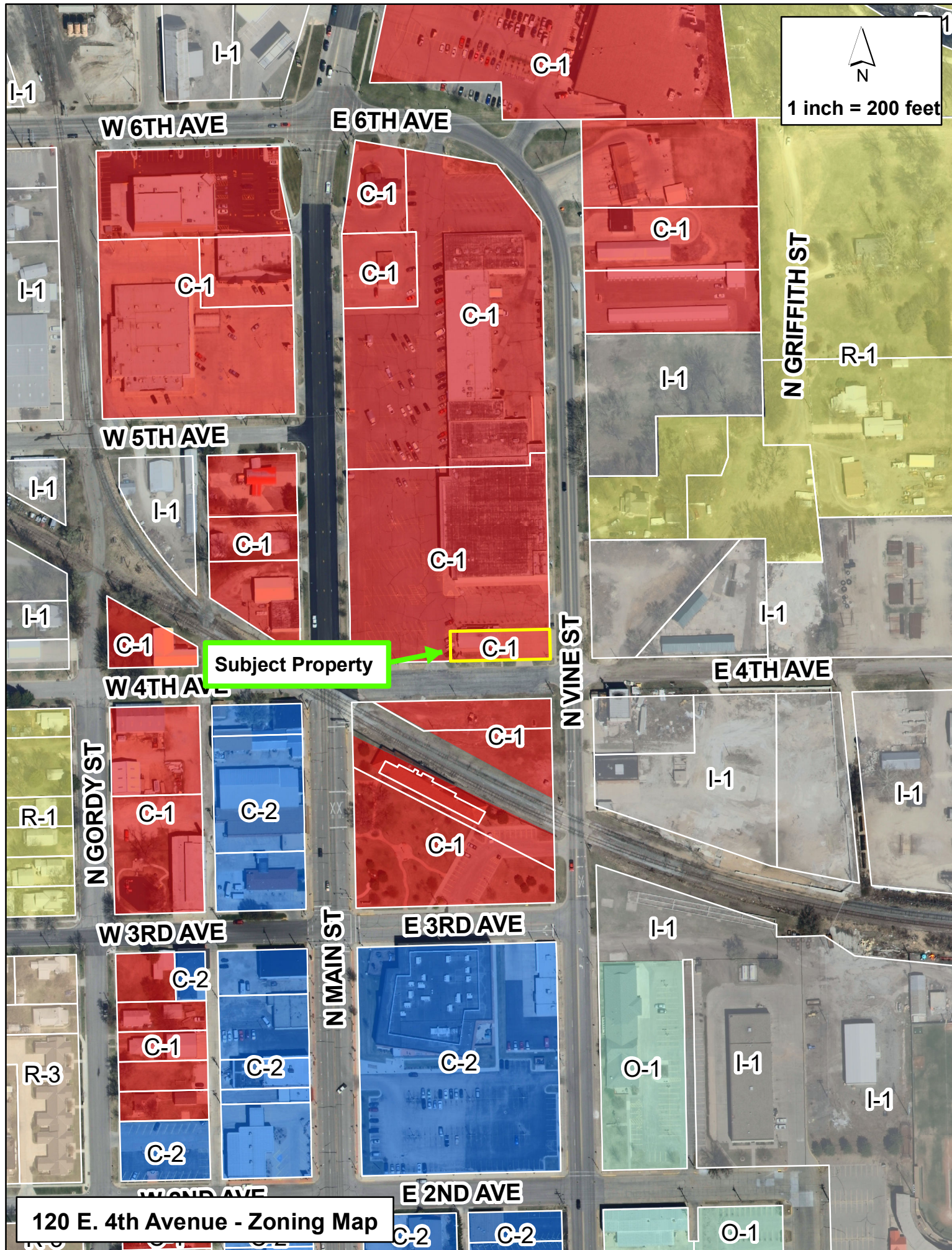
H) *Whether the proposed amendment provides a disproportionately great loss to the individual land owners nearby relative to the public gain.* Staff does not expect a disproportionately great loss to the surrounding landowners.

C-2 Central Business District is the only mixed-use zoning district in the city, meaning it allows both commercial and residential uses on the same property. The proposed zoning also differs from C-1 by allowing downtown-friendly uses; this includes many uses allowed in C-1 but prohibits vehicle repair and requires Special Use Permits for gas stations, self-storage facilities, and equipment rental. C-2 is generally found downtown where there is public parking available. The downtown area has multiple public parking lots and on-street parking along Central Avenue, Main Street, and many side streets. Though there are no public parking lots north of the railroad tracks, the stretch of 4th Avenue abutting this property allows on-street parking. North Main Street also has on-street parking as far north as the railroad tracks. Additionally, a major increase in parking needs is not expected given the small size of the property. In summary, the proposed zoning is substantially similar to the current zoning, conforms to the Comprehensive Plan, and provide a path to expansion on this small lot. Staff recommends approval of the rezoning request.

Adoption of this amendment requires a majority vote of the Planning Commission members present and voting.

Suggested Motion:

I move to recommend approval of Case No. 21-02-REZ, an application by Lluvia Quintero and Alfredo Nunez to rezone 120 E. 4th Avenue, from C-1 General Business District to C-2 Central Business District, for reasons stated in the staff recommendation and heard at this public hearing.



ORDINANCE NO. G - 1352

AN ORDINANCE ZONING CERTAIN LAND IN THE CITY OF EL DORADO, KANSAS, C-2 CENTRAL BUSINESS DISTRICT AND AMENDING THE ZONING MAP OF THE CITY

WHEREAS, an application has been filed with the El Dorado Planning Commission requesting rezoning of certain land from C-1 General Business District to C-2 Central Business District;

WHEREAS, on the 22nd day of April, 2021, at a Planning Commission meeting duly convened, the Planning Commission held a public hearing and voted to recommend and does hereby recommend that the Governing Body approve the rezoning;

WHEREAS, it is determined by the Governing Body of the City of El Dorado, Kansas, that certain property located within the City of El Dorado should be zoned;

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

Section 1: That the following described real estate should be and is zoned C-2 Central Business District:

Lower's, EL, 2nd Addition, Lot 53; 120 E. 4th Avenue

Section 2: The Governing Body hereby directs that the City Zoning map be amended to conform herewith.

Section 3: This Ordinance shall take effect and be in full force from and after its publication once in the official city newspaper.

PASSED by the Governing Body of the City of El Dorado, Kansas, and

APPROVED by its Mayor, this 17th day of May, 2021.

Bill Young, Mayor

ATTEST:

Tabitha Sharp, City Clerk

APPROVED AS TO FORM

Ashlyn Lindskog, City Attorney

EL DORADO

KANSAS

PLANNING COMMISSION MINUTES - DRAFT

April 22nd, 2021

6:30p.m.

1. CALL TO ORDER & ROLL CALL

Members Present

Steve Fellers

Scott Hackler

Frank Hughes

Scott Leason

Brad Long

David Stewart

Kelly Tetrick

Staff Present

Jay Shivers

Others Present

Lluvia Quintero

Alfredo Nunez

2. APPROVAL OF MINUTES

Commissioner Stewart moved to approve the minutes of the March 25th, 2021, meeting, seconded by Commissioner Hackler. The motion passed (7-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 21-02-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE 120 E. 4TH AVENUE FROM C-1 GENERAL BUSINESS DISTRICT TO C-2 CENTRAL BUSINESS DISTRICT.

A. Presentation of Request

Jay Shivers provided an overview of the staff memo. The applicant is requesting a change of zoning from C-1 to C-2. The zoning districts are similar with the exception that vehicle uses, such as gas stations and vehicle sales, are not allowed by-right. C-2 does not have parking or setback requirements.

Lluvia Quintero, applicant, asked if anyone has questions.

Commissioner Long asked about the plans for the property. Ms. Quintero said they want to add a kitchen and a second dining area and move the outdoor area farther east. She said would like to have an outdoor area this summer with bands playing.

Mr. Shivers says under current zoning, there are no expansion options due to setbacks and parking requirements.

Chairman Tetrick asked if the owner of the large property to the north was contacted. Mr. Shivers said yes. Ms. Quintero also said she contacted them.

Commissioner Stewart asked if there are parking agreements with the neighboring property. Ms. Quintero said yes.

Commissioner Hughes asked if there's any parking on the property. Ms. Quintero said the front parking spaces are on the property.

Commissioner Long asked how many people can be seated. Ms. Quintero said 100, the kitchen expansion is their main project for now.

B. Public Hearing

Chairman Tetrick opened the public hearing. There being no one to speak, the hearing was closed.

C. Discussion by Planning Commission

No additional discussion.

D. Motion

Commissioner Long moved to recommend approval of Case No. 21-02-REZ, an application by Lluvia Quintero and Alfredo Nunez to rezone 120 E. 4th Avenue, from C-1 General Business District to C-2 Central Business District, for reasons stated in the staff recommendation and heard at this public hearing. The motion was seconded by Commissioner Hackler.

Roll Call Vote

Steve Fellers	Y
Scott Hackler	Y
Frank Hughes	Y
Scott Leason	Y
Brad Long	Y
David Stewart	Y
Kelly Tetrick	Y

The motion passed unanimously (7-0).

4. OLD BUSINESS

5. STAFF ITEMS

Accessory Building Discussion

Commissioner Fellers said he wanted to discuss people not getting permit for accessory buildings and how to inform people they need permits. He said many buildings don't meet code and don't have permits. He said his garage expansion made his taxes go up, wondered if non-permitted buildings don't get taxed. He wants to find a way to be more proactive to inform residents when they need a permit. He said he sees shipping containers in town. He said the code allows for a large buildings.

Chairman Tetrick said code enforcement addresses some of these issues. Commissioner Long said some of these buildings are SUPs. The Planning Commission discussed taxing of accessory structures and concerns about extending electricity to small buildings.

Mr. Shivers said the vast majority of buildings are permitted, regulations were changed a couple years ago. He said a lot of concerns fall under code enforcement. He said staff works to inform the public through Channel 7 announcements, water bill announcements, etc., over the years.

Mr. Shivers said they banned shipping containers in residential areas. Containers existing before the new regulations were allowed to remain. Otherwise, new ones need to be reported. He said if he sees something questionable, contact him or code enforcement.

Review of City Commission meeting agenda items

Chairman Tetrick said the City Commission approved the Bernita's Acre plat.

Chairman Tetrick discussed the rezoning at Boyer and Third. He said the City Commission voted against their recommendation 3-2. A protest petition was filed and the City Commission needed a super majority to approve. He said it didn't fail or pass, but was not approved. Commissioners Lewis, Young, and Badwey all voted for the rezoning and gave justification and reiterated that misinformation was spread by the petition organizer. He said Commissioner Wilkinson voted against the rezoning with no justification and encouraged everyone to watch the meeting. He said all her talking points were in favor of approval and she discussed how she had multiple rental units in El Dorado. Commissioner Guthrie thanked the Planning Commission for their hard work and voted against it because he wanted it to remain R-1, primary reason is that he was contacted by an old friend and based his decision on that. Mayor Young discussed how they shouldn't base decisions on misinformation spread by petition organizer.

Chairman Tetrick said several Planning Commission members were approached by homeowners questioning their friendship and employment status for voting for the rezoning. He said they are a volunteer advisory board that has criteria for making decisions, based upon our Comprehensive Plan and criteria upheld by the Kansas Supreme Court. He said all these points were made to the City Commission and still two members chose to ignore it.

Chairman Tetrick said this is an important board and they provide a valuable service to the city through their recommendations. He said they do the dirty work for the City Commission. He said they listen to all parties and their concerns, sift through this information, and still must make a decision based on the criteria knowing they must live, work, and interact with these same people.

Chairman Tetrick said they've been overruled twice in the last eight months and three times in the last three years. The Lawndale SUP, the S. Emporia Rezoning, and the one on Monday. He said they want to feel respected and like their decision matters, but right now it doesn't.

Chairman Tetrick said he calculates these decisions have cost the city three to five million dollars in new construction and 40 new properties were eliminated. He said he did some research with surrounding communities to see how they are dealing with it. Salina has a line out the door with developers, Lenexa needs to annex more land to build on, and Ottawa said they're getting new duplexes and triplexes. He said communities of our size are doing the things our City Commission voted against.

Chairman Tetrick thanked Mr. Shivers for allowing him to serve and said he's enjoyed the meetings, discussions, and growth the Planning Commission has shown. The future is bright with David in charge. Tonight is his last meeting. He thanked everyone for their hard work on this case and the friends they've made along the way.

Commissioner Stewart said he appreciated his efforts over the years and has respect for making this step. He said it has been difficult with some of these cases. There has been public pressure applied to many of them personally. It has been frustrating and he hopes this adjustment will resonate through the City Commission, City Hall, and through the city. This is a great town with great opportunity. They've done heavy lifting to further that along but sometimes it's like getting kicked in the shins. He thanked Chairman Tetrick for time and commitment and passion.

Commissioner Long thanked Chairman Tetrick and said Mr. Shivers is well prepared and the board knows what's going on. He said Chairman Tetrick has done a great job.

Commissioner Fellers thanked him, said he agreed with everything he said tonight.

Commissioner Hackler thanked Chairman Tetrick, he said he feels his frustration and it's difficult to do the leg work and get the bad part of the operation. He said it's all for nothing sometimes and it's very frustrating. He said he appreciates what Chairman Tetrick has done and respects his decision.

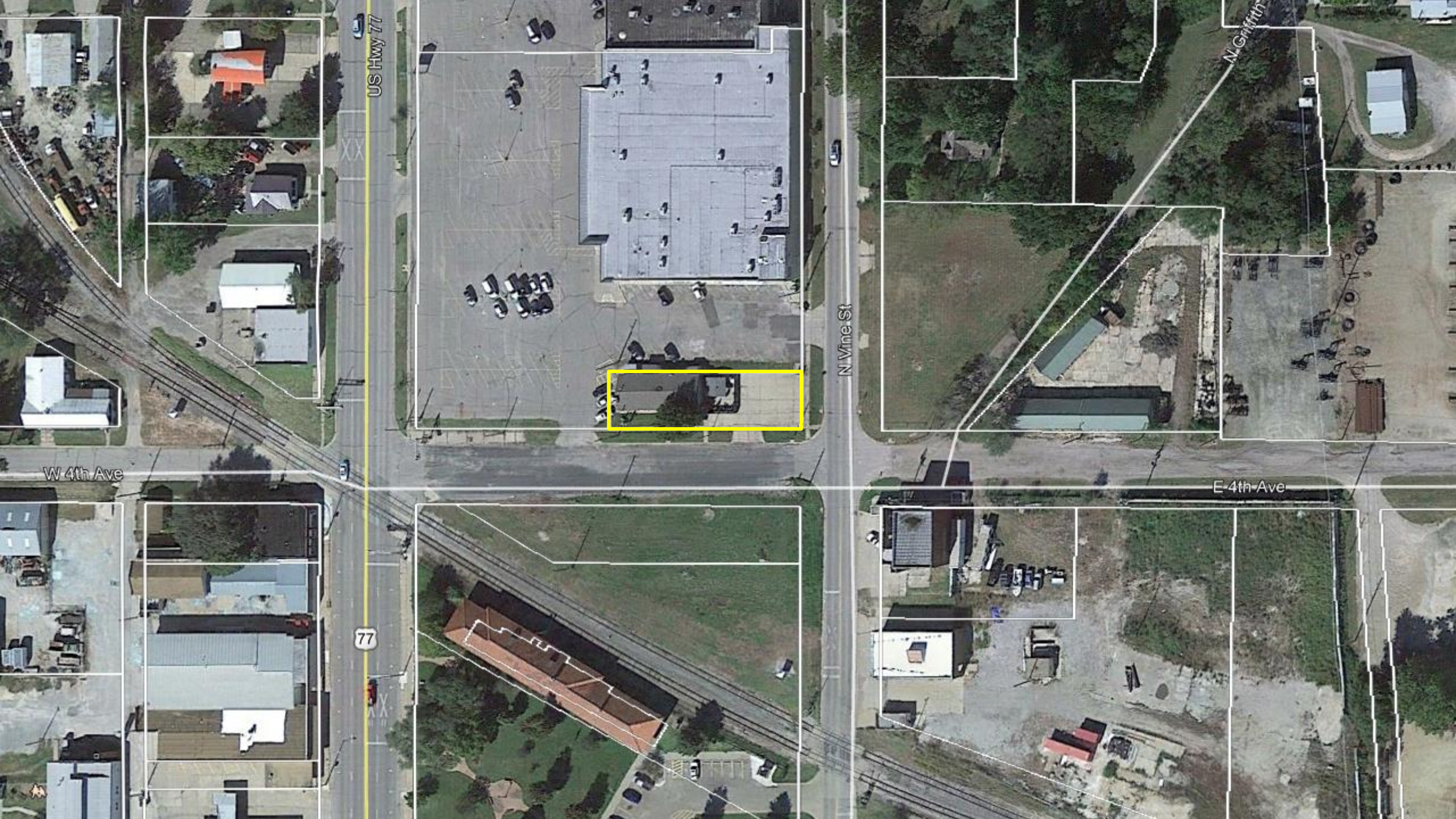
6. ADJOURNMENT

The meeting was adjourned at 7:00pm.

