



EL DORADO CITY COMMISSION – REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
March 15, 2021 – 6:30 PM

1. **Call to Order**
2. **Roll Call**
3. **Invocation** – Pastor Debbie McClure – Nazarene Church
4. **Pledge of Allegiance**

5. Proclamations and Recognition - 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. Linda Jolly – El Dorado Inc. Annual Report

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 March 1, 2021](#) and [Special City Commission Minutes from February 24, 2021](#).
9. Approval of [Appropriation Ordinance No. 02-21 in the amount of \\$1,625,513.79](#)

Old Business

10. None

New Business

11. [Paving Hunton Road and Simpson Road Public Hearing](#)
12. [Paving 5th Ave \(School-Hunton\) 2nd Ave \(School-Diagonal\) Public Hearing](#)
13. [Project #560 Sanitary Sewer South Haverhill](#)
14. [District 142 CDBG Phase II Public Hearing](#)

Discussion Items:

15. 4th of July Fireworks Location
16. EFABC Response

Reports

17. City Commission and Advisory Board Updates

18. City Manager

Adjournment

18. Consideration of a motion to adjourn the March 15, 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

March 1, 2021

The El Dorado City Commission met in a regular session on March 1, 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
Belinda & James Crenshaw	3337 SE Sage	El Dorado, KS
Sara Grove	1509 Country Club	El Dorado, KS
Michael Cartmell	622 N Topkea	El Dorado, KS
Emily Connell	El Dorado Main Street	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the March 1, 2021 meeting to order.

INVOCATION

Father John Lanzrath, St John Catholic Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITION

Mayor Bill Young read the proclamation recognizing Severe Weather Awareness Week.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

There were no comments.

CONSENT AGENDA

Approval of City Commission Minutes from February 1, 2021 and Special City Commission Minutes from January 27, 2021 and February 10, 2021.

Approval of Appropriation Ordinance No. 01-21 in the amount of \$1,545,090.24.

Approval of the appointment of Frank Hughes to the Planning Commission.

EL DORADO CITY COMMISSION MEETING

March 1, 2021

Approval of a one-year lease for a John Deere Skid-Steer in the amount of \$6,885.

Approval of a one-year lease for a John Deere Excavation with thumb and hammer attachments in the amount of \$7,845.

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

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

NEW BUSINESS

MASK MANDATE CONTINUATION

Gayle Crenshaw, 3337 SE Sage, stated that she was present this evening to request that the Commission discontinue the mask mandate. She stated that she believed that citizens should be able to choose for themselves whether or not they would like to wear a mask.

Sarah Grover, 1509 Country Club Road, asked the Commission to vote against the mask mandate. She felt that the numbers were not indicative of a mask mandate.

Commissioner Kendra Wilkinson stated that she understands that the numbers have decreased, but will vote in favor of the mask mandate one more time because of concerns in the Health Department about the new strains in Wichita. She stated that she would like to extend it one more time through May 1st.

Mayor Bill Young stated that he felt the comments from the two individuals were indicative of the others he had heard in the community. He stated that he felt the mask mandate was placing an undue burden on the citizens. He stated that he will vote no to extending the mandate. He asked what the end goal for continuing the ordinance was, he didn't believe we could get to zero cases in that time.

Commissioner Matt Guthrie stated that a significant percentage of the cases are still in El Dorado. He stated that he was concerned about the individuals who have not been able to get the vaccination. He stated that he was for the mandate for one more round, he felt that in phase three he will be more comfortable eliminating it.

Commissioner Nick Badwey stated that he had a tough time voting for it again when it wasn't being properly enforced.

Commissioner Gregg Lewis stated that he felt a mask was necessary

Michael Cartmel, 622 N Topeka, asked how many people have been cited.

Mayor Young stated that no one had.

EL DORADO CITY COMMISSION MEETING

March 1, 2021

Commissioner Wilkinson stated that while no one had been cited, the police had held conversations with several individuals and businesses and there was compliance after the conversation.

Commissioner Kendra Wilkinson moved to approve Ordinance No. G-1346, an Ordinance continuing the requirement for the wearing of masks or other face coverings in public spaces in El Dorado, Kansas.

Commissioner Matt Guthrie seconded the motion.

Roll Call Vote

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

DEPARTMENT PRESENTATIONS

City Clerk Tabitha Sharp presented information on the Administration Department.

EL DORADO INC. WORK PLAN

City Manager David Dillner stated that staff have worked with El Dorado Inc. to provide a work plan for the coming year. He reviewed some of the items included in the plan.

Commissioner Matt Guthrie moved to approve the work plan as presented.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

KANSAS DEPARTMENT OF TRANSPORTATION (KDOT) AGREEMENT – RESURFACING PROJECT ON CENTRAL (TAYLOR AVE TO GRIFFITH ST)

City Engineer Scott Rickard stated that the City was fortunate to receive a 90/10 grant from KDOT for repairs to Central from Taylor to Griffith. He stated that this agreement will allow us to move forward with the bid process for this summer.

Mayor Bill Young confirmed that the funds would be from the annual street sales tax dollars.

City Engineer Rickard stated that he was correct. He stated that we haven't received a KLINK funded project in a few years because they were funding projects in smaller communities, but it is exciting to get some funding back in El Dorado. He stated that he and the City Manager will be discussing ideas for the next round of funding later this week.

Commissioner Gregg Lewis asked if this was a KLINK project.

City Engineer Rickard stated it is, a State Connecting Links project. He stated that the funds we receive from the State do not cover the work we are required to do on the nearly 34 lane miles of Highway within the City of El Dorado.

Commissioner Gregg Lewis moved to authorize the Mayor to execute for and on behalf of the City of El Dorado, Agreement 49-21 between the City and the Kansas Department of Transportation.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

EXCESS SALES TAX GRANT AGREEMENT WITH WADE WILKINSON

City Manager David Dillner stated that the Commission approved a grant from excess sales tax for an 18-hole miniature golf course. He stated that a site plan was submitted for a 16-hole course this year and so the Commission must decide if they are going to move forward with the whole amount previously granted or reduce that amount based on the reduced number of holes.

Commissioner Nick Badwey stated that he didn't think he could get two more holes in because of drainage issues.

Commissioner Matt Guthrie stated that in the letter from Mr. Wilkinson he said 18 holes, but he felt that the new design offered more. He stated that he was okay with the change.

Mayor Bill Young stated that he would be in favor of reducing the number of holes and leaving the grant agreement the same.

Commissioner Gregg Lewis agreed that they should leave the dollar amount the same.

Commissioner Matt Guthrie moved to authorize the City Manager to amend a grant agreement with Mr. Wade Wilkinson concerning a modified scope to sixteen holes for an excess sales tax project for a miniature golf course.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

STRATEGIC PLAN

City Manager David Dillner stated that after soliciting input from the public and staff, the attached strategic plan was developed. He stated that staff will return with periodic reports on how they are proceeding with the plan.

Commissioner Kendra Wilkinson moved to approve the 2021 Strategic Plan as presented by the City Manager.

Commissioner Matt Guthrie seconded the motion.

Motion carried 5 – 0.

BUSINESS PARK LOT SALE

City Manager David Dillner stated that there has been an offer made on the Business Park lots G, H, I, J and Q for \$100,000. He stated that the road that is currently platted would dead end at the north end of the property after the area is re-platted and egress would instead be off of Towanda Avenue.

City Engineer Scott Rickard stated that re-platting the area will allow us to loop the road around to Walnut Valley so that there is still an exit for other vehicles.

Commissioner Gregg Lewis asked how trucks would access the property.

City Engineer Rickard stated that staff have talked to the County Engineer and he has stated that they could discuss removing the restriction for trucks off of Highway 96 and Purity Springs so that they can access that area.

Commissioner Matt Guthrie asked what would be on the property.

City Engineer Rickard stated that it will be light industrial.

Commissioner Nick Badwey moved to authorize the City Manager to negotiate the sale of certain property within the El Dorado Business Park, as presented, for economic development purposes.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

Commissioner Matt Guthrie stated that the CTC has met twice in the last month. He stated that they have been discussing the plans for the 150th Anniversary.

Commissioner Guthrie stated that the State met with him and the City Manager regarding the lake development plans. He stated that they have agreed to move forward with an RFP.

EL DORADO CITY COMMISSION MEETING

March 1, 2021

Commissioner Gregg Lewis stated that the K254 meeting was held and they plan to make some changes to some areas of 254 around Webb and in El Dorado at the interchange.

Commissioner Nick Badwey asked if there was an update on the stadium.

City Manager David Dillner stated that they hope to have an estimate at the end of the week. He stated that they will be moving forward with Simpson Construction.

Commissioner Kendra Wilkinson stated that the Parks and Recreation Board met and heard a proposal to work on recreation programming from the YMCA. He stated that the recreation board tabled the discussion until their March meeting. She stated that the step challenge from the Recreation Department is out for the public. She stated that they are also working on a talent show, kite day, and Pitch Hit and Run. She stated that the equipment at Riverview Park is done and they are awaiting work on the shore line before replacing it. She stated that they need part-time employees for the summer.

Mayor Bill Young stated that there are some concerns in El Dorado regarding unpermitted work at some of the hotels/motels in town.

City Engineer Scott Rickard stated that about two years ago, the Fire Department Inspectors notified the building department about some work at the Holiday Inn. He stated that they met with the Building Official and he explained the process and he felt that they had met code. He stated that if there are other instances and they could provide them, the Building Official would look into it.

Mayor Young asked if there is recourse for the City for businesses who do not pull a building permit.

City Engineer Rickard stated that there was.

City Manager Dillner stated that staff will return with more information for the City Commission on this topic.

CITY MANAGER

City Manager David Dillner stated that tomorrow at 10 a.m. is the Statewide Tornado Drill. They will also trigger the weather alert radios.

City Manager Dillner stated that the price of trash bags will increase on March 15th for trash bags to \$7 in order to cover an increase to the wholesale cost.

City Manager Dillner stated that he will be hosting three things to know about the City on our Facebook page on Friday afternoon.

City Manager Dillner stated that road work on South Main will begin this week, he stated that traffic would be down to one lane while the utility company completes its work.

EL DORADO CITY COMMISSION MEETING**March 1, 2021**

City Manager Dillner stated that seasonal jobs are available in the Parks and Recreation department, applications can be found on our website. He stated that there are also job openings available in the Public Works and Police Department as well as the Destination Services and Public Utilities Director positions.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 8:03 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

EL DORADO CITY SPECIAL COMMISSION MEETING

February 24, 2021

The El Dorado City Commission met in special session on February 24, 2021 at 5:00 pm at 142 N Main with the following present: Mayor Bill Young (via zoom), Commissioner Matt Guthrie, Commissioner Gregg Lewis (via zoom), Commissioner Nick Badwey (via zoom), Commissioner Kendra Wilkinson, City Manager David Dillner (via zoom), and City Clerk Tabitha Sharp. Absent: City Engineer Scott Rickard

VISITORS

Linda Jolly (via zoom)

El Dorado Inc.