Planning Commission

City of El Dorado

April 22nd, 2021



C-1

Retail

Restaurant

Professional Office

Museums/Studios

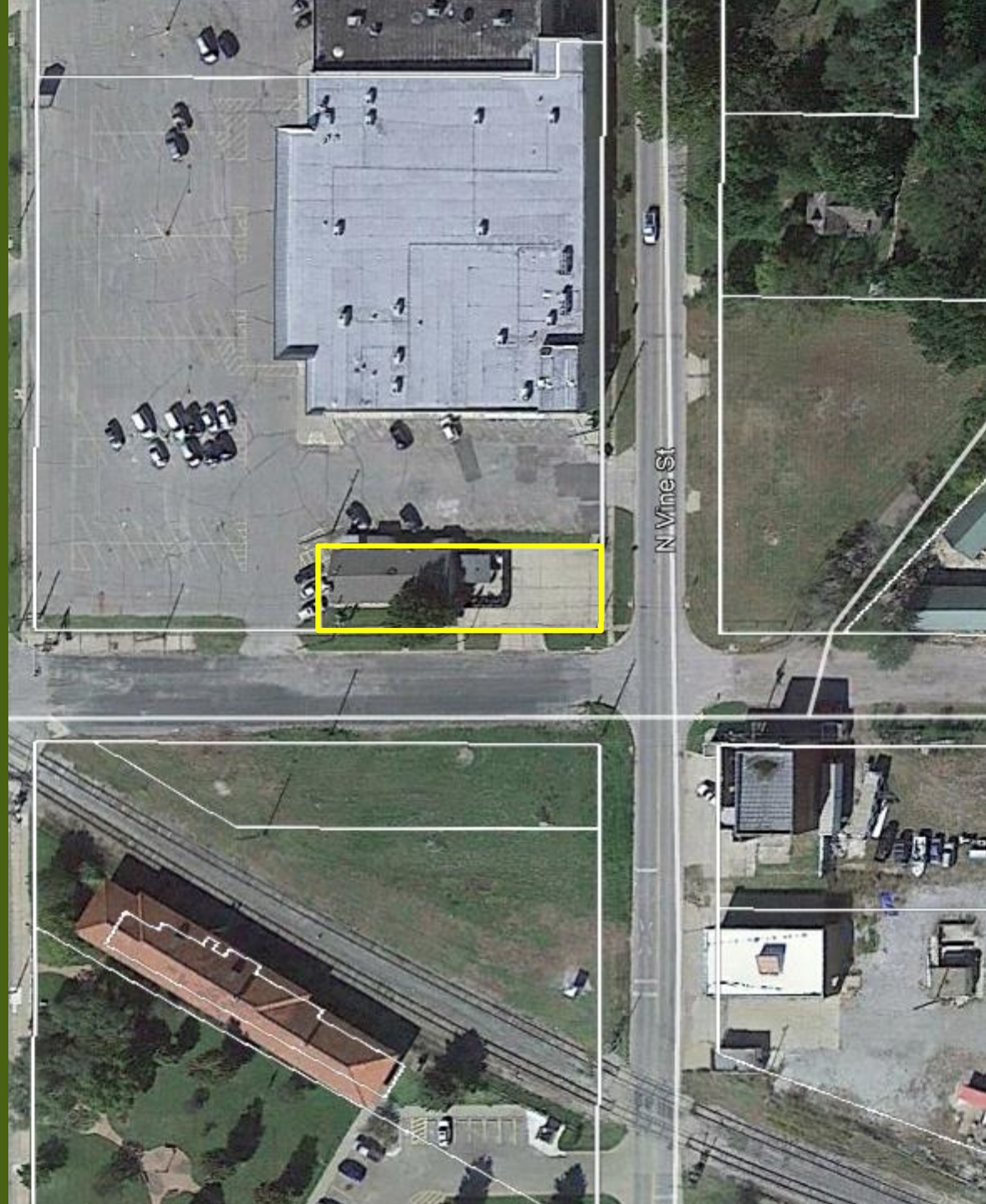
Bar/Tavern

Vehicle Sales

Vehicle Repair

Public Assembly Venue

Gas/Service Station



C-2

Retail

Restaurant

Professional Office

Museums/Studios

Bar/Tavern

SUP

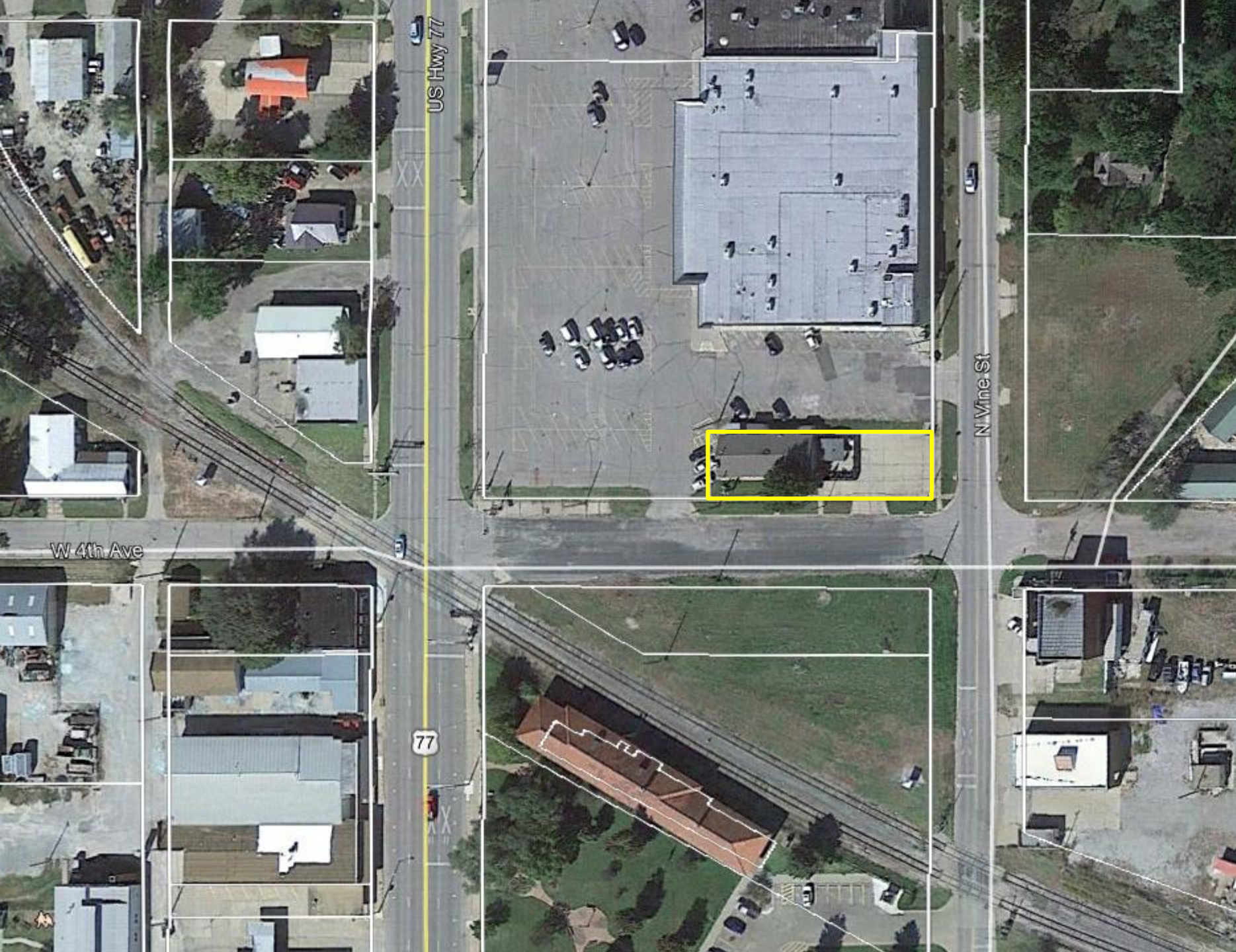
Vehicle Repair

Public Assembly Venue

Gas/Service Station

Prohibited

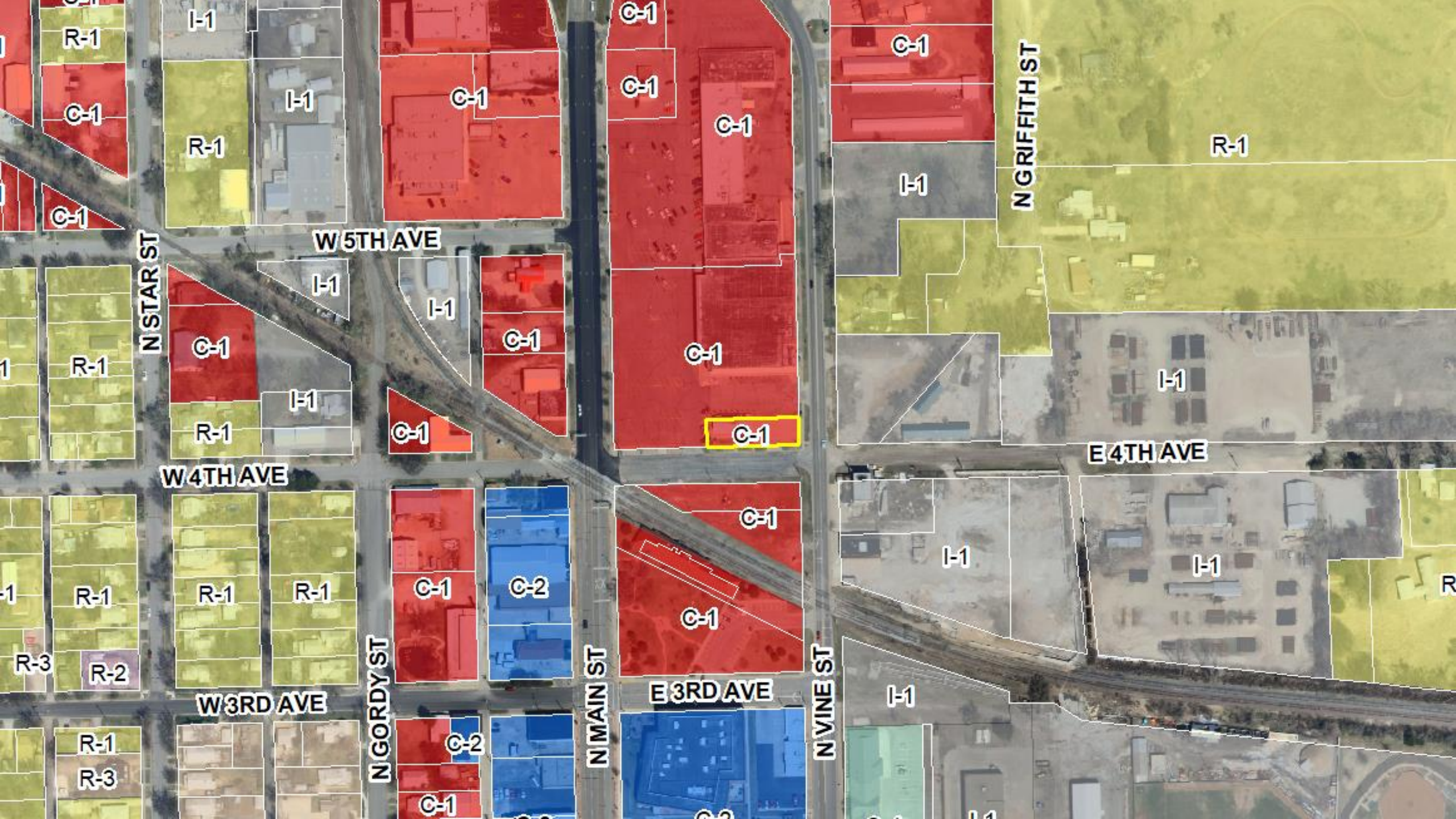
Vehicle Sales

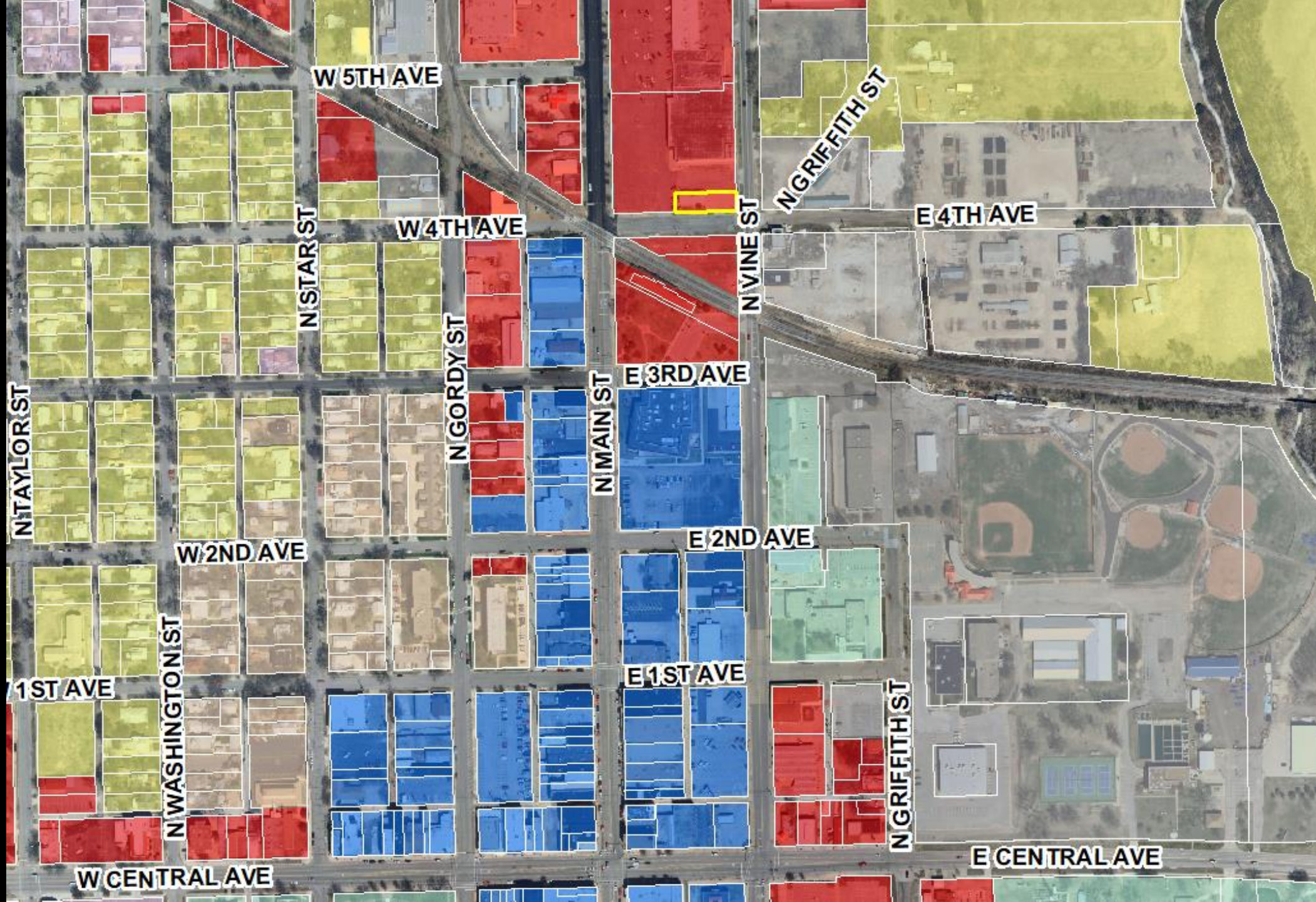


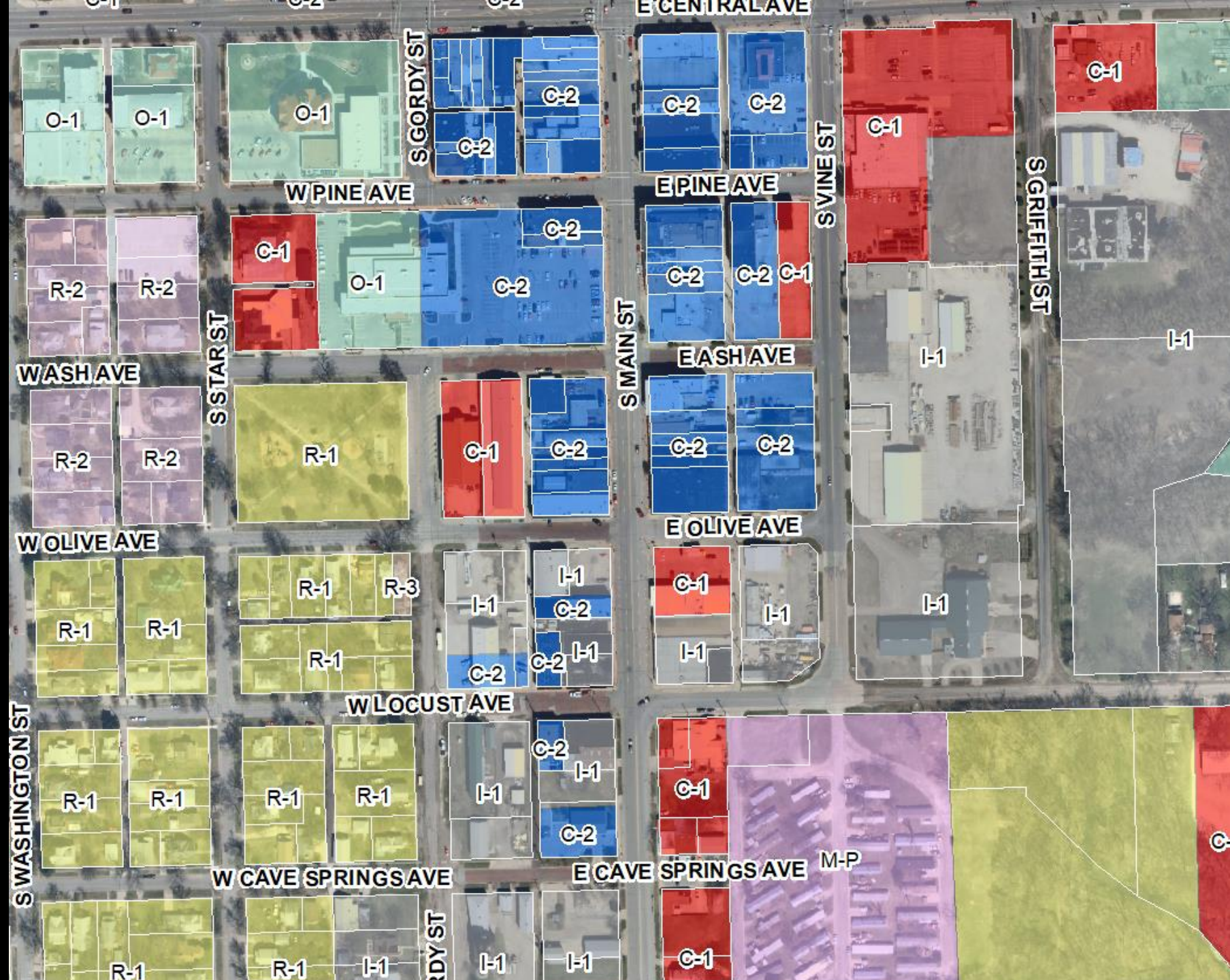
Other Differences:

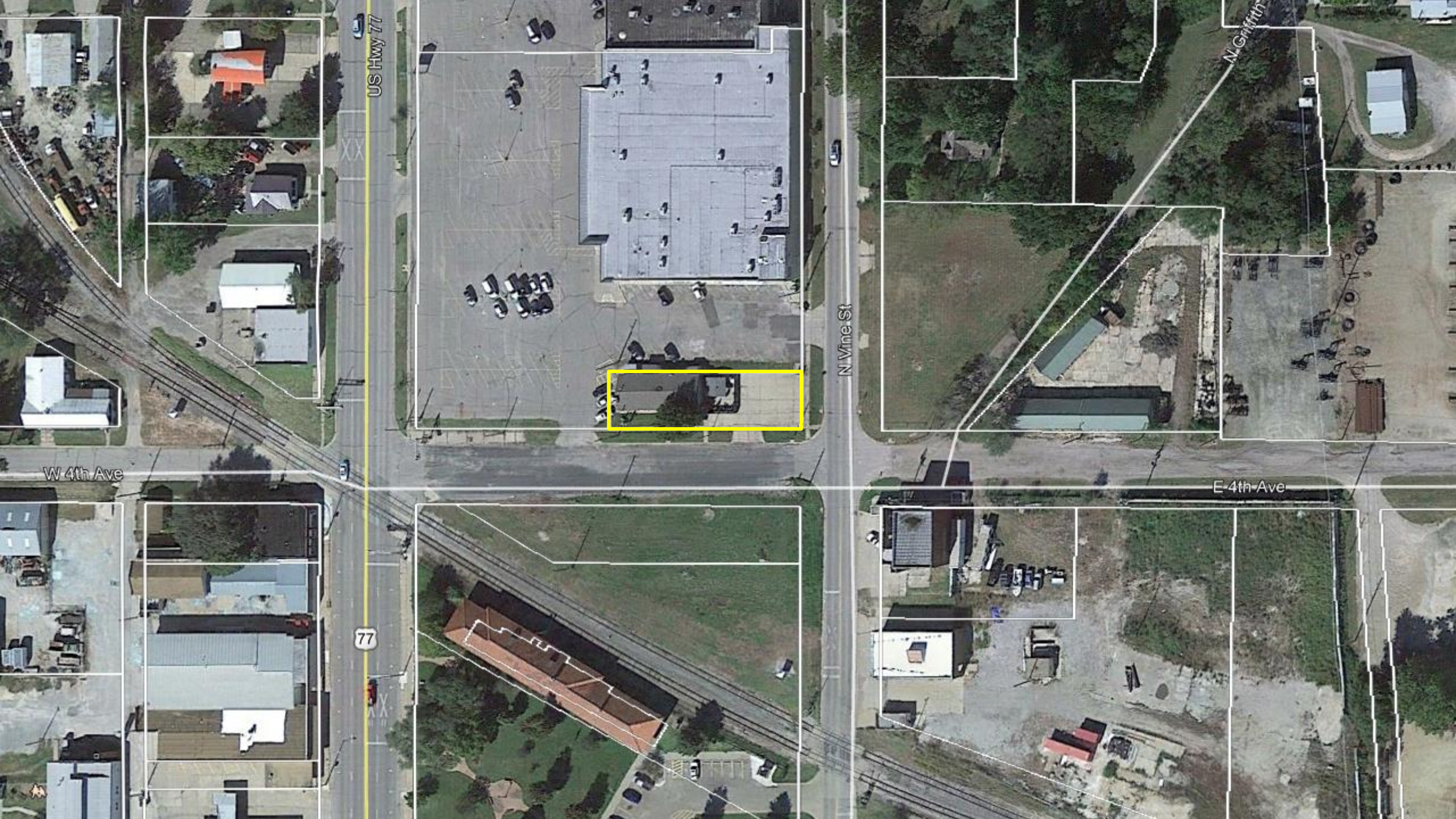
No on-site parking required

Reduced Setbacks









TO: City Commission
FROM: Scott Rickard
SUBJ: Bid Opening Project 571 – Civic Center Parking Mill and Overlay and Additional Lot Construction
DATE: May 10, 2021

Background:

Bids were received for the mill & overlay of the Civic Center parking lot and the construction of the south parking lot. This project was awarded excess sales tax funds for completion in 2021.

Project Schedule:

The contractor has agreed to complete this project within 30 days and that it must be completed by October 1, 2021.

Strategic Plan:

III. Infrastructure - *The City invests in its public infrastructure to ensure that the community has the most basic resources necessary to thrive and prosper.*

- a. Evaluate funding options for ***continued investment in critical public infrastructure.***

Attachments:

Bid Tab, and Site Plan.

Policy Issue:

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

Alternatives:

N/A

Fiscal Impact:

This project will be funded with excess sales tax funds. The estimated construction cost of the project was \$162,294.50 which included new lighting, APAC, KS bid of \$110,609.42 is for the rehabilitation and expansion of the parking lot.

Trade-offs:

N/A

Staff Recommendation:

Accept the bids and proceed with the requested improvements.

Commission Actions:

Commissioner _____ moved that since APAC, KS has submitted the lowest and best bid of \$110,609.42 for project no. 571, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner _____ seconded the motion.

BID TABULATIONS

Project No. 571

Civic Center Existing Parking Lot Mill/Overlay and Additional Parking Construction

5/5/2021

Item No.	Description	Units	QTY	Engineers Estimate		APAC-Kansas		Pearson Construction		Encore Pavement		Cornejo & Sons	
				Unit Cost	Totals	Unit Cost	Totals	Unit Cost	Totals	Unit Cost	Totals	Unit Cost	Totals
1	Common Excavation	CY	165	\$ 15.00	\$ 2,475.00	\$ 26.00	\$ 4,290.00	\$ 16.00	\$ 2,640.00	\$ 20.50	\$ 3,382.50	\$ 27.00	\$ 4,455.00
2	6" Base Stabilization	SY	1846	\$ 17.00	\$ 31,382.00	\$ 7.00	\$ 12,922.00	\$ 7.00	\$ 12,922.00	\$ 8.90	\$ 16,429.40	\$ 11.00	\$ 20,306.00