El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the February 24, 2021 Special City Commission meeting to order at 5:00 p.m.

COMMISSION PAY

City Manager David Dillner reviewed information regarding Commission/Council pay in other cities.

After discussion, the Commission agreed to move forward with \$1,200 per year for each Commissioner and \$1,500 for the Mayor.

LAND BANK BOARD OF TRUSTEES

City Manager David Dillner reviewed the proposal on the land bank board of trustees.

The City Commission agreed to place three Commissioners, two industry officials and two ex-officios on the board.

EL DORADO INC WORK PLAN

City Manager David Dillner reviewed the draft work plan for El Dorado Inc. for 2021-2022. He stated that each goal is followed by action items and the ways that performance on that goal will be measured.

REGULAR AGENDA REVIEW

Mayor Bill Young reviewed the items on the upcoming agenda.

REPORTS

Commissioner Gregg Lewis asked why the work at Central and Haverhill was postponed.

City Manager David Dillner stated that the crews are doing a little more work on the location of the leak before they tear up the intersection.

Commissioner Lewis asked how gas prices were going to affect the fleet.

City Manager Dillner stated that we were unsure at this time. He stated that staff will continue to monitor the situation and provide updates to the Commission.

Commissioner Kendra Wilkinson asked what the water bill would be for the stadium.

City Manager Dillner stated that he didn't think they pay a water bill.

The City Commission asked the City Manager to relay to the EFABC that they would like to move forward with Simpson Construction for the repair work on the stadium.

Mayor Bill Young asked for more information on the Holiday Inn and their building permits.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 6:16 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

TO: City Commission
FROM: Scott Rickard
SUBJ: Paving Hunton Road and Simpson Road Public Hearing
DATE: March 9, 2021

Background:

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

Project Schedule:

Attachments:

Improvement District map, Cost Estimates, Resolution,

Policy Issue:

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

Alternatives:

N/A

Fiscal Impact:

The total cost of the project is \$1,204,880.51. The costs assessed to the improvement district will be \$997,407.20 and city-at-large costs will be \$207,473.31. The total cost of the project will be bonded, therefore allowing the improvement district to pay off the debt over a twenty-year period.

Trade-offs:

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

Staff Recommendation:

Open the public hearing and proceed with the improvements.

Commission Actions:

Commissioner _____ moved that Resolution No.2919 a determining the advisability of the making of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings, subject to protest (paving improvements/paving Hunton Rd. and Simpson Rd.).

Commissioner _____ seconded the motion.

Kristina Traina

From: Amanda Stalnaker
Sent: Tuesday, March 2, 2021 8:35 AM
To: Kristina Traina
Subject: FW: Paving of Hunton and Simpson Roads

From: Kathy Storm <karo781@cox.net>
Sent: Friday, February 12, 2021 11:02 AM
To: Engineering <Engineering@eldoks.com>
Subject: Paving of Hunton and Simpson Roads

Please read this message at the meeting on Monday February 15th:

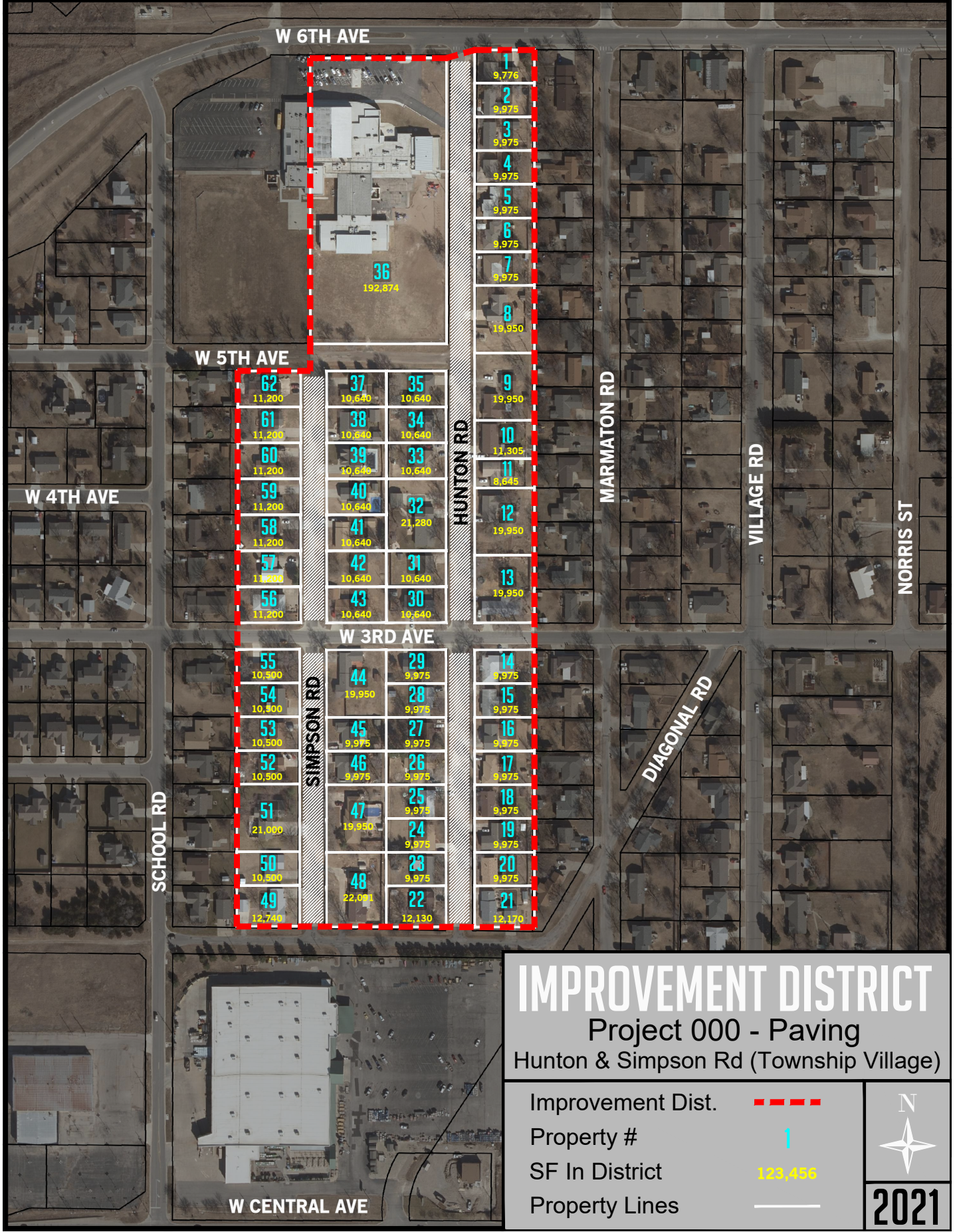
We want to thank the City in advance for paving Hunton Road. The street needs major repairs and it will be very nice to have curbs and gutters when it rains.

We are 100% for the project to be completed.

To anyone that may be against this project due to the cost, please be informed that this will eventually be done and the cost will only continue to increase.

Thank you.

Kathy and Roger Storm
520 Hunton Rd
El Dorado, KS 67042



IMPROVEMENT DISTRICT

Project 000 - Paving
Hunton & Simpson Rd (Township Village)

Improvement Dist. ---
Property # 1
SF In District 123,456
Property Lines ---



City of El Dorado, Kansas
Engineers Estimate of Cost for Petition
Total Project Cost

11/17/2020

Paving Hunton Rd. (2nd Ave. to 6th Ave) & Simpson Rd. (2nd Ave. to 5th Ave.) (Township Village)

70% of Total Combined Hunton, Simpson, 2nd, and 5th

Item No.	Description	Unit	No. of Units	Unit Cost	Total Cost
1	Common Excavation	C.Y.	6900.6	\$ 15.00	\$ 103,509.00
2	6 1/2" Reinforced Rock Base	S.Y.	11050.9	\$ 12.00	\$ 132,610.80
3	2'-6" Curb & Gutter	L.F.	5703.6	\$ 16.00	\$ 91,257.60
4	6" Reinforced Concrete Drive	S.Y.	2652	\$ 50.00	\$ 132,600.00
5	BM-2 (10%rap) Asph. Conc. Pvm. Base	TONS	2661.4	\$ 85.00	\$ 226,219.00
6	BM-2 Asph. Conc. Pvm. Surface	TONS	1190.7	\$ 95.00	\$ 113,116.50
7	Mobilization	L.S.	0.7	\$ 40,000.00	\$ 28,000.00
8	Site Restoration	L.S.	0.7	\$ 15,000.00	\$ 10,500.00
9	Erosion Control	L.S.	0.7	\$ 15,000.00	\$ 10,500.00
10	Type 22 Inlet	EA	6	\$ 5,000.00	\$ 30,000.00
11	18" Concrete Pipe	L.F.	700	\$ 90.00	\$ 63,000.00

Construction Sub Total	\$ 941,312.90
Design	\$ 94,131.29
Admin Items	\$ 47,065.65
Temp Financing	\$ 47,065.65
Engineering	\$ 75,305.03
TOTAL	\$ 1,204,880.51
CAL	\$ 207,473.31
BD	\$ 997,407.20

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

Scott Rickard
Engineering Department

Estimated Assessments

Improvement: Paving Hunton Rd (2nd-6th) & Simpson Rd (2nd to 5th)

Date:10/14/20

OWNER OF RECORD	PROP. NO.	PROPERTY DESCRIPTION	ITEM	QUANTITY	UNIT	ASSESSMENT
Michael Dubus Jennifer Dubus 668 Hunton El Dorado KS 67042	1	Lot 34 Block 2 Township Village Addition 668 Hunton 212 04 0 00 07 002 00 0	Area Drives TOTAL	9,776.0 0.0	S.F. S.Y.	\$9,179.32 \$9,179.32
	2	Lot 33 Block 2 Township Village Addition 656 Hunton El Dorado KS 67042 212 04 0 00 07 003 00 0	Area Drives TOTAL	9,975.0 35.0	S.F. S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
	3	Lot 32 Block 2 Township Village Addition 646 Hunton 212 04 0 00 07 004 00 0	Area Drives TOTAL	9,975.0 42.0	S.F. S.Y.	\$9,366.17 \$2,100.00 \$11,466.17
	4	Lot 31 Block 2 Township Village Addition 640 Hunton 212 04 0 00 07 005 00 0	Area Drives TOTAL	9,975.0 35.0 8.0	S.F. S.Y. S.Y.	\$9,366.17 \$1,750.00 \$400.00 \$11,516.17
Wedel Property & Management 3625 SE 137 Ter Leon KS 67074	5	Lot 30 Block 2 Township Village Addition 632 Hunton 212 04 0 00 07 006 00 0	Area Drives TOTAL	9,975.0 35.0 42.0	S.F. S.Y. S.Y.	\$9,366.17 \$1,750.00 \$2,100.00 \$13,216.17
	6	Lot 29 Block 2 Township Village Addition 626 Hunton 212 04 0 00 07 007 00 0	Area Drives TOTAL	9,975.0 35.0	S.F. S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
	7	Lot 28 Block 2 Township Village Addition 618 Hunton 212 04 0 00 07 008 00 0	Area Drives TOTAL	9,975.0 35.0 5.0	S.F. S.Y. S.Y.	\$9,366.17 \$1,750.00 \$250.00 \$11,366.17
	8	Lots 26 & 27 Block 2 Township Village Addition 602 Hunton 212 04 0 00 07 009 01 0	Area Drives TOTAL	19,231.0 40.0	S.F. S.Y.	\$18,057.23 \$2,000.00 \$20,057.23