3	2" Milling	SY	4638	\$ 2.25	\$ 10,435.50	\$ 1.70	\$ 7,884.60	\$ 2.00	\$ 9,276.00	\$ 1.70	\$ 7,884.60	\$ 2.75	\$ 12,754.50
4	BM-2 Asphalt	TONS	786	\$ 85.00	\$ 66,810.00	\$ 60.00	\$ 47,160.00	\$ 76.00	\$ 59,736.00	\$ 82.00	\$ 64,452.00	\$ 88.00	\$ 69,168.00
5	BM-4 Asphalt	TONS	327	\$ 75.00	\$ 24,525.00	\$ 56.00	\$ 18,312.00	\$ 66.00	\$ 21,582.00	\$ 78.00	\$ 25,506.00	\$ 82.00	\$ 26,814.00
6	2'-6" Curb and Gutter	LF	97	\$ 15.00	\$ 1,455.00	\$ 20.00	\$ 1,940.00	\$ 27.00	\$ 2,619.00	\$ 31.00	\$ 3,007.00	\$ 30.00	\$ 2,910.00
7	6" Reinforced Concrete	SY	34	\$ 70.00	\$ 2,380.00	\$ 76.00	\$ 2,584.00	\$ 63.00	\$ 2,142.00	\$ 68.00	\$ 2,312.00	\$ 99.00	\$ 3,366.00
8	Monitoring Well Concrete Pads	EA	5	\$ 500.00	\$ 2,500.00	\$ 475.00	\$ 2,375.00	\$ 150.00	\$ 750.00	\$ 400.00	\$ 2,000.00	\$ 600.00	\$ 3,000.00
9	4" White Parking Space Striping	LF	3242	\$ 1.00	\$ 3,242.00	\$ 0.21	\$ 680.82	\$ 0.85	\$ 2,755.70	\$ 0.22	\$ 713.24	\$ 1.15	\$ 3,728.30
10	4" Red Fire Lane Striping	LF	280	\$ 1.50	\$ 420.00	\$ 0.45	\$ 126.00	\$ 3.75	\$ 1,050.00	\$ 0.50	\$ 140.00	\$ 1.15	\$ 322.00
11	"FIRE LANE" Text Marking (24" Tall)	EA	1	\$ 600.00	\$ 600.00	\$ 15.00	\$ 15.00	\$ 300.00	\$ 300.00	\$ 125.00	\$ 125.00	\$ 700.00	\$ 700.00
12	Handicap Stall Marking	EA	6	\$ 200.00	\$ 1,200.00	\$ 30.00	\$ 180.00	\$ 175.00	\$ 1,050.00	\$ 21.00	\$ 126.00	\$ 175.00	\$ 1,050.00
13	Remove and Replace Concrete Parking Blocks	EA	22	\$ 35.00	\$ 770.00	\$ 30.00	\$ 660.00	\$ 60.00	\$ 1,320.00	\$ 52.00	\$ 1,144.00	\$ 50.00	\$ 1,100.00
14	Asphalt Base Patching (If Needed)	TONS	20	\$ 150.00	\$ 3,000.00	\$ 135.00	\$ 2,700.00	\$ 180.00	\$ 3,600.00	\$ 155.00	\$ 3,100.00	\$ 250.00	\$ 5,000.00
15	Traffic Control	LS	1	\$ 1,500.00	\$ 1,500.00	\$ 100.00	\$ 100.00	\$ 1,225.00	\$ 1,225.00	\$ 100.00	\$ 100.00	\$ 1,500.00	\$ 1,500.00
16	Mobilization	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 8,650.00	\$ 8,650.00	\$ 8,550.00	\$ 8,550.00	\$ 5,000.00	\$ 5,000.00	\$ 17,500.00	\$ 17,500.00
Alt.	New Concrete Parking Block (If Needed)	EA	1			\$ 30.00	\$ 30.00	\$ 100.00	\$ 100.00	\$ 52.00	\$ 52.00	\$ 110.00	\$ 110.00

Total

\$ 162,694.50

\$ 110,609.42

\$ 131,617.70

\$ 135,473.74

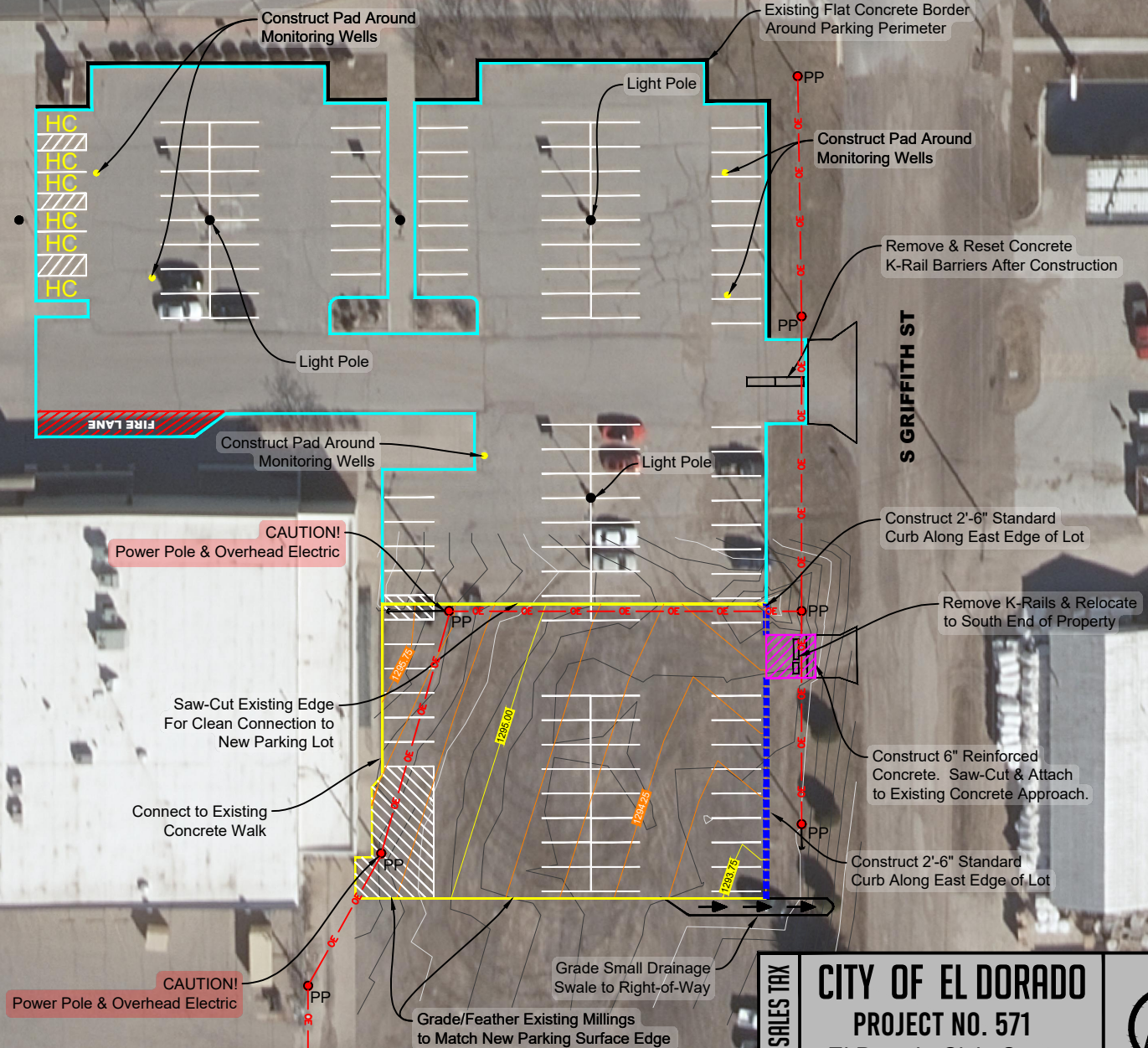
\$ 173,783.80

- 2" Mill and Asphalt Overlay
- Stabilized Base & 5" Asphalt

E CENTRAL AVE / HWY54

S VINE ST

S GRIFFITH ST



2021 SALES TAX

CITY OF EL DORADO
PROJECT NO. 571
 El Dorado Civic Center
 Parking Lot



Sheet 2

TO: City Commission
FROM: Scott Rickard
SUBJ: Bid Approval for Project 582 - Southwest Traffic Way Mill and Overlay
DATE: May 10, 2021

Background:

Bids were received for the mill & overlay of SW Trafficway from Main to Douglas. This section of the truck route is in need of rehabilitation. The project will include a 2" mill and overlay, which traffic will be carried on the road throughout construction.