9	Roger Storm Kathy Storm 520 Hunton El Dorado KS 67042	Lots 24 & 25 Block 2 Township Village Addition 520 Hunton 212 04 0 00 07 010 00 0	Area Drives TOTAL	19,950.0 44.0 56.0	S.F. S.Y. S.Y.	\$18,732.35 \$2,200.00 \$2,800.00 \$23,732.35
10	Jack Perry Laleita Perry 512 Hunton El Dorado KS 67042	Lot 23 N10 Lot 22 Block 2 Township Village Addition 512 Hunton 212 04 0 00 07 011 00 0	Area Drives TOTAL	11,305.0 48.0 54.0	S.F. S.Y. S.Y.	\$10,615.00 \$2,400.00 \$2,700.00 \$15,715.00
11	Rusell Young Sherri Young 502 Hunton El Dorado KS 67042	S65 Lot 22 Block 2 Township Village Addition 502 Hunton 212 04 0 00 07 012 00 0	Area Drives TOTAL	8,645.0 35.0	S.F. S.Y.	\$8,117.35 \$1,750.00 \$9,867.35
12	Daniel Hatfield Rosalie Hatfield 428 Hunton El Dorado, KS 67042	Lots 20 & 21 Block 2 Township Village Addition 428 Hunton 212 04 0 00 07 013 00 0	Area Drives TOTAL	19,950.0 35.0	S.F. S.Y.	\$18,732.35 \$1,750.00 \$20,482.35
13	Jessica Harris 2654 W 3rd El Dorado KS 67042	Lots 18 & 19 Block 2 Township Village Addition 2654 W 3rd 212 04 0 00 07 014 00 0	Area Drives TOTAL	19,950.0 0.0	S.F. S.Y.	\$18,732.35 \$18,732.35
14	Miriam Simkins 360 Hunton El Dorado, KS 67042	Lot 16 Block 12 Township Village Addition 360 Hunton 212 04 0 00 21 002 00 0	Area Drives TOTAL	9,975.0 35.0	S.F. S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
15	Jeremy Denney 340 Hunton El Dorado, KS 67042	Lot 15 Block 12 Township Village Addition 340 Hunton 212 04 0 00 21 003 00 0	Area Drives TOTAL	9,975.0 35.0 13.0	S.F. S.Y. S.Y.	\$9,366.17 \$1,750.00 \$650.00 \$11,766.17
16	Lori Vanderford 1040 Country Club Ln El Dorado, KS 67042	Lot 14 Block 12 Township Village Addition 338 Hunton 212 04 0 00 21 004 00 0	Area Drives TOTAL	9,975.0 35.0 7.0	S.F. S.Y. S.Y.	\$9,366.17 \$1,750.00 \$350.00 \$11,466.17
17	Patricia Mills Liv Trust 336 Hunton Rd El Dorado, KS 67042	Lot 13 Block 12 Township Village Addition 336 Hunton 212 04 0 00 21 005 00 0	Area Drives TOTAL	9,975.0 35.0 25.0	S.F. S.Y. S.Y.	\$9,366.17 \$1,750.00 \$1,250.00 \$12,366.17
18	Traci Rodgers 324 Hunton El Dorado, KS 67042	Lot 12 Block 12 Township Village Addition 324 Hunton 212 04 0 00 21 006 00 0	Area Drives TOTAL	9,975.0 35.0 7.0	S.F. S.Y. S.Y.	\$9,366.17 \$1,750.00 \$350.00 \$11,466.17

Sandra Dunn 320 Hunton El Dorado, KS 67042	19	Lot 11 Block 12 Township Village Addition 320 Hunton 212 04 0 00 21 007 00 0	Area Drives TOTAL	9,975.0 35.0	S.F. S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
Orville Brown Jodi Brown 312 Huntoon Rd El Dorado, KS 67042	20	Lot 10 Block 12 Township Village Addition 312 Hunton 212 04 0 00 21 008 00 0	Area Drives TOTAL	9,975.0 35.0	S.F. S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
Don Lore Thelma Lore 302 Hunton El Dorado, KS 67042	21	Lot 9 Block 12 Township Village Addition 302 Hunton 212 04 0 00 21 009 00 0	Area Drives TOTAL	12,170.0 35.0 8.0	S.F. S.Y. S.Y.	\$11,427.20 \$1,750.00 \$400.00 \$13,577.20
Ronald Ryser Judith Ryser 301 Hunton El Dorado, KS 67042	22	Lot 8 Block 11 Township Village Addition 301 Hunton 212 04 0 00 22 007 00 0	Area Drives TOTAL	12,130.0 45.0	S.F. S.Y.	\$11,389.64 \$2,250.00 \$13,639.64
Dustin Martin Sara Martin 311 Hunton El Dorado, KS 67042	23	Lot 7 Block 11 Township Village Addition 311 Hunton 212 04 0 00 22 008 00 0	Area Drives TOTAL	9,975.0 35.0	S.F. S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
Donald May Karen May 1635 NW Hwy 196 El Dorado, KS 67042	24	Lot 6 Block 11 Township Village Addition 317 Hunton 212 04 0 00 22 009 00 0	Area Drives TOTAL	9,975.0 35.0	S.F. S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
Schell Medical Inc 2440 Potters Ct El Dorado, KS 67042	25	Lot 5 Block 11 Township Village Addition 325 Hunton 212 04 0 00 22 010 00 0	Area Drives TOTAL	9,975.0 35.0	S.F. S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
Tony Moore Doris Moore 335 Hunton El Dorado, KS 67042	26	Lot 4 Block 11 Township Village Addition 335 Hunton 212 04 0 00 22 011 00 0	Area Drives TOTAL	9,975.0 35.0 5.0	S.F. S.Y. S.Y.	\$9,366.17 \$1,750.00 \$250.00 \$11,366.17
Jim Miller Lois Miller 345 Hunton El Dorado, KS 67042	27	Lot 3 Block 11 Township Village Addition 345 Hunton 212 04 0 00 22 012 00 0	Area Drives TOTAL	9,975.0 45.0 12.0	S.F. S.Y. S.Y.	\$9,366.17 \$2,250.00 \$600.00 \$12,216.17
Louise King David King 349 Hunton	28	Lot 2 Block 11 Township Village Addition 349 Hunton 212 04 0 00 22 013 00 0	Area Drives TOTAL	9,975.0 43.0	S.F. S.Y.	\$9,366.17 \$2,150.00 \$11,516.17

29	Marc Cogan 357 Hunton El Dorado, KS 67042	Lot 1 Block 11 Township Village Addition 357 Hunton 212 04 0 00 22 001 00 0	Area Drives TOTAL	9,975.0 0.0	S.F. S.Y.	\$9,366.17
30	Michael McAllister 2706 W 3rd El Dorado KS 67042	Lot 7 Block 9 Township Village Addition 2706 W 3rd 212 04 0 00 14 007 00 0	Area Drives TOTAL	10,640.0 0.0	S.F. S.Y.	\$9,990.59
31	Debra Mitchell 411 Hunton El Dorado KS 67042	Lot 6 Block 9 Township Village Addition 411 Hunton 212 04 0 00 14 008 00 0	Area Drives TOTAL	10,640.0 35.0 5.0	S.F. S.Y. S.Y.	\$9,990.59 \$1,750.00 \$250.00 \$11,990.59
32	Dana Jordan 425 Hunton El Dorado KS 67042	Lots 4 & 5 Block 9 Township Village Addition 425 Hunton 212 04 0 00 14 009 00 0	Area Drives TOTAL	21,280.0 56.0	S.F. S.Y.	\$19,981.17 \$2,800.00 \$22,781.17
33	Dana Jordan 425 Hunton El Dorado KS 67042	Lot 3 Block 9 Township Village Addition 509 Hunton 212 04 0 00 14 010 00 0	Area Drives TOTAL	10,640.0 48.0 40.0	S.F. S.Y. S.Y.	\$9,990.59 \$2,400.00 \$2,000.00 \$14,390.59
34	Flint Hills Grass & Cattle LLC 218 E Central El Dorado KS 67042	Lot 2 Block 9 Township Village Addition 511 Hunton 212 04 0 00 14 011 00 0	Area Drives TOTAL	10,640.0 35.0	S.F. S.Y.	\$9,990.59 \$1,750.00 \$11,740.59
35	Raymond Pile Brenda Pile 224 N 10th St Fredonia, KS 66736	Lot 1 Block 9 Township Village Addition 515 Hunton 212 04 0 00 14 001 00 0	Area Drives TOTAL	10,640.0 35.0	S.F. S.Y.	\$9,990.59 \$1,750.00 \$11,740.59
36	USD 375 PO Box 9 Towanda KS 67144	2700 W 6th 212 04 0 00 08 001 00 0	Area Drives TOTAL	192,874.0 51.0	S.F. S.Y.	\$181,101.89 \$2,550.00 \$183,651.89
37	David Richard Denise Richard 520 Simpson El Dorado, KS 67042	Lot 14 Block 9 Township Village 520 Simpson 212-04-0-00-14-002-00-0	Area Drives TOTAL	10,640.00 35.0 20.0	S.F. S.Y. S.Y.	\$9,990.59 \$1,750.00 \$1,000.00 \$12,740.59
38	Chad Carter Madeleine Carter 512 Simpson El Dorado, KS 67042	Lot 13 Block 9 Township Village 512 Simpson 212-04-0-00-14-003-00-0	Area Drives TOTAL	10,640.00 35.0	S.F. S.Y.	\$9,990.59 \$1,750.00 \$11,740.59