Project Schedule:

The contractor has agreed to complete this project within 30 days and that it must be completed by October 1, 2021.

Strategic Plan:

***III. Infrastructure** - The City invests in its public infrastructure to ensure that the community has the most basic resources necessary to thrive and prosper.*

- b. Evaluate funding options for ***continued investment in critical public infrastructure.***

Attachments:

Bid Tab, and Site Plan

Policy Issue:

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

Alternatives:

N/A

Fiscal Impact:

This project will be paid with street sales tax funds.

Trade-offs:

N/A

Staff Recommendation:

Accept the bids and proceed with the requested improvements.

Commission Actions:

Commissioner _____ moved that since APAC, KS has submitted the lowest and best bid of \$218,964.37 for project no.582, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner _____ seconded the motion.

Bid Tabulations

Project No. 582-Sales Tax Resurfacing

SW Trafficway (Main St to City Limits @ Douglas Rd)

5/5/2021

Item No.	Description	Units	QTY	Engineers Estimate		APAC-Kansas		Pearson Construction		Cornejo & Sons	
				Unit Cost	Totals	Unit Cost	Totals	Unit Cost	Totals	Unit Cost	Totals
1	0.5" Mill	S.Y.	16,386	\$ 0.75	\$ 12,289.50	\$ 0.79	\$ 12,944.94	\$ 0.75	\$ 12,289.50	\$ 0.80	\$ 13,108.80
2	1.5" Mill	S.Y.	14,369	\$ 1.25	\$ 17,961.25	\$ 1.47	\$ 21,122.43	\$ 1.50	\$ 21,553.50	\$ 1.50	\$ 21,553.50
3	Commercial Grade Asphalt (1.5")	Tons	2,768	\$ 90.00	\$ 249,120.00	\$ 55.00	\$ 152,240.00	\$ 73.00	\$ 202,064.00	\$ 78.00	\$ 215,904.00
4	4" White Lane Line	L.F.	6,950	\$ 1.25	\$ 8,687.50	\$ 0.32	\$ 2,224.00	\$ 0.32	\$ 2,224.00	\$ 0.32	\$ 2,224.00
5	4" Solid Yellow Double Line	L.F.	5,950	\$ 2.00	\$ 11,900.00	\$ 0.64	\$ 3,808.00	\$ 0.64	\$ 3,808.00	\$ 0.64	\$ 3,808.00
6	Traffic Control	L.S.	1	\$ 10,000.00	\$ 10,000.00	\$ 7,800.00	\$ 7,800.00	\$ 8,175.00	\$ 8,175.00	\$ 13,000.00	\$ 13,000.00
7	Water Valve Pad	Ea.	3	\$ 800.00	\$ 2,400.00	\$ 475.00	\$ 1,425.00	\$ 150.00	\$ 450.00	\$ 825.00	\$ 2,475.00
8	Manhole Pad	Ea.	3	\$ 1,200.00	\$ 3,600.00	\$ 1,050.00	\$ 3,150.00	\$ 275.00	\$ 825.00	\$ 1,000.00	\$ 3,000.00
9	Asphalt Base Patching (If Needed)	TONS	20	\$ 150.00	\$ 3,000.00	\$ 125.00	\$ 2,500.00	\$ 185.00	\$ 3,700.00	\$ 250.00	\$ 5,000.00
10	Mobilization	L.S.	1	\$ 10,000.00	\$ 10,000.00	\$ 11,750.00	\$ 11,750.00	\$ 10,000.00	\$ 10,000.00	\$ 13,500.00	\$ 13,500.00

Total

\$ 328,958.25

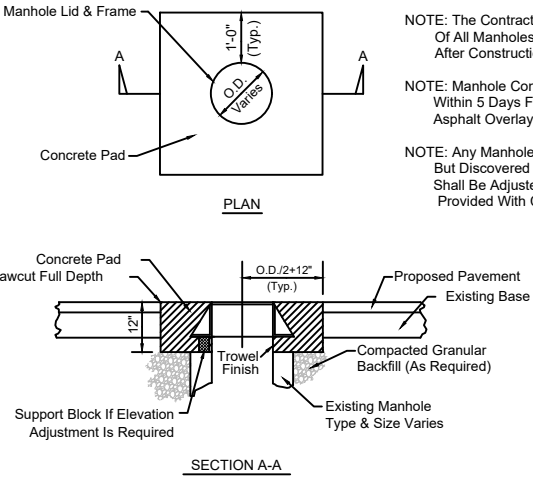
\$ 218,964.37

\$ 265,089.00

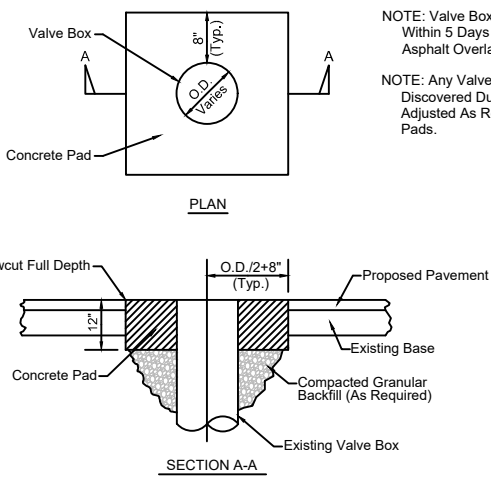
\$ 293,573.30

GENERAL NOTES

1. All Tie-Ins To Existing Asphalt Will Be Saw-Cut To Ensure A Strong Full Depth Joint.
2. All Millings To Be Transferred To City Of El Dorado Millings Site In The 300 Block Of S Griffith St.
3. Any Areas Encountered That Require Patching Will Be Excavated To A Depth Necessary To Provide A Stable Base. Patch Holes Will Be Filled With Asphalt In Lifts No Greater Than 4". Each Layer Will Be Compacted Before Subsequent Lifts Are Placed.
4. A Tack Coat Of Emulsified Asphalt Shall Be Applied Between Each Lift Of Bituminous Material.
5. Prior To Bidding The Project, Each Bidder Shall Visit The Site And Familiarize Him/Herself With Said Site & Surface Conditions.
6. Contractor Will Communicate With Holly Frontier Refinery During Project To Maintain Traffic In And Out Of Douglas Rd Entrance.

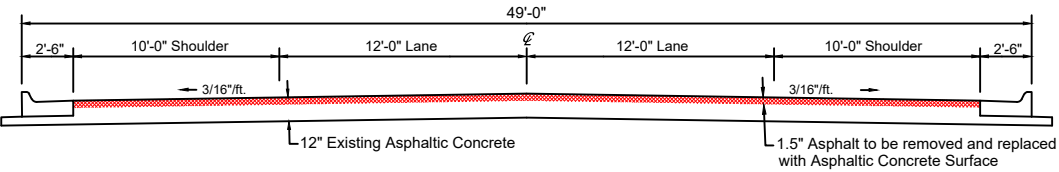


MANHOLE CONCRETE PAD DETAIL



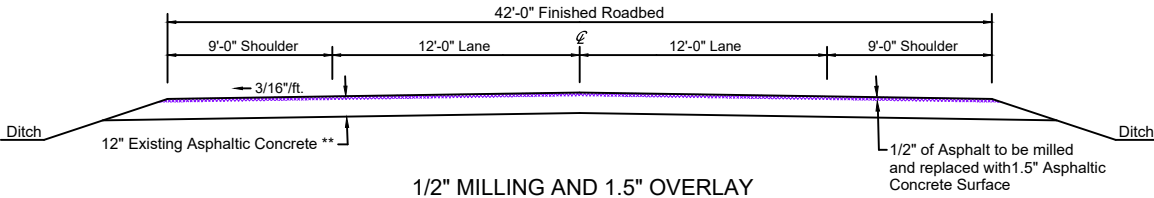
WATER VALVE BOX PAD DETAIL

- NOTE: The Contractor Shall Insure That The Interiors Of All Manholes Are Clear Of All Debris Immediately After Construction Of The Concrete Pad.
- NOTE: Manhole Concrete Pads Shall Be Constructed Within 5 Days Following Construction Of The Asphalt Overlay.
- NOTE: Any Manholes Not Shown On These Plans But Discovered During The Milling Process, Shall Be Adjusted As Required And Provided With Concrete Pads.
- NOTE: Valve Box Concrete Pads Shall Be Constructed Within 5 Days Following Construction Of The Asphalt Overlay.
- NOTE: Any Valve Boxes Not Shown On These Plans But Discovered During The Milling Process, Shall Be Adjusted As Required And Provided With Concrete Pads.



1.5" MILLING AND OVERLAY

STA. 0+00 to STA. 7+97
STA. 42+83 to STA. 62+48



1/2" MILLING AND 1.5" OVERLAY

STA. 7+97 TO STA. 42+83



TO: City Commission
FROM: Scott Rickard
SUBJ: Set Public Hearing for Assessments for Project 533-Paving Oil Hill/Rocky Road
DATE: May 10, 2021

Background:

Project No. 533 is complete. The City Commission must set a hearing date to spread the costs to the properties involved. The project was authorized at \$734,405.76

Final Costs	\$ 558,131.00
Improvement District	\$ 385,110.39
City at Large	\$ 173,020.61

Project Schedule:

Complete

Strategic Plan:

III. Infrastructure - *The City invests in its public infrastructure to ensure that the community has the most basic resources necessary to thrive and prosper.*

c. Evaluate funding options for ***continued investment in critical public infrastructure.***

IV. Economic Development – *The City actively works to create an environment that facilitates capital investment, produces jobs, and increases the tax base of the community.*

f. Collaborate with area developers and builders to facilitate the development of ***housing opportunities*** that meet the needs of the community.

Attachments:

Assessment proceedings

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 \$558,131.00. The costs assessed to the improvement district will be \$385,110.39 and city-at-large costs will be \$173,020.61. The cost of the project will be bonded, therefore allowing the improvement district to pay off the debt over a twenty year period. The city-at-large portion of the project will be paid off through federal fund exchange dollars.

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:

Set the public hearing for June 7, 2021

Commission Actions:

Commissioner _____ moved to set the public hearing for 6:30 p.m. on June 7, 2021 to be held for the purpose of considering the proposed assessments of the cost of Project No. 533, and further direct individual mailings to each owner liable for the special assessments.

Commissioner _____ seconded the motion.

[Return to Agenda](#)

**CITY OF EL DORADO, KANSAS
GENERAL OBLIGATION BONDS**

**ASSESSMENT PROCEEDINGS
TIME SCHEDULE**

DATE	ACTION OR EVENT
May 17, 2021	Governing Body Meeting Approve Statement of Final Costs, Assessment Roll and Notices of Public Hearing; Establish Date for Public Hearing
May 22, 2021	Publish Notice of Public Hearing in The Butler County Times- Gazette; Mail Notice of Public Hearing and Statement of Costs Proposed to be Assessed 10 days prior to June 7, 2021
May 27, 2021	Preparation of Final Assessment Proceedings
June 7, 2021	Governing Body Meeting Conduct Public Hearing; Pass Assessment Ordinance
June 12, 2021	Publish Assessment Ordinance or Summary in The Butler County Times-Gazette; Mail Notice of Assessment
July 12, 2021	Pay-in Period Ends 30 day Non-litigation Period After June 12, 2021
Before 08/25/2021	Certify Assessment Spreads to Butler County Clerk

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**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON MAY 17, 2021**

The City Commission met in regular session at the usual meeting place in the City at 6:30 p.m., the Mayor presided and the following members of the City Commission being present and participating, to-wit:

Absent:

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

* * * * *

(Other Proceedings)

There were presented certain documents relating to the following described improvements previously authorized by the governing body:

Project No. 533 - Oil Hill Road/Rocky Road - Paving Improvements

Resolution No. 2857

Paving Oil Hill Road and Rocky Road from Haverhill to the Kansas Turnpike

The documents presented are as follows:

Exhibit A – Statement of Final Costs

Exhibit B – Assessment Roll Certification

Exhibit C – Notice of Public Hearing

Exhibit D – Form of Notice of Hearing and Statement of Cost Proposed to be Assessed

After full consideration thereof, Commissioner _____ moved to take the following action:

1. Approve each of the documents;
2. Establish June 7, 2021 at 6:30 p.m., or as soon thereafter as may be heard, to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein;
3. Cause the City Clerk to publish the Notice of Public Hearing (**Exhibit C**) in the official City newspaper not less than 10 days prior to such public meeting date;
4. Mail the Form of Notice of Hearing and Statement of Cost Proposed to be Assessed (**Exhibit D**) to each and all owners of property affected by such assessments at their last known post office address on the same date as the publication of Notice of Public Hearing (**Exhibit C**); and
5. File each of the documents of record in the office of the City Clerk and make the same available for public inspection.

The motion was seconded by Commissioner _____, and approved by the following roll call vote:

Yea: _____

Nay: _____

* * * * *

(Other Proceedings)

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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

EXHIBIT A-1

CITY OF EL DORADO, KANSAS

**PROJECT 533 - OIL HILL ROAD/ROCKY ROAD - PAVING IMPROVEMENTS
RESOLUTION NO. 2857**

STATEMENT OF FINAL COSTS

CONSTRUCTION	\$436,681.80
ENGINEERING	63,576.42
COSTS OF ISSUANCE	904.15
ADMINISTRATION	56,768.63
<i>TOTAL</i>	<i>\$558,131.00</i>

EXHIBIT B

ASSESSMENT ROLL CERTIFICATION

The undersigned having been designated by the City of El Dorado, Kansas (the “City”), to determine the amounts of the respective assessments and to prepare the proposed Assessment Roll therefor in connection with certain internal improvements previously authorized by the governing body hereby reports that each and all of the respective assessments have been determined to be as shown on the Schedule(s) attached hereto and made a part hereof by reference as though fully set out herein.

Dated May 17, 2021.

CITY OF EL DORADO, KANSAS

By: _____
Scott Rickard, Engineering Department

SCHEDULE I-1

**PROJECT 533 - OIL HILL ROAD/ROCKY ROAD - PAVING IMPROVEMENTS
RESOLUTION NO. 2857**

Description of Property	Amount of Proposed Assessment
A tract of real property in the City of El Dorado, Butler County Kansas, further described as follows: Beginning at a point 1270 feet S and 27.5 feet E of the NW/c of Section 34, Township 25, Range 5 East, thence E 300 feet; thence S 950 feet; thence West 300 feet; thence N 950 feet to the point of beginning. CAMA: 168-34-0-00-00-002-00-0	\$128,370.13
A tract of real property in the City of El Dorado, Butler County Kansas, further described as follows: Beginning at a point 411.06 feet N and 40 feet W of the SE/c of the NE ¼ of Section 33, Township 25, Range 5 East, thence Northwesterly 1552.77 feet along the Right-of-Way of Rocky Road; thence Southwest 100 feet; thence Northwest 100 feet; thence Southwest 200 feet; thence Southeasterly 1565+/- feet; thence Easterly 300 feet to point of beginning. CAMA: 168-33-0-00-00-001.07-0	\$256,740.26

EXHIBIT C

(Published in *The Butler County Times-Gazette* on May 22, 2021)

NOTICE OF PUBLIC HEARING

TO: RESIDENTS OF THE CITY OF EL DORADO, KANSAS

You and each of you are hereby notified that the governing body of the City of El Dorado, Kansas (the “City”) will meet for the purpose of holding a public hearing, as provided by K.S.A. 12-6a01 *et seq.*, at 200 E. 1st El Dorado, Kansas 67042, in the City, on June 7, 2021, or as soon thereafter as may be heard, at 6:30 p.m.. The public hearing is for the purpose of hearing any and all oral or written objections to proposed assessments in connection with the following described improvements:

Project No. 533 - Oil Hill Road/Rocky Road - Paving Improvements

Resolution No. 2857

Paving Oil Hill Road and Rocky Road from Haverhill to the Kansas Turnpike.

Property Description:

See attached Exhibit A.

Cost of Improvements:

\$558,131.00.

69% to be assessed against the Improvement District and 31% to be paid by the City-at-large

An Assessment Roll prepared in accordance with the referenced Resolution(s) approved by the governing body is on file in the Office of the City Clerk and may be examined by any interested party. At the conclusion of the public hearing, the governing body will consider an Ordinance levying such special assessments.