Vincent Lara Cherlynn Lara 502 Simpson El Dorado, KS 67042	39	Lot 12 Block 9 Township Village 502 Simpson 212-04-0-00-14-004-00-0	Area Drives TOTAL	10,640.00 S.F. 38.0 S.Y.	\$9,990.59 \$1,900.00 \$11,890.59
	40	Lot 11 Block 9 Township Village 428 Simpson 212-04-0-00-14-004-01-0	Area Drives TOTAL	10,640.00 S.F. 35.0 S.Y.	\$9,990.59 \$1,750.00 \$11,740.59
	41	Lot 10 Block 9 Township Village 420 Simpson 212-04-0-00-14-005-00-0	Area Drives TOTAL	10,640.00 S.F. 35.0 S.Y. 9.0 S.Y.	\$9,990.59 \$1,750.00 \$450.00 \$12,190.59
	42	Lot 9 Block 9 Township Village 0000 Simpson 212-04-0-00-14-006-00A	Area Drives TOTAL	10,640.00 S.F. 0.0 S.Y.	\$9,990.59 \$9,990.59
Donald Richard Rosemarie Richard 2720 W 3rd El Dorado, KS 67042	43	Lot 8 Block 9 Township Village 2720 W 3rd 212-04-0-00-14-006-00B	Area Drives TOTAL	10,640.00 S.F. 0.0 S.Y.	\$9,990.59 \$9,990.59
	44	Lots 15 & 16 Block 11 Township Village 358 Simpson 212-04-0-00-22-002-00-0	Area Drives TOTAL	19,950.00 S.F. 38.0 S.Y.	\$18,732.35 \$1,900.00 \$20,632.35
	45	Lot 14 Block 11 Township Village 342 Simpson 212-04-0-00-22-003-00-0	Area Drives TOTAL	9,975.00 S.F. 35.0 S.Y.	\$9,366.17 \$1,750.00 \$11,116.17
	46	Lot 13 Block 11 Township Village 336 Simpson 212-04-0-00-22-004-00-0	Area Drives TOTAL	9,975.00 S.F. 38.0 S.Y.	\$9,366.17 \$1,900.00 \$11,266.17
Eugene Hanson Deborah Zager Hanson 320 Simpson El Dorado, KS 67042	47	Lots 11 & 12 Block 11 Township Village 320 Simpson 212-04-0-00-22-005-00-0	Area Drives TOTAL	19,950.00 S.F. 51.0 S.Y.	\$18,732.35 \$2,550.00 \$21,282.35

Austin Prewitt Ulala Prewitt 302 Simpson El Dorado, KS 67042	48	Lots 9 & 10 Block 11 Township Village 302 Simpson 212-04-0-00-22-006-00-0	Area Drives TOTAL	22,091.00 S.F. 35.0 S.Y.	\$20,742.67 \$1,750.00 \$22,492.67
Donald Duvall Debora Duvall 301 Simpson El Dorado, KS 67042	49	Lot 8 Block 10 Township Village 301 Simpson 212-04-0-00-23-009-00-0	Area Drives TOTAL	12,740.00 S.F. 38.0 S.Y.	\$11,962.41 \$1,900.00 \$13,862.41
Jennifer Corkill 315 Simpson El Dorado, KS 67042	50	Lot 7 Block 10 Township Village 315 Simpson 212-04-0-00-23-010-00-0	Area Drives TOTAL	10,500.00 S.F. 35.0 S.Y.	\$9,859.13 \$1,750.00 \$11,609.13
Barry Mohler Susan Mohler 333 Simpson El Dorado, KS 67042	51	Lots 5 & 6 Block 10 Township Village 333 Simpson 212-04-0-00-23-011-00-0	Area Drives TOTAL	21,000.00 S.F. 51.0 S.Y.	\$19,718.26 \$2,550.00 \$22,268.26
Sharon Fox Carol Fox 337 Simpson El Dorado KS 67042	52	Lot 4 Block 10 Township Village 337 Simpson 212-04-0-00-23-012-00-0	Area Drives TOTAL	10,500.00 S.F. 48.0 S.Y.	\$9,859.13 \$2,400.00 \$12,259.13
Barry Mohler Susan Mohler 333 Simpson El Dorado, KS 67042	53	Lot 3 Block 10 Township Village 341 Simpson 212-04-0-00-23-013-00-0	Area Drives TOTAL	10,500.00 S.F. 29.0 S.Y. 18 S.Y.	\$9,859.13 \$1,450.00 \$900.00 \$12,209.13
Phillips Family Rev Liv Trust 2707 N Conway Ave Unit 655 Mission, TX 78573	54	Lot 2 Block 10 Township Village 345 Simpson 212-04-0-00-23-014-00-0	Area Drives TOTAL	10,500.00 S.F. 35.0 S.Y.	\$9,859.13 \$1,750.00 \$11,609.13
Patricia Wilkerson 2739 W 3rd El Dorado KS 67042	55	Lot 1 Block 10 Township Village 2739 W 3rd 212-04-0-00-23-001-00-0	Area Drives TOTAL	10,500.00 S.F. 0.0 S.Y.	\$9,859.13 \$9,859.13
Bonnie Ayers 7437 NW 180th St Burns, KS 66840	56	Lot 7 Block 8 Township Village 2740 W 3rd 212-04-0-00-13-009-00-0	Area Drives TOTAL	11,200.00 S.F. 51.0 S.Y.	\$10,516.41 \$2,550.00 \$13,066.41

Mark Sherwood Qing Sherwood 411 Simpson El Dorado, KS 67042	57	Lot 6 Block 8 Township Village 411 Simpson 212-04-0-00-13-010-00-0	Area Drives TOTAL	11,200.00 S.F. 35.0 S.Y.	\$10,516.41 \$1,750.00
Jeffrey Lytton Ragan Lytton 425 Simpson El Dorado, KS 67042	58	Lot 5 Block 8 Township Village 425 Simpson 212-04-0-00-13-011-00-0	Area Drives TOTAL	11,200.00 S.F. 38.0 S.Y.	\$10,516.41 \$1,900.00
Eddie Simmons 427 Simpson El Dorado, KS 67042	59	Lot 4 Block 8 Township Village 427 Simpson 212-04-0-00-13-012-00-0	Area Drives TOTAL	11,200.00 S.F. 35.0 S.Y. 68.0 S.Y.	\$10,516.41 \$1,750.00 \$3,400.00
Teddi Pope 501 Simpson El Dorado, KS 67042	60	Lot 3 Block 8 Township Village 501 Simpson 212-04-0-00-13-013-00-0	Area Drives TOTAL	11,200.00 S.F. 35.0 S.Y. 54.0 S.Y.	\$10,516.41 \$1,750.00 \$2,700.00
Taci Anderson 511 Simpson El Dorado, KS 67042	61	Lot 2 Block 8 Township Village 511 Simpson 212-040-0-00-13-014-00-0	Area Drives TOTAL	11,200.00 S.F. 35.0 S.Y.	\$10,516.41 \$1,750.00
Brian Bauer 519 Simpson El Dorado, KS 67042	62	Lot 1 Block 8 Township Village 519 Simpson 212-04-0-00-13-001-00-0	Area Drives TOTAL	11,200.00 S.F. 51.0 S.Y. 73.0 S.Y.	\$10,516.41 \$2,550.00 \$3,650.00