DATED May 17, 2021.

/s/ Tabitha Sharp, City Clerk

EXHIBIT D

**NOTICE OF HEARING
AND
STATEMENT OF COST PROPOSED TO BE ASSESSED**

May 22, 2021
El Dorado, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on **Schedule I** attached hereto, that there is proposed to be assessed against the property, certain amounts for the costs of certain internal improvements (the “Improvements”) previously authorized by the governing body of the City of El Dorado, Kansas (the “City”). The description of the Improvements, the resolution number authorizing the same and the proposed amount of assessment are set forth on **Schedule I** attached hereto.

You are hereby further notified that the governing body of the City will meet on June 7, 2021, at 6:30 p.m., at 200 E. 1st El Dorado, Kansas 67042, for the purpose of considering the proposed assessments.

The proposed Assessment Roll is on file in my office for public inspection. **WRITTEN OR ORAL OBJECTIONS TO THE PROPOSED ASSESSMENTS WILL BE CONSIDERED AT THE PUBLIC HEARING.**

At the conclusion of the public hearing, the governing body of the City will consider an ordinance levying such special assessments. A subsequent Notice of Assessment will be mailed to affected property owners at that time indicating that each property owner may pay the assessment in whole or in part within thirty (30) days from the date of such notice. Any amount not so paid within the time period prescribed will be collected in 20 annual installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 12-6a01 *et seq.*

Tabitha Sharp, City Clerk

SCHEDULE I

**PROJECT NO. 533 - OIL HILL ROAD/ROCKY ROAD - PAVING IMPROVEMENTS
RESOLUTION NO. 2857**

Description of Property	Amount of Proposed Assessment
A tract of real property in the City of El Dorado, Butler County Kansas, further described as follows: Beginning at a point 1270 feet S and 27.5 feet E of the NW/c of Section 34, Township 25, Range 5 East, thence E 300 feet; thence S 950 feet; thence West 300 feet; thence N 950 feet to the point of beginning. CAMA: 168-34-0-00-00-002-00-0	\$128,370.13
A tract of real property in the City of El Dorado, Butler County Kansas, further described as follows: Beginning at a point 411.06 feet N and 40 feet W of the SE/c of the NE ¼ of Section 33, Township 25, Range 5 East, thence Northwesterly 1552.77 feet along the Right-of-Way of Rocky Road; thence Southwest 100 feet; thence Northwest 100 feet; thence Southwest 200 feet; thence Southeasterly 1565+/- feet; thence Easterly 300 feet to point of beginning. CAMA: 168-33-0-00-00-001.07-0	\$256,740.26

CERTIFICATE OF MAILING

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

The undersigned, City Clerk of the City of El Dorado, Kansas (the “City”), does hereby certify that on May 22, 2021, I caused to be mailed to each and all of the owners of property affected thereby, at their last known post office address, a Notice of Public Hearing and Statement of the Cost Proposed to be Assessed in connection with certain improvements in the City.

A sample copy of the form of such Notice of Hearing and Statement of Cost Proposed to be Assessed is attached hereto.

WITNESS my hand and seal as of May 22, 2021.

(Seal)

Tabitha Sharp, City Clerk

[attach sample copy of form]

TO: City Commission
FROM: Scott Rickard
SUBJ: Public Hearing for Assessments for Project 542-Paving Douglas Road
DATE: May 10, 2021

Background:

Project No. 542 is complete. The City Commission must set a hearing date to spread the costs to the properties involved.

Final Costs \$1,409,413.27
Improvement District \$ 591,668.08

Project Schedule:

Complete

Strategic Plan:

III. Infrastructure - *The City invests in its public infrastructure to ensure that the community has the most basic resources necessary to thrive and prosper.*

d. Evaluate funding options for ***continued investment in critical public infrastructure.***

IV. Economic Development – *The City actively works to create an environment that facilitates capital investment, produces jobs, and increases the tax base of the community.*

g. Collaborate with area developers and builders to facilitate the development of ***housing opportunities*** that meet the needs of the community.

Attachments:

Assessment proceedings

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 \$1,409,413.27. The costs assessed to the improvement district will be \$591,668.08 and city-at-large costs will be \$817,745.19. The total cost of the project will be bonded, therefore allowing the improvement district to pay off the debt over a twenty year period. The intersection of Towanda Avenue and the sidewalks are the city-at-large costs which will be paid with Sales Tax Street Funds and the Federal Fund Exchange Dollars.

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:

Set the public hearing for June 7, 2021

Commission Actions:

Commissioner _____ moved that Resolution No.2925 a resolution amending resolution no. 2872; 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 (paving improvements/paving Douglas Rd - project 542).

AND

Commissioner _____ moved to set the public hearing for 6:30 p.m. on June 7, 2021 to be held for the purpose of considering the proposed assessments of the cost of Project No. 542, and further direct individual mailings to each owner liable for the special assessments.

Commissioner _____ seconded the motions.

[Return to Agenda](#)

**CITY OF EL DORADO, KANSAS
GENERAL OBLIGATION BONDS**

**ASSESSMENT PROCEEDINGS
TIME SCHEDULE**

DATE	ACTION OR EVENT
May 17, 2021	Governing Body Meeting Approve Statement of Final Costs, Assessment Roll and Notices of Public Hearing; Establish Date for Public Hearing
May 22, 2021	Publish Notice of Public Hearing in The Butler County Times- Gazette; Mail Notice of Public Hearing and Statement of Costs Proposed to be Assessed 10 days prior to June 7, 2021
May 27, 2021	Preparation of Final Assessment Proceedings
June 7, 2021	Governing Body Meeting Conduct Public Hearing; Pass Assessment Ordinance
June 12, 2021	Publish Assessment Ordinance or Summary in The Butler County Times-Gazette; Mail Notice of Assessment
July 12, 2021	Pay-in Period Ends 30 day Non-litigation Period After June 12, 2021
Before 08/25/2021	Certify Assessment Spreads to Butler County Clerk

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**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON MAY 17, 2021**

The City Commission met in regular session at the usual meeting place in the City at 6:30 p.m., the Mayor presided and the following members of the City Commission being present and participating, to-wit:

Absent:

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

* * * * *

(Other Proceedings)

There were presented certain documents relating to the following described improvements previously authorized by the governing body:

Project No. 542 – Paving Improvements

Resolution No. 2872 and []

Paving Douglas Road (Sunset Rd. to Towanda Ave.)

The documents presented are as follows:

Exhibit A – Statement of Final Costs

Exhibit B – Assessment Roll Certification

Exhibit C – Notice of Public Hearing

Exhibit D – Form of Notice of Hearing and Statement of Cost Proposed to be Assessed

After full consideration thereof, Commissioner _____ moved to take the following action:

1. Approve each of the documents;
2. Establish June 7, 2021 at 6:30 p.m., or as soon thereafter as may be heard, to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein;
3. Cause the City Clerk to publish the Notice of Public Hearing (**Exhibit C**) in the official City newspaper not less than 10 days prior to such public meeting date;
4. Mail the Form of Notice of Hearing and Statement of Cost Proposed to be Assessed (**Exhibit D**) to each and all owners of property affected by such assessments at their last known post office address on the same date as the publication of Notice of Public Hearing (**Exhibit C**); and
5. File each of the documents of record in the office of the City Clerk and make the same available for public inspection.

The motion was seconded by Commissioner _____, and approved by the following roll call vote:

Yea: _____

Nay: _____

* * * * *

(Other Proceedings)

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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

EXHIBIT A-1

CITY OF EL DORADO, KANSAS

**PROJECT 542 – PAVING IMPROVEMENTS
RESOLUTION NO. 2872 AND []**

STATEMENT OF FINAL COSTS

CONSTRUCTION	\$1,148,102.31
ENGINEERING	107,936.00
ADMINISTRATION	149,253.30
MISC.	4,121.66
<i>TOTAL</i>	<i>\$1,409,413.27</i>

EXHIBIT B

ASSESSMENT ROLL CERTIFICATION

The undersigned having been designated by the City of El Dorado, Kansas (the “City”), to determine the amounts of the respective assessments and to prepare the proposed Assessment Roll therefor in connection with certain internal improvements previously authorized by the governing body hereby reports that each and all of the respective assessments have been determined to be as shown on the Schedule(s) attached hereto and made a part hereof by reference as though fully set out herein.

Dated May 17, 2021.

CITY OF EL DORADO, KANSAS

By: _____
Scott Rickard, Engineering Department

SCHEDULE I-1

**PROJECT 542 – PAVING IMPROVEMENTS
RESOLUTION NO. 2872 AND [___]**

Description of Property	Amount of Proposed Assessment
Lots 1, 2, 3 & 4 Block 1 Lowes 1st Addition 925 S Douglas Rd	43,750.44
Beginning at the NE/c of Lot 11, Blk 1 Lowe's 1st Addition of City of El Dorado thence W 158;S65;E158;N65 to POB 1007 S Douglas Rd	8,439.09
Beginning 65 ft S of NE/c Lot 11, Blk 1 Lowes 1st Addition to City of El Dorado thence W 158;S160;E158;N160 to POB 1015 S Douglas Rd	16,063.49
Lot 13 Blk 1 Jack Lowes 2nd Add 1305 W Park	9,887.81
Lot 12 Blk 1 Jack Lowes 2nd Add 1113 S Douglas Rd	9,899.60
Lot 11 Blk 1 Jack Lowes 2nd Add 1121 S Douglas Rd	9,154.80
Lot 10 Blk 1 Jack Lowes 2nd Add 1129 S Douglas Rd	10,553.20
Lot 9 Blk 1 Jack Lowes 2nd Addition 1137 S Douglas Rd	8,432.80
Lot 8 Blk 1 Jack Lowes 2nd Addition 1145 S Doulgas Rd	14,170.80
Lot 7 Blk 1 Jack Lowes 2nd Addition 1155 S Douglas Rd	10,623.42
Lot 5 & 6 Blk 2 Olsens Subdivision W Finney Ave	2,066.27

Lot 7 Blk 2 Olsen Subdivision 1405 W Finney Ave	6,613.43
Lot 8 Blk 2 Olsen Subdivision W Finney Ave	6,615.24
Lot 9 Blk 2 Olsen Subdivision 1323 W Finney	8,271.31
Lot 10 Blk 2 Olsen Subdivision 1313 W Finney	5,791.11
Lot 11, Blk 2 Olsons Addition a subdivision in SW1/4 on NE1/4 of S10 T26S R5E of 6th p.m. 1201 S Douglas Rd	10,407.02
Beg NE/c of S1/2 of N1/2 of N1/2 of SW1/4 of NE1/4 of Sec10 T26S R5E of 6th p.m. thence S144;W230;N144; E230 to POB in Butler County Kansas 1225 S Douglas Rd	17,708.18
Lot 1 Blk 1 Finey/Alfaro Addition 1237 S Douglas Rd	7,523.49
Lot 2 Block 1 Finey/Alfaro Addition 1241 S Douglas Rd	27,782.13
Lot 3 Blk 1 Finey/Alfaro Addition 1251 S Douglas Rd	6,887.88
Beg NW/c Lot 4 Blk 1 E91 S46.5 W30 S96 E30 S18.2 W102 N160.73 to POB Finney/Alfaro Addition S Douglas Rd	6,609.74
Beg 66N SE/c N1/2 SW1/4 NE1/4 S10 T26S R05E 6th pm N48;W205;S48;E205 to POB Butler County KS 1257 S Douglas Rd	7,339.33

Beg 18N SE/c N1/3 SW1/4 N1/2 SW1/4 NE1/4 S10 T26S R05E 6th pm N48;W205;S48;E205 POB Butler County KS 1263 S Douglas Rd	6,748.81
Beg 18N & 32.5W NE/c S/2 SW1/4 NE1/4 S104 W274.5 N86 E102 N18 E172.5 to POB S10 T26 R05E 1303 S Douglas Rd	14,769.80
Beg 482.5N SE/c SW1/4 NE1/4 W157 S58.5 W150 N148.9 E307 S90.4 to POB less ROW S10 T26 R05E 1313 S Douglas Rd	19,365.89
Beg 175S of the NE/c SE 1/4 SW1/4 NE1/4 S10 T26S R5E of 6th pm Butler Co thence W157;S58.5;W157;N58.5 to POB 1319 S Douglas Rd	6,163.60
Beg 233.5S NE/c of SE1/4 SW1/4 of NE1/4 S10 T26S R5E of 6th pm. Thence W157; S47.5;E157 N47.5 to POB and Beg 157W & 300N of SE/c SW1/4 NE1/4 S10 T26S R5E of 6th pm; N126.5; W150;S126.5;E150 to POB Butler County KS 1323 S Douglas Rd	14,506.78
Beg 330N SW/c SE1/4 NE 1/4 S10 T26S R5E 6th pm. Thence N49;W157;S49;E157 to POB Butler County KS 1329 S Douglas Rd	4,295.27
Beg 230N SE/c SW1/4 NE1/4 S10 T26S R05E of 6th pm thence N50;W157;S50;E157 to POB Butler County Ks 1339 S Douglas Rd	7,042.66
NE1/4 S10 T26S R05E 6pm Butler Co KS Beg 130N SW/c SE1/4 NE1/4; N100;W157; S100;E157 to POB 1349 S Douglas Rd	7,701.58

Beg 157W SW/c SE1/4 NE1/4 S10 T26S R05E 6th pm N300;W150;S300;E150 to POB Butler County Kansas 1314 W Sunset Rd	21,436.29
Beg 77W SE/c SW 1/4 NE 1/4 S10 T26S R05E 6th pm Butler Co Kansas N130;W80; S130; E80 to POB 1310 W Sunset Rd	4,299.14
Beg SE/c SW1/4 NE1/4 S10 T26S R05E of 6th pm; N130;W77;S130;E77 to POB in Butler County KS 1359 S Douglas Rd	3,455.39
Lots 16 & 17 Except E70, Lt 18 N30.26 Lt 19 Marcum's Subdivision 930 S Douglas Rd	18,491.85
E70 Lot 16 Lot 17 Marcum's Sub 1227 W Towanda Ave	4,731.09
Lot 20, Lot 19 Except N30.26 Marcum's Subdivision 936 S Douglas Rd	9,847.48
Beg NW/c S1/2 NW1/4 NE1/4 NE1/4 NE1/4 S10 T26 R05E 6th pm; E195;S75;W195;N75 to POB 1002 S Douglas Rd	9,722.31
W165.07 Lt 4 Block 1 Hullihan Add. 1010 S Douglas Rd	8,386.41
Lot 2 Block 1 Hullihan Addition 1016 S Douglas Rd	9,506.92
Lot 1 Block 1 Hullihan Addition 1034 S Douglas Rd	6,069.45
Lots 1 & 2 Block 1 Sheldens 1st Add. 1110 S Douglas Rd	6,448.39

Lots 3 4 & 5 Block 1 Sheldens 1st Add 1118 S Douglas Rd	7,137.99
Lots 6 & 7 N/2 Lot 8 Block 1 Sheldens 1st Addition 1124 S Douglas Rd	5,629.63
S25 Lt 8 Lts 9 & 10 Block 1 Sheldens 1st Addition 1138 S Douglas Rd	4,383.99
Lots 11 & 12 Block 1 Sheldens 1st Addition 1238 W Finney	3,507.19
W60 Lt 1 Lt 2 W60 N8 Lt 3 Blk 4 Sheldens 1st Addition 1206 S Douglas Rd	3,444.71
Lot E64 1 & 2 Block 4 Sheldens 1st Addition 1237 W Finney Ave	115.62
Lots 3 & 4 Exc N8 W60 Blk 4 Sheldens 1st Addition 1218 S Douglas Rd	5,250.93
Lots 5 & 6 Block 4 Sheldens 1st Addition 1221 S Ellet	3,542.26
Lots 7 8 & 9 Block 4 Sheldens 1st Addititon S Ellet	5,313.39
Lots 10 11 & 12 Block 4 Sheldens 1st Addition 1237 S Ellet	5,436.14
Lot 1 N12 Lot 2 W/2 Adj Vac St Blk 1 Sheldens 2nd Addition 1302 S Douglas Rd	5,401.07

Beg 60W NE/c Lot 1, Blk 2 Sheldens 2nd Addition; S120;W55;N120;E55 to POB Being parts Lots 1, 3, 5 Blk 2 of said Addition Butler County Kansas 1221 W Clark	6,380.82
E60 Lots 1 & 3 N20 of E60 Lot 5 S30 Lot 5 N1/2 Lot 7 all in Blk 2 Sheldens 2nd Addition Butler County Kansas 1217 W Clark Ave	6,537.80
S38 Lot 2 N20 Lot 3 W/2 Adj Vac St Block 1 Sheldens 2nd Addition 1312 S Douglas Rd	6,365.90
S30 Lot 3 N/2 Lot 4 Blk 1 Sheldens 2nd Addition & Beg SE/c N1/2 Lot 4, Blk 1 aforesaid; E30 to center of Ellet St before its vacation; N55 along center line said street to a point 30'N & 30'E SE/c Lot 3 Blk 1 W30 to a point 30'N SE/c Lot 3;S along E line of Lots 3 & 4 a distance of 55' to POB 1318 S Douglas Rd	6,063.51
S1/2 Lot 4 all Lot 5 Blk 1 Sheldens 2nd Addition to Townsite now City of El Dorado & part of vacated Ellet St: Beg SE/c Lot 5; E along S line of said Lot 5 30'; N parallel with E line Lot 5 75'; W30 S75 to POB Butler County KS 1322 S Douglas Rd	9,172.28
Lots 9 & 11 S/2 Lot 7 Block 2 Lot 6 Block 1 Pt Adj Vac Ellet St Sheldens 2nd Addition 1330 S Douglas Rd	16,411.25
Lots 7 & 8 Block 1 Lots 13 & 15 Blk 2 Sheldens 2nd Addition 1340 S Douglas Rd	19,285.48

Lot 9 W/2 Adj Vac St Block 1 Sheldens 2nd Addition 1344 S Douglas Rd	6,762.62
Lots 17 19 21 & 23 E/2 Adj Vac St Blk 2 Sheldens 2nd Addition 1218 W Conner Ave	14,704.46
Lots 10 11 12 W/2 Adj Vac St Blk 1 Sheldens 2nd Addition 1352 S Douglas Rd	13,241.34

EXHIBIT C

(Published in *The Butler County Times-Gazette* on May 22, 2021)

NOTICE OF PUBLIC HEARING

TO: RESIDENTS OF THE CITY OF EL DORADO, KANSAS

You and each of you are hereby notified that the governing body of the City of El Dorado, Kansas (the “City”) will meet for the purpose of holding a public hearing, as provided by K.S.A. 12-6a01 *et seq.*, at 200 E. 1st El Dorado, Kansas 67042, in the City, on June 7, 2021, or as soon thereafter as may be heard, at 6:30 p.m.. The public hearing is for the purpose of hearing any and all oral or written objections to proposed assessments in connection with the following described improvements:

Project No. 542 – Paving Improvements

Resolution No. 2872 and [___]

Paving Douglas Road (Sunset Rd. to Towanda Ave.).

Property Description:

See attached Exhibit A.

Cost of Improvements:

\$1,409,413.27.

\$591,668.08 or 42% to be assessed against the Improvement District and \$817,745.19 or 58% to be paid by the City-at-large

An Assessment Roll prepared in accordance with the referenced Resolution(s) approved by the governing body is on file in the Office of the City Clerk and may be examined by any interested party. At the conclusion of the public hearing, the governing body will consider an Ordinance levying such special assessments.

DATED May 17, 2021.

/s/ Tabitha Sharp, City Clerk

EXHIBIT D

**NOTICE OF HEARING
AND
STATEMENT OF COST PROPOSED TO BE ASSESSED**

May 22, 2021
El Dorado, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on **Schedule I** attached hereto, that there is proposed to be assessed against the property, certain amounts for the costs of certain internal improvements (the “Improvements”) previously authorized by the governing body of the City of El Dorado, Kansas (the “City”). The description of the Improvements, the resolution number authorizing the same and the proposed amount of assessment are set forth on **Schedule I** attached hereto.

You are hereby further notified that the governing body of the City will meet on June 7, 2021, at 6:30 p.m., at 200 E. 1st El Dorado, Kansas 67042, for the purpose of considering the proposed assessments.

The proposed Assessment Roll is on file in my office for public inspection. **WRITTEN OR ORAL OBJECTIONS TO THE PROPOSED ASSESSMENTS WILL BE CONSIDERED AT THE PUBLIC HEARING.**

At the conclusion of the public hearing, the governing body of the City will consider an ordinance levying such special assessments. A subsequent Notice of Assessment will be mailed to affected property owners at that time indicating that each property owner may pay the assessment in whole or in part within thirty (30) days from the date of such notice. Any amount not so paid within the time period prescribed will be collected in 20 annual installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 12-6a01 *et seq.*

Tabitha Sharp, City Clerk

SCHEDULE I

**PROJECT 542 – PAVING IMPROVEMENTS
RESOLUTION NO. 2872 AND [___]**

Description of Property	Amount of Proposed Assessment
Lots 1, 2, 3 & 4 Block 1 Lowes 1st Addition 925 S Douglas Rd	43,750.44
Beginning at the NE/c of Lot 11, Blk 1 Lowe's 1st Addition of City of El Dorado thence W 158;S65;E158;N65 to POB 1007 S Douglas Rd	8,439.09
Beginning 65 ft S of NE/c Lot 11, Blk 1 Lowes 1st Addition to City of El Dorado thence W 158;S160;E158;N160 to POB 1015 S Douglas Rd	16,063.49
Lot 13 Blk 1 Jack Lowes 2nd Add 1305 W Park	9,887.81
Lot 12 Blk 1 Jack Lowes 2nd Add 1113 S Douglas Rd	9,899.60
Lot 11 Blk 1 Jack Lowes 2nd Add 1121 S Douglas Rd	9,154.80
Lot 10 Blk 1 Jack Lowes 2nd Add 1129 S Douglas Rd	10,553.20
Lot 9 Blk 1 Jack Lowes 2nd Addition 1137 S Douglas Rd	8,432.80
Lot 8 Blk 1 Jack Lowes 2nd Addition 1145 S Doulgas Rd	14,170.80
Lot 7 Blk 1 Jack Lowes 2nd Addition 1155 S Douglas Rd	10,623.42
Lot 5 & 6 Blk 2 Olsens Subdivision W Finney Ave	2,066.27

Lot 7 Blk 2 Olsen Subdivision 1405 W Finney Ave	6,613.43
Lot 8 Blk 2 Olsen Subdivision W Finney Ave	6,615.24
Lot 9 Blk 2 Olsen Subdivision 1323 W Finney	8,271.31
Lot 10 Blk 2 Olsen Subdivision 1313 W Finney	5,791.11
Lot 11, Blk 2 Olsons Addition a subdivision in SW1/4 on NE1/4 of S10 T26S R5E of 6th p.m. 1201 S Douglas Rd	10,407.02
Beg NE/c of S1/2 of N1/2 of N1/2 of SW1/4 of NE1/4 of Sec10 T26S R5E of 6th p.m. thence S144;W230;N144; E230 to POB in Butler County Kansas 1225 S Douglas Rd	17,708.18
Lot 1 Blk 1 Finey/Alfaro Addition 1237 S Douglas Rd	7,523.49
Lot 2 Block 1 Finey/Alfaro Addition 1241 S Douglas Rd	27,782.13
Lot 3 Blk 1 Finey/Alfaro Addition 1251 S Douglas Rd	6,887.88
Beg NW/c Lot 4 Blk 1 E91 S46.5 W30 S96 E30 S18.2 W102 N160.73 to POB Finney/Alfaro Addition S Douglas Rd	6,609.74
Beg 66N SE/c N1/2 SW1/4 NE1/4 S10 T26S R05E 6th pm N48;W205;S48;E205 to POB Butler County KS 1257 S Douglas Rd	7,339.33

Beg 18N SE/c N1/3 SW1/4 N1/2 SW1/4 NE1/4 S10 T26S R05E 6th pm N48;W205;S48;E205 POB Butler County KS 1263 S Douglas Rd	6,748.81
Beg 18N & 32.5W NE/c S/2 SW1/4 NE1/4 S104 W274.5 N86 E102 N18 E172.5 to POB S10 T26 R05E 1303 S Douglas Rd	14,769.80
Beg 482.5N SE/c SW1/4 NE1/4 W157 S58.5 W150 N148.9 E307 S90.4 to POB less ROW S10 T26 R05E 1313 S Douglas Rd	19,365.89
Beg 175S of the NE/c SE 1/4 SW1/4 NE1/4 S10 T26S R5E of 6th pm Butler Co thence W157;S58.5;W157;N58.5 to POB 1319 S Douglas Rd	6,163.60
Beg 233.5S NE/c of SE1/4 SW1/4 of NE1/4 S10 T26S R5E of 6th pm. Thence W157; S47.5;E157 N47.5 to POB and Beg 157W & 300N of SE/c SW1/4 NE1/4 S10 T26S R5E of 6th pm; N126.5; W150;S126.5;E150 to POB Butler County KS 1323 S Douglas Rd	14,506.78
Beg 330N SW/c SE1/4 NE 1/4 S10 T26S R5E 6th pm. Thence N49;W157;S49;E157 to POB Butler County KS 1329 S Douglas Rd	4,295.27
Beg 230N SE/c SW1/4 NE1/4 S10 T26S R05E of 6th pm thence N50;W157;S50;E157 to POB Butler County Ks 1339 S Douglas Rd	7,042.66
NE1/4 S10 T26S R05E 6pm Butler Co KS Beg 130N SW/c SE1/4 NE1/4; N100;W157; S100;E157 to POB 1349 S Douglas Rd	7,701.58

Beg 157W SW/c SE1/4 NE1/4 S10 T26S R05E 6th pm N300;W150;S300;E150 to POB Butler County Kansas 1314 W Sunset Rd	21,436.29
Beg 77W SE/c SW 1/4 NE 1/4 S10 T26S R05E 6th pm Butler Co Kansas N130;W80; S130; E80 to POB 1310 W Sunset Rd	4,299.14
Beg SE/c SW1/4 NE1/4 S10 T26S R05E of 6th pm; N130;W77;S130;E77 to POB in Butler County KS 1359 S Douglas Rd	3,455.39
Lots 16 & 17 Except E70, Lt 18 N30.26 Lt 19 Marcum's Subdivision 930 S Douglas Rd	18,491.85
E70 Lot 16 Lot 17 Marcum's Sub 1227 W Towanda Ave	4,731.09
Lot 20, Lot 19 Except N30.26 Marcum's Subdivision 936 S Douglas Rd	9,847.48
Beg NW/c S1/2 NW1/4 NE1/4 NE1/4 NE1/4 S10 T26 R05E 6th pm; E195;S75;W195;N75 to POB 1002 S Douglas Rd	9,722.31
W165.07 Lt 4 Block 1 Hullihan Add. 1010 S Douglas Rd	8,386.41
Lot 2 Block 1 Hullihan Addition 1016 S Douglas Rd	9,506.92
Lot 1 Block 1 Hullihan Addition 1034 S Douglas Rd	6,069.45
Lots 1 & 2 Block 1 Sheldens 1st Add. 1110 S Douglas Rd	6,448.39

Lots 3 4 & 5 Block 1 Sheldens 1st Add 1118 S Douglas Rd	7,137.99
Lots 6 & 7 N/2 Lot 8 Block 1 Sheldens 1st Addition 1124 S Douglas Rd	5,629.63
S25 Lt 8 Lts 9 & 10 Block 1 Sheldens 1st Addition 1138 S Douglas Rd	4,383.99
Lots 11 & 12 Block 1 Sheldens 1st Addition 1238 W Finney	3,507.19
W60 Lt 1 Lt 2 W60 N8 Lt 3 Blk 4 Sheldens 1st Addition 1206 S Douglas Rd	3,444.71
Lot E64 1 & 2 Block 4 Sheldens 1st Addition 1237 W Finney Ave	115.62
Lots 3 & 4 Exc N8 W60 Blk 4 Sheldens 1st Addition 1218 S Douglas Rd	5,250.93
Lots 5 & 6 Block 4 Sheldens 1st Addition 1221 S Ellet	3,542.26
Lots 7 8 & 9 Block 4 Sheldens 1st Addititon S Ellet	5,313.39
Lots 10 11 & 12 Block 4 Sheldens 1st Addition 1237 S Ellet	5,436.14
Lot 1 N12 Lot 2 W/2 Adj Vac St Blk 1 Sheldens 2nd Addition 1302 S Douglas Rd	5,401.07

Beg 60W NE/c Lot 1, Blk 2 Sheldens 2nd Addition; S120;W55;N120;E55 to POB Being parts Lots 1, 3, 5 Blk 2 of said Addition Butler County Kansas 1221 W Clark	6,380.82
E60 Lots 1 & 3 N20 of E60 Lot 5 S30 Lot 5 N1/2 Lot 7 all in Blk 2 Sheldens 2nd Addition Butler County Kansas 1217 W Clark Ave	6,537.80
S38 Lot 2 N20 Lot 3 W/2 Adj Vac St Block 1 Sheldens 2nd Addition 1312 S Douglas Rd	6,365.90
S30 Lot 3 N/2 Lot 4 Blk 1 Sheldens 2nd Addition & Beg SE/c N1/2 Lot 4, Blk 1 aforesaid; E30 to center of Ellet St before its vacation; N55 along center line said street to a point 30'N & 30'E SE/c Lot 3 Blk 1 W30 to a point 30'N SE/c Lot 3;S along E line of Lots 3 & 4 a distance of 55' to POB 1318 S Douglas Rd	6,063.51
S1/2 Lot 4 all Lot 5 Blk 1 Sheldens 2nd Addition to Townsite now City of El Dorado & part of vacated Ellet St: Beg SE/c Lot 5; E along S line of said Lot 5 30'; N parallel with E line Lot 5 75'; W30 S75 to POB Butler County KS 1322 S Douglas Rd	9,172.28
Lots 9 & 11 S/2 Lot 7 Block 2 Lot 6 Block 1 Pt Adj Vac Ellet St Sheldens 2nd Addition 1330 S Douglas Rd	16,411.25
Lots 7 & 8 Block 1 Lots 13 & 15 Blk 2 Sheldens 2nd Addition 1340 S Douglas Rd	19,285.48

Lot 9 W/2 Adj Vac St Block 1 Sheldens 2nd Addition 1344 S Douglas Rd	6,762.62
Lots 17 19 21 & 23 E/2 Adj Vac St Blk 2 Sheldens 2nd Addition 1218 W Conner Ave	14,704.46
Lots 10 11 12 W/2 Adj Vac St Blk 1 Sheldens 2nd Addition 1352 S Douglas Rd	13,241.34

CERTIFICATE OF MAILING

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

The undersigned, City Clerk of the City of El Dorado, Kansas (the “City”), does hereby certify that on May 22, 2021, I caused to be mailed to each and all of the owners of property affected thereby, at their last known post office address, a Notice of Public Hearing and Statement of the Cost Proposed to be Assessed in connection with certain improvements in the City.

A sample copy of the form of such Notice of Hearing and Statement of Cost Proposed to be Assessed is attached hereto.

WITNESS my hand and seal as of May 22, 2021.

(Seal)

Tabitha Sharp, City Clerk

[attach sample copy of form]

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON MAY 17, 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, there was presented a Resolution entitled:

A RESOLUTION AMENDING RESOLUTION NO. 2872; 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 (PAVING IMPROVEMENTS/PAVING DOUGLAS RD - PROJECT 542).

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.

* * * * *

(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)

Clerk

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

(Published in the *Butler County Times-Gazette* on May 22, 2021)

RESOLUTION NO. ____

A RESOLUTION AMENDING RESOLUTION NO. 2872; 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 (PAVING IMPROVEMENTS/PAVING DOUGLAS RD - PROJECT 542).

WHEREAS, the City of El Dorado, Kansas (the “City”) is a municipal corporation, duly created, organized and existing under the Constitution and laws of the State; and

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, pursuant to proceedings duly held, the City Commission of the City (the “Governing Body”) has heretofore by Resolution No. 2872 of the City (the “Prior Resolution”) authorizing certain internal improvements described therein; and

WHEREAS, the portion of the improvements authorized by the Prior Resolution that are payable by the City-at-large has increased and Governing Body hereby finds it necessary and advisable to amend the Prior Resolution and reauthorize such improvements.

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

Section 1. Amendment. *Section 1* of the Prior Resolution is hereby amended as set forth below:

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 Douglas Road from Sunset Road to Towanda Avenue, 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: \$1,409,413.27; 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; to the City of El Dorado, Butler County, Kansas.

(d) The method of assessment is: equally per square foot, plus the cost of driveway approaches for each individual lot.

In the event all or part of the lots or parcels in the proposed Improvement District are platted or replatted before assessments have been levied, the assessments against the platted or 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: 41.98% to be assessed against the Improvement District and 58.02% to be paid by the City-at-large.

Section 2. Authorization of Improvements. The Improvements are hereby re-authorized and ordered to be made in accordance with the findings of the Governing as set forth in Prior Resolution, as amended. The Prior Resolution was subject to notice and protest in accordance with the Act. No sufficient protest was filed against the Prior Resolution and the costs payable by the Improvement District have decreased. Therefore, the Prior Resolution, as amended, shall not be subject to notice and protest under the Act.

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 the Prior 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 May 17, 2021.

(SEAL)

By: _____

Name: Bill Young

Title: Mayor

ATTEST:

By: _____

Name: Tabitha Sharp

Title: 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 May 17, 2021, as the same appears of record in my office.

DATED: May 17, 2021.

By: _____

Name: Tabitha Sharp

Title: Clerk

EXHIBIT A

PROPERTY DESCRIPTION
PAVING DOUGLAS ROAD (SUNSET RD. TO TOWANDA AVE.)

Lots 1, 2, 3 & 4 Block 1 Lowes 1st Addition
925 S Douglas Rd

Beginning at the NE/c of Lot 11, Blk 1
Lowe's 1st Addition of City of El Dorado
thence W 158;S65;E158;N65 to POB
1007 S Douglas Rd

Beginning 65 ft S of NE/c Lot 11, Blk 1
Lowes 1st Addition to City of El Dorado
thence W 158;S160;E158;N160 to POB
1015 S Douglas Rd

Lot 13 Blk 1 Jack Lowes 2nd Add
1305 W Park

Lot 12 Blk 1 Jack Lowes 2nd Add
1113 S Douglas Rd

Lot 11 Blk 1 Jack Lowes 2nd Add
1121 S Douglas Rd

Lot 10 Blk 1 Jack Lowes 2nd Add
1129 S Douglas Rd

Lot 9 Blk 1 Jack Lowes 2nd Addition
1137 S Douglas Rd

Lot 8 Blk 1 Jack Lowes 2nd Addition
1145 S Douglas Rd

Lot 7 Blk 1 Jack Lowes 2nd Addition
1155 S Douglas Rd

Lot 5 & 6 Blk 2 Olsens Subdivision
W Finney Ave

Lot 7 Blk 2 Olsen Subdivision
1405 W Finney Ave

Lot 8 Blk 2 Olsen Subdivision
W Finney Ave

Lot 9 Blk 2 Olsen Subdivision
1323 W Finney

Lot 10 Blk 2 Olsen Subdivision
1313 W Finney

Lot 11, Blk 2 Olsons Addition a
subdivision in SW1/4 on NE1/4 of S10
T26S R5E of 6th p.m.
1201 S Douglas Rd

Beg NE/c of S1/2 of N1/2 of N1/2 of
SW1/4 of NE1/4 of Sec10 T26S R5E
of 6th p.m. thence S144;W230;N144;
E230 to POB in Butler County Kansas
1225 S Douglas Rd

Lot 1 Blk 1 Finey/Alfaro Addition
1237 S Douglas Rd

Lot 2 Block 1 Finey/Alfaro Addition
1241 S Douglas Rd

Lot 3 Blk 1 Finey/Alfaro Addition
1251 S Douglas Rd

Beg NW/c Lot 4 Blk 1 E91 S46.5 W30
S96 E30 S18.2 W102 N160.73 to POB
Finey/Alfaro Addition
S Douglas Rd

Beg 66N SE/c N1/2 SW1/4 NE1/4 S10 T26S
R05E 6th pm N48;W205;S48;E205 to POB
Butler County KS
1257 S Douglas Rd

Beg 18N SE/c N1/3 SW1/4 N1/2 SW1/4
NE1/4
S10 T26S R05E 6th pm N48;W205;S48;E205
POB Butler County KS
1263 S Douglas Rd

Beg 18N & 32.5W NE/c S/2 SW1/4
NE1/4 S104 W274.5 N86 E102 N18
E172.5 to POB S10 T26 R05E
1303 S Douglas Rd

Beg 482.5N SE/c SW1/4 NE1/4 W157
S58.5 W150 N148.9 E307 S90.4
to POB less ROW S10 T26 R05E
1313 S Douglas Rd

Beg 175S of the NE/c SE 1/4 SW1/4
NE1/4 S10 T26S R5E of 6th pm Butler Co
thence W157;S58.5;W157;N58.5 to POB
1319 S Douglas Rd

Beg 233.5S NE/c of SE1/4 SW1/4 of NE1/4 S10
T26S R5E of 6th pm. Thence W157; S47.5;E157
N47.5 to POB and Beg 157W & 300N of SE/c
SW1/4 NE1/4 S10 T26S R5E of 6th pm; N126.5;
W150;S126.5;E150 to POB Butler County KS
1323 S Douglas Rd

Beg 330N SW/c SE1/4 NE 1/4 S10 T26S R5E
6th pm. Thence N49;W157;S49;E157 to POB
Butler County KS
1329 S Douglas Rd

Beg 230N SE/c SW1/4 NE1/4 S10 T26S
R05E of 6th pm thence N50;W157;S50;E157
to POB Butler County Ks
1339 S Douglas Rd

NE1/4 S10 T26S R05E 6pm Butler Co KS
Beg 130N SW/c SE1/4 NE1/4; N100;W157;
S100;E157 to POB
1349 S Douglas Rd

Beg 157W SW/c SE1/4 NE1/4 S10 T26S
R05E 6th pm N300;W150;S300;E150 to POB
Butler County Kansas
1314 W Sunset Rd

Beg 77W SE/c SW 1/4 NE 1/4 S10 T26S
R05E 6th pm Butler Co Kansas N130;W80;
S130; E80 to POB
1310 W Sunset Rd

Beg SE/c SW1/4 NE1/4 S10 T26S R05E
of 6th pm; N130;W77;S130;E77 to POB
in Butler County KS
1359 S Douglas Rd

Lots 16 & 17 Except E70, Lt 18 N30.26
Lt 19 Marcum's Subdivision
930 S Douglas Rd

E70 Lot 16 Lot 17 Marcum's Sub
1227 W Towanda Ave

Lot 20, Lot 19 Except N30.26
Marcum's Subdivision
936 S Douglas Rd

Beg NW/c S1/2 NW1/4 NE1/4 NE1/4 NE1/4
S10 T26 R05E 6th pm; E195;S75;W195;N75
to POB
1002 S Douglas Rd

W165.07 Lt 4 Block 1 Hullihan Add.
1010 S Douglas Rd

Lot 2 Block 1 Hullihan Addition
1016 S Douglas Rd

Lot 1 Block 1 Hullihan Addition
1034 S Douglas Rd

Lots 1 & 2 Block 1 Sheldens 1st Add.
1110 S Douglas Rd

Lots 3 4 & 5 Block 1 Sheldens 1st Add
1118 S Douglas Rd

Lots 6 & 7 N/2 Lot 8 Block 1
Sheldens 1st Addition
1124 S Douglas Rd

S25 Lt 8 Lts 9 & 10 Block 1
Sheldens 1st Addition
1138 S Douglas Rd

Lots 11 & 12 Block 1
Sheldens 1st Addition
1238 W Finney

W60 Lt 1 Lt 2 W60 N8 Lt 3 Blk 4
Sheldens 1st Addition
1206 S Douglas Rd

Lot E64 1 & 2 Block 4
Sheldens 1st Addition
1237 W Finney Ave

Lots 3 & 4 Exc N8 W60 Blk 4
Sheldens 1st Addition
1218 S Douglas Rd

Lots 5 & 6 Block 4
Sheldens 1st Addition
1221 S Ellet

Lots 7 8 & 9 Block 4
Sheldens 1st Addititon
S Ellet

Lots 10 11 & 12 Block 4
Sheldens 1st Addition
1237 S Ellet

Lot 1 N12 Lot 2 W/2 Adj Vac St Blk 1
Sheldens 2nd Addition
1302 S Douglas Rd

Beg 60W NE/c Lot 1, Blk 2 Sheldens 2nd
Addition; S120;W55;N120;E55 to POB
Being parts Lots 1, 3, 5 Blk 2 of said Addition
Butler County Kansas
1221 W Clark

E60 Lots 1 & 3 N20 of E60 Lot 5 S30 Lot 5
N1/2 Lot 7 all in Blk 2 Sheldens 2nd Addition
Butler County Kansas
1217 W Clark Ave

S38 Lot 2 N20 Lot 3 W/2 Adj Vac
St Block 1 Sheldens 2nd Addition
1312 S Douglas Rd

S30 Lot 3 N/2 Lot 4 Blk 1 Sheldens 2nd Addition
&
Beg SE/c N1/2 Lot 4, Blk 1 aforesaid; E30 to
center
of Ellet St before its vacation; N55 along center
line
said street to a point 30'N & 30'E SE/c Lot 3 Blk 1
W30 to a point 30'N SE/c Lot 3;S along E line of
Lots 3 & 4 a distance of 55' to POB
1318 S Douglas Rd

S1/2 Lot 4 all Lot 5 Blk 1 Sheldens 2nd Addition
to Townsite now City of El Dorado & part of
vacated Ellet St: Beg SE/c Lot 5; E along S line of
said Lot 5 30'; N parallel with E line Lot 5 75';
W30
S75 to POB Butler County KS
1322 S Douglas Rd

Lots 9 & 11 S/2 Lot 7 Block 2
Lot 6 Block 1 Pt Adj Vac Ellet St
Sheldens 2nd Addition
1330 S Douglas Rd

Lots 7 & 8 Block 1 Lots 13 & 15 Blk 2
Sheldens 2nd Addition
1340 S Douglas Rd

Lot 9 W/2 Adj Vac St Block 1
Sheldens 2nd Addition
1344 S Douglas Rd

Lots 17 19 21 & 23 E/2 Adj Vac St
Blk 2 Sheldens 2nd Addition
1218 W Conner Ave

Lots 10 11 12 W/2 Adj Vac St Blk 1
Sheldens 2nd Addition
1352 S Douglas Rd



ECONOMIC DEVELOPMENT INCENTIVES

EL DORADO

K A N S A S



Industrial Revenue
Bonds



Community
Improvement Districts



Benefit
Districts



EL DORADO INDUSTRIAL PARK

El Dorado, Inc. is a public/private partnership with the City of El Dorado whose function is to recruit and assist new and existing businesses, helping them to provide jobs and a strong tax base for the community.

The public-private economic development partnership between El Dorado, Inc. and the City of El Dorado began in 1987. El Dorado, Inc. is a membership organization and is governed by a Board of Directors made up of local business leaders, banks, utilities and representatives appointed by the City of El Dorado Commission. The El Dorado, Inc. Executive Director serves as the information point person for businesses that are considering expanding or locating in the City of El Dorado.

The City of El Dorado and El Dorado, Inc. work to be a partner to all new and existing El Dorado businesses. Assistance includes helping businesses get accurate information, while streamlining the development process. This partnership can also help identify resources and available opportunities.

For contacts and information visit www.developeldorado.com.



TABLE OF CONTENTS



About Us	2
----------	---



Industrial Revenue Bonds (IRB)	4-6
--------------------------------	-----



Economic Development Exemption	7-9
--------------------------------	-----



Sales Tax Abatement/Resolution of Intent	10-11
--	-------



Tax Increment Financing (TIF)	12-13
-------------------------------	-------



Community Improvement Districts (CID)	14-18
---------------------------------------	-------



Community Development Block Grant	20-21
-----------------------------------	-------



Neighborhood Revitalization	22-23
-----------------------------	-------



INCENTIVE

INDUSTRIAL REVENUE BONDS (IRB)

OFFERING A TAX ABATEMENT

Through Industrial Revenue Bonds, the City of El Dorado may grant qualified businesses a property tax abatement of up to 85% of the new real property taxes for up to ten years. This is based on the economic impact of the project, jobs created and the current City of El Dorado adopted tax abatement policy.



Businesses that qualify for tax-exempt Industrial Revenue Bonds (IRBs) enjoy numerous benefits, including:

- Favorable interest rates
- Financing for land, building, equipment, architectural and legal fees
- Sales tax exemptions for buildings and fixed equipment funded with IRBs

BG PRODUCTS, INC.



The 2018-2019 BG Products expansion to their 53,000-square-foot warehouse added over 145,000 square feet to the existing building.

BG blends products used to maintain vehicles through high quality automotive maintenance services for fuel systems, engines, transmissions, brakes, power steering, cooling, battery, drive line and climate control systems.

BG distributes their products through a limited number of distributors that sell to automotive dealerships, franchise or independent shops.

ABOUT THE BUSINESS

- » **Location:**
El Dorado Industrial Park
- » **Address:**
1225 N. Haverhill Road
- » **Tax Abatement:** 100%
- » **Effective:** 2020
- » **Completed:** 2029
- » **Term:** 10 years

DAYS INN (HRSP, LLC)



The Days Inn and Suites was built in 2015. It is a two-story, 42-room facility, with a small kitchen in each room. The rooms were built with the contract workers who often serve HollyFrontier Refining in mind. The project also utilized the opportunity to create a Community Improvement District to offset some of the building costs.

ABOUT THE BUSINESS

- » **Location:**
El Dorado Business Office Park
- » **Address:**
3200 W. El Dorado Ave.
- » **Tax Abatement:** 100%
- » **Effective:** 2017
- » **Completed:** 2026
- » **Term:** 10 years

INCENTIVE

ECONOMIC DEVELOPMENT EXEMPTION

Economic Development Exemptions (EDX) offer businesses a tax exemption for improvements to land and buildings for up to ten years.

01

The percent of the exemption is based on the number of jobs created and capital investment.



02

Exemptions can be made for up to ten years depending on the current City Commission tax abatement policy.



03

All new business equipment is permanently exempt under state law.



04

Eligibility is determined by the following: manufacture of articles of commerce, conduct research and development, or store goods or commodities sold or traded in interstate commerce.

CONFAB



ConFab, Incorporated (CFI), a C-Tech Industrial Group company, specializes in custom pipe and steel fabrications for commercial, industrial, and petrochemical/ethanol applications. CFI purchased a 24,000+ square-foot building at 630 N. Metcalf Road, built in 2007.

Due to the economic downturn in 2008, the occupant who built the building defaulted and the building remained vacant until 2017. By using the EDX option for the purchase of the building, the community has been able to see the building utilized at its highest and best use as well as creating and retaining jobs.

ABOUT THE BUSINESS

- » **Location:**
Along Sixth Avenue
- » **Address:**
630 N. Metcalf Road
- » **Tax Abatement:** 100%
- » **Effective:** 2020
- » **Completed:** 2029
- » **Term:** 10 years

OWENS CONSTRUCTION, INC.



Owens Construction, Inc. (OCI) purchased the 20,000-square-foot building located at 530 N. Metcalf. The building was built in 1974 and had been vacant since 2007. OCI fabricates and installs imaging for petroleum stations such as Sinclair around the U.S. OCI has a sister company Graphic Concepts, Inc. (GCI) that produces many of the image products they install.

By using the EDX option for the purchase of the building, the community has been able to see the building utilized at its highest and best use as well as creating and retaining jobs.

ABOUT THE BUSINESS

- » **Location:**
Along Sixth Avenue
- » **Address:**
530 N. Metcalf Road
- » **Tax Abatement:** 100%
- » **Effective:** 2020
- » **Completed:** 2029
- » **Term:** 10 years



INCENTIVE

SALES TAX REBATE

CODY FOSTER CADILLAC, BUICK, GMC

Occasionally, franchise businesses run into an expense for imaging that was not planned. This was the case with John K. Fisher in 2012/2013. They were required to implement nearly \$1M in imaging changes to retain the Cadillac, Buick, GMC dealership.

To help keep the dealership in El Dorado, the City of El Dorado entered into a sales tax rebate agreement that allowed them to receive a rebate of 75% of any sales tax they collected over the base amount of \$60,000 per year. The rebate would continue for up to fifteen years or until \$300,000 was rebated. The rebate is currently in its eighth year.

ABOUT THE BUSINESS

» **Address:**

2670 W. Central Ave.

» **Project Cost:**

\$1,000,000 required re-imaging to retain franchise

» **Sales Tax Rebate:**

Not to exceed \$300,000

» **Base Sales Tax:**

\$60,000 annually

» **Rebate:** 75% of all sales tax collected over \$60,000





INCENTIVE

RESOLUTION OF INTENT



MEARS
FERTILIZER, INC.

WE GROW WHERE YOU GROW

mearsinc.com

MEARS FERTILIZER INC

» **Investment:**

Approximately \$13,020,000

» **Tax Abatement:**

100% on new construction

» **Payment in Lieu of Tax:**

Equal to tax on existing facilities

» **Term:** 10 years

» **Classification:**

Warehouse/Blending Facility

Mears Fertilizer Inc. purchased 15.6 acres from the City of El Dorado to expand their blending and warehouse operations. The new facility will be constructed partially in Butler County and partially in the City of El Dorado.

The City of El Dorado and Butler County, KS, worked together in 2020 to issue a resolution of intent to issue Industrial Revenue Bonds or an Economic Development Exemption for a project not to exceed \$13,020,000.



INCENTIVE

TAX INCREMENT FINANCING

TIF economic development incentives help to stimulate economic development in a targeted geographical area.

WHAT IS IT?

AREAS ELIGIBLE FOR TIF

USE OF FUNDS

TERM OF FINANCING

TIFs finance redevelopment projects or other investments.



A local government financing tool that can be used to target development in specific areas. A TIF captures new tax dollars to fund needed public improvements that would not otherwise have occurred.



Blighted Areas, Conservation Areas and Enterprise Zones. The area must be within city limits.



Under Kansas Law, funds may only be used for public infrastructure improvements or demolition of existing structures. Funding cannot be used for private building construction.



Up to twenty years.

ORSCHELN FARM & HOME



Orscheln Farm & Home, previously located on West Central Avenue, has been a member of the El Dorado community for many years. Their new location at 2908 W. Central Avenue was previously occupied by Fenton Ford. The vacant building on site had become blighted and was a poor representation of commercial property at the entrance of El Dorado.

Re-platting the area and creating a TIF district allowed Orscheln to build a new 40,000-square-foot store in 2020. In addition, there are three additional building sites available for more development. This TIF district project created a more attractive West Central entrance to the El Dorado community.

ABOUT THE BUSINESS

- » **Address:**
2908 W. Central Ave.
- » **District Established:**
June 1, 2020
- » **Plan Adopted:**
August 7, 2020
- » **Total Project:** \$6 Million
- » **Term:** 20 years



INCENTIVE

COMMUNITY IMPROVEMENT DISTRICT

Community Improvement Districts (CID) allow the governing body to levy additional taxes to fund improvements in a designated area.

01

The taxes are derived from retail sales or special assessments on real property within the designated district

02

CIDs can be used for commercial, industrial or mixed-use projects. CID tax revenue can be used to pay for a wide range of capital costs and certain on-going operating costs.

03

CIDs may impose an additional retail sales tax of up to 2% or a special assessment tax on real property with the district for up to twenty-two years.

AMERICAN REALTY



Improvements made by creating a CID at 2710 W. Central Avenue provided the upgrades needed to attract a new Dollar Tree store to the community as well as providing a bigger store footprint for Hibbett Sports. Today, the center is completely filled with additional new tenants such as Susan B. Allen Urgent Care, T-Mobile and the Daily Spot, a smoothie shop. Exterior improvements included a new façade, signage and parking lot improvements, in addition to the leasehold improvements.

This project adds another upgrade to the west entrance to the community.

PROJECT DETAILS

- » **Address:**
2710 W. Central Ave.
- » **Plan Approval Date:**
February 6, 2017
- » **CID Sales Tax:** 1%
- » **Financing:**
Pay As You Go
- » **Total Project:**
\$1,894,200
- » **CID Development Reimbursement Cost Cap:**
\$1,648,700
- » **% Public Incentive of Total Project Cost:**
87.04%
- » **Term of CID:**
22 years

NAVNI SERVICES



The CID district created at 2525 W. Central Avenue helped to provide a funding source for facility improvements and acquisition. Today, the facility has acquired the Baymont Inn flag, a subsidiary to Wyndham Hotels and Resorts. The facility has seventy-three rooms and in addition to sales tax, also generates bed tax for the City of El Dorado. Lodging is an economic driver to all communities, but in El Dorado, we are dependent on lodging to support the needs of our local refinery during expansion, maintenance and turn-around projects. There are times we have over 1,500 visitors/contract workers in our community to support the projects at HollyFrontier Refining.

PROJECT DETAILS

- » **Address:**
2525 W. Central Ave.
- » **Plan Approval Date:**
August 7, 2017
- » **CID Sales Tax:** 2%
- » **Financing:**
Pay As You Go
- » **Total Project:**
\$1,110,000
- » **CID Development Reimbursement Cost Cap:**
\$1,100,000
- » **% Public Incentive of Total Project Cost:**
100%
- » **Term of CID:**
22 years

WEST HILL HOLDINGS



The creation of a CID at 2530 W. Central Avenue has provided the buyer with funding to make interior site improvements and recoup a portion of the acquisition cost of the property over time. The facility was built in 1991 and is home to Super 8. There are forty-nine rooms and it is always busy as a well-known franchise in the U.S. The facility was purchased by the current owners in December of 2019. Super 8 collects bed tax and is one of the lodging properties we depend on to house contract workers during refinery expansion, maintenance and turn-around events.

PROJECT DETAILS

- » **Address:**
2530 W. Central Ave.
- » **Plan Approval Date:**
February 3, 2020
- » **CID Sales Tax:** 2%
- » **Financing:**
Pay As You Go
- » **Total Project:**
\$1,850,000
- » **CID Development Reimbursement Cost Cap:**
\$1,850,000
- » **% Public Incentive of Total Project Cost:**
100%
- » **Term of CID:**
22 years

HRSP, LLC

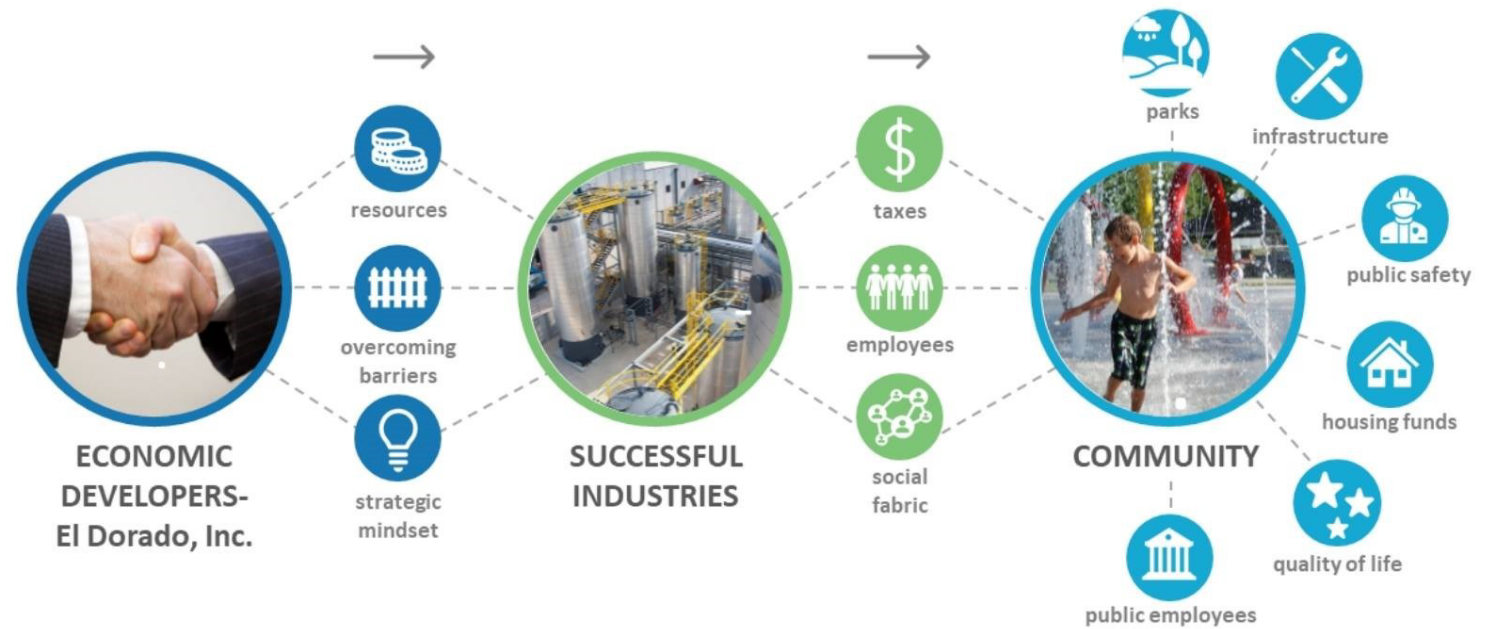


HRSP, LLC built the Days Inn and Suites in 2015. The 42-room facility was designed to host overnight visitors to the community and also as a long-term stay facility for refinery contract workers. Each room in the facility has a kitchenette with a full-size refrigerator. The CID for this project made the upgrades to the standard room possible. Lodging projects collect sales tax and bed tax that are utilized by the City to make community improvements and market the community to visitors. The new tax base of the project is also beneficial to the overall community.

PROJECT DETAILS

- » **Address:**
3200 W. El Dorado Ave.
- » **Plan Approval Date:**
February 16, 2015
- » **CID Sales Tax:** 2%
- » **Financing:**
Pay As You Go
- » **Total Project:**
\$3,134,244
- » **CID Development Reimbursement Cost Cap:**
\$3,134,244
- » **% Public Incentive of Total Project Cost:**
100%
- » **Term of CID:**
22 years

Why Communities Invest in Economic Development



Scooters

2000 W. Central

» Built in 2021

» Appraised Value \$334K





COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

COMMERCIAL REHABILITATION GRANT

In recent years, Kansas has developed a Commercial Rehabilitation grant program to help cities improve the quality of their downtown commercial districts by assisting private property owners in the rehabilitation of blighted buildings. It is hoped that strategic investment of grant funds will help prevent the spread of blighted conditions to other nearby structures. The City is the applicant for the grant.



Must be a privately owned commercial or industrial building



Eligible projects must meet at least one of these national objectives:

- Prevention of elimination of slums or blight; and/or
- Job creation/retention



Eligible Activities:

- Building rehabilitation for code violations
- Historic preservation
- Building renovation for job creation



Improvements are limited to the following:

- Exterior of the building
- Abatement of Asbestos and lead-based paint hazards
- Correction of code violations

ENSMINGER



The 8,000-square-foot-per-floor building at 142 N. Main was built in 1918 and occupied by the Farm & Home business. By 2005, the building was under bank ownership and in need of some TLC. In 2005, two local businessmen bought the building and cleared mountains of debris. They resold the building in 2006. With renovations to the first floor, six retail business occupied the space. By 2019, the building was almost empty and blighted due to the lack of roof maintenance and water damage. In 2019, the building was sold to Nathan and Nicole Enslinger. With the help of the CDBG Commercial Rehabilitation grant, they have been able to replace the roof and correct code violations. The first floor currently houses five new tenants. A second phase of improvements is planned.

ABOUT THE BUSINESS

- » **Address:**
142 N. Main St.
- » **Program:**
2019 Downtown Commercial Rehab Program
- » **Phase 1 Cost:** \$330,600
- » **CDBG Grant:** \$247,950
- » **Completed:** Fall 2020



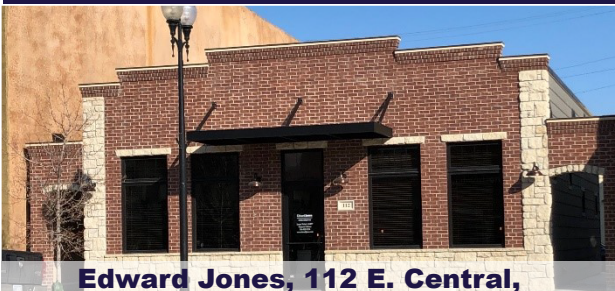
INCENTIVE

NEIGHBORHOOD REVITALIZATION PROGRAM

The first NRP was adopted November 18, 1996, with the most recent revision in October 2019, effective January 2020 to December 31, 2025. The plan is intended to promote the revitalization and development of certain properties within the City of El Dorado in order to protect the public health, safety, and welfare of the residents of the city. More specifically, the City will offer property tax rebates for certain improvements or renovation of property that meets the criteria in accordance with the provisions of K.S.A. 12-17, 114 et seq.

Eligible Commercial Properties

- 1** Condemned properties (as determined by the City Building Inspector's Office or the Commission) and any future properties that qualify for a City of El Dorado rehabilitation grant program are eligible. These properties must qualify through a description of blight, health or safety issues or grant programs as established and qualified by the City of El Dorado.



Edward Jones, 112 E. Central,
New 2021 infill construction downtown

- 3** Must be a minimum increase of at least 15% (\$10,000) or greater of the investment valuation as determined by the building permit value obtained through the City Building Inspector's office for commercial/industrial properties. The rebate for increased appraised value is for a maximum of five years and 95% tax rebate.

- 2** Buildings, 25 years or older, meeting the "dilapidated structure" description as outlined in K.S.A. 12-17, 115(a) and determined by the City Building Inspector's office, shall be allowed to petition the City Manager to be included in this program.

- 4** The current NRP guidelines define the El Dorado Opportunity Zone 20015020400 as the area where all commercial properties are eligible.

CURRENT COMMERCIAL PROPERTY IN NRP

Address	Business Type	Area	Years	Appraised Value	Accessed Value	2020 rebate
1726 W. Central	Office	W. Central	2012-2021	\$36,580	\$9,145	\$1,582
220 W. Central	Office	D/T	2014-2023	\$619,000	\$154,750	\$26,763
1464 W. 6th	Office/Warehouse	6th Corridor	2014-2023	\$242,060	\$60,515	\$10,466
317 S. Main	Retail/Housing	D/T	2014-2023	\$57,260	\$14,315	\$2,476
630 N Main	Retail	D/T	2014-2023	\$365,820	\$91,455	\$15,817
2670 W. Central	Retail	W. Central	2014-2023	\$215,310	\$53,828	\$9,244
117 W. Central	Commercial/Housing	D/T	2014-2023	\$27,160	\$6,790	\$1,174
625 N. Washington	Service	6th Corridor	2014-2023	\$94,730	\$23,683	\$4,096
114 W. Locust	Office	D/T	2015-2024	\$11,770	\$2,943	\$509
301 E. Central	Retail	D/T	2017-2021	\$450,840	\$112,710	\$19,492
101 N. Main	Office	D/T	2017-2021	\$50,240	\$12,560	\$2,172
202 W. 5th	Warehouse	6th Corridor	2018-2022	\$431,040	\$107,760	\$18,636
650 W. 6th	Office	6th Corridor	2019-2023	\$431,040	\$107,760	\$18,636
112 W. Central	Office	D/T	2020-2029	\$176,060	\$44,015	\$7,612
313 S. Main	Office	D/T	2020-2029	\$8,370	\$2,093	\$362

Energy Services

146 W. Sixth



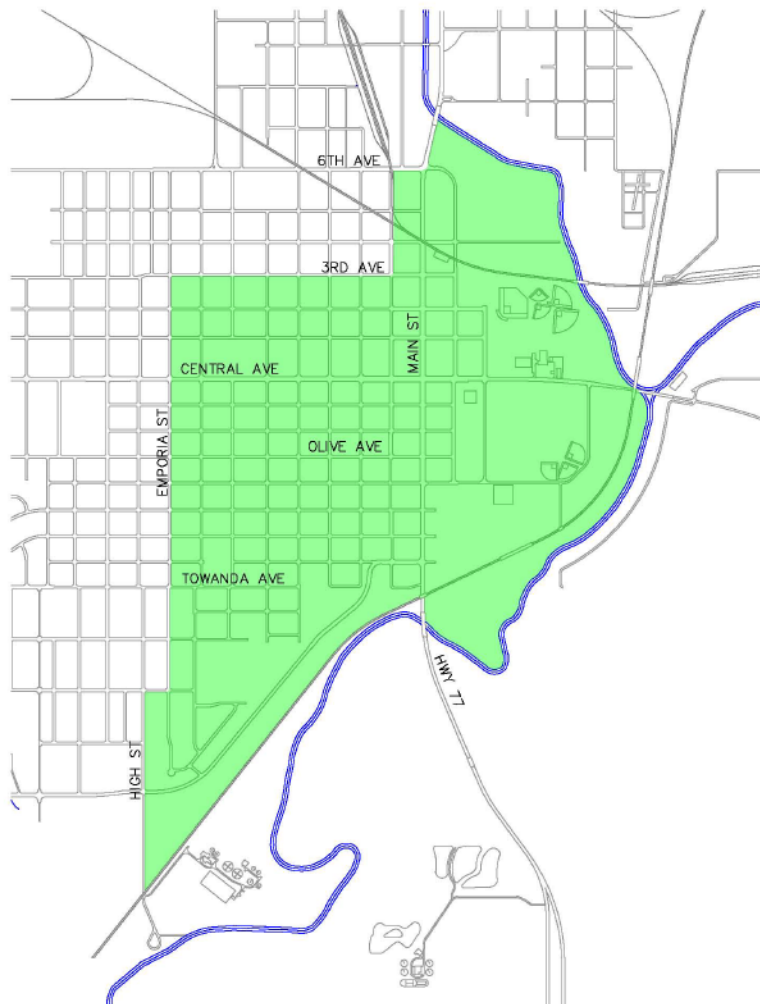
Built in 2014

Sunny Stop

301 E. Central Avenue



New infill in 2017



Rebates for the 15 eligible projects totaled **\$139,036** in 2020.

It makes good sense for a community to invest in economic development that grows the tax base and allows the community to enjoy basic services and quality of life upgrades. The City of El Dorado collects \$14,000 per year for every \$1M of appraised value resulting from new commercial property development.

Scott Rickard with the City of El Dorado and Linda Jolly with El Dorado, Inc. will help answer your questions regarding the development process, identify available properties, financing and incentives. Their goal is to provide resources and information to business owners/managers that will help their business succeed!



Contact Scott Rickard

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Contact Linda Jolly

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