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON MARCH 15, 2021**

The governing body met in regular session at the usual meeting place in the City, at 6:30 P.M., the following members being present and participating, to-wit:

Absent:

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

* * * * *

(Other Proceedings)

Thereupon, pursuant to a notice duly published in the *Butler County Times-Gazette*, the Mayor opened the public hearing and announced that anyone desiring to be heard in connection with the advisability of making the following described improvements (the "Improvements"):

Paving Hunton Rd. from 2nd Avenue to 6th Avenue and Simpson Rd. from 2nd Avenue to 5th Avenue

would now be heard.

Thereafter, the Mayor adjourned the public hearing.

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

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

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

Yea: _____.

Nay: _____.

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

* * * * *

(Other Proceedings)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

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

CERTIFICATE

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

(SEAL)

City Clerk

(Published in the *Butler County Times-Gazette* on March 20, 2021)

RESOLUTION NO. _____

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

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

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

WHEREAS, the governing body of the City of El Dorado, Kansas (the “City”) has heretofore by Resolution No. 2916, directed and ordered a public hearing on the advisability of certain internal improvements in the City, pursuant to the Act; and providing for the giving of notice of said public hearing in the manner required by the Act; and

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

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

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

commenced if, within twenty (20) days after publication of the resolution ordering the improvement, written protests signed by both fifty-one per cent (51%) or more of the resident owners of record of property within the improvement district and the owners of record of more than half of the total area of such improvement district are filed with the City Clerk; and

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

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

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

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

Paving Hunton Rd. from 2nd Avenue to 6th Avenue and Simpson Rd. from 2nd Avenue to 5th 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: \$1,204,880.51, exclusive of interest on financing and administrative and financing costs; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

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

See **Exhibit A** attached hereto.

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

In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. In the event that unplatted property within the Improvement District is platted after adoption this Resolution, each platted lot shall be equally assessed for the costs associated with the unplatted property. 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: 83% or \$997,407.20 to be assessed against the Improvement District and 17% or \$207,473.31 to be paid by the City-at-large.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body as set forth in **Section 1** of this Resolution; except that, the Improvement shall not be commenced if, within twenty (20) days after publication of this Resolution, written protests signed by both fifty-one per cent (51%) or more of the resident owners of record of property within the Improvement District **and** the owners of record of more than half of the total area of the Improvement District are filed with the City Clerk. The City Clerk shall report to the governing body at the end of said protest period as to whether or not any such protest petition has been filed.

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

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

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on March 15, 2021.

(SEAL)

By: _____

Name: Bill Young

Title: Mayor

ATTEST:

By: _____

Name: Tabitha Sharp

Title: City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on March 15, 2021, as the same appears of record in my office.

DATED: March 15, 2021.

By: _____

Name: Tabitha Sharp

Title: City Clerk

EXHIBIT A

**PROPERTY DESCRIPTION
PAVING HUNTON RD. (2ND AVENUE TO 6TH AVENUE) AND
SIMPSON RD. (2ND AVENUE TO 5TH AVENUE)
(TOWNSHIP VILLAGE)**

Lot 34 Block 2
Township Village Addition
668 Hunton

Lot 23 N10 Lot 22 Block 2
Township Village Addition
512 Hunton

Lot 33 Block 2
Township Village Addition
656 Hunton
El Dorado KS 67042

S65 Lot 22 Block 2
Township Village Addition
502 Hunton

Lot 32 Block 2
Township Village Addition
646 Hunton

Lots 20 & 21 Block 2
Township Village Addition
428 Hunton

Lot 31 Block 2
Township Village Addition
640 Hunton

Lots 18 & 19 Block 2
Township Village Addition
2654 W 3rd

Lot 30 Block 2
Township Village Addition
632 Hunton

Lot 16 Block 12
Township Village Addition
360 Hunton

Lot 29 Block 2
Township Village Addition
626 Hunton

Lot 15 Block 12
Township Village Addition
340 Hunton

Lot 28 Block 2
Township Village Addition
618 Hunton

Lot 14 Block 12
Township Village Addition
338 Hunton

Lots 26 & 27 Block 2
Township Village Addition
602 Hunton

Lot 13 Block 12
Township Village Addition
336 Hunton

Lots 24 & 25 Block 2
Township Village Addition
520 Hunton

Lot 12 Block 12
Township Village Addition
324 Hunton

Lot 11 Block 12
Township Village Addition
320 Hunton

Lot 10 Block 12
Township Village Addition
312 Hunton

Lot 9 Block 12
Township Village Addition
302 Hunton

Lot 8 Block 11
Township Village Addition
301 Hunton

Lot 7 Block 11
Township Village Addition
311 Hunton

Lot 6 Block 11
Township Village Addition
317 Hunton

Lot 5 Block 11
Township Village Addition
325 Hunton

Lot 4 Block 11
Township Village Addition
335 Hunton

Lot 3 Block 11
Township Village Addition
345 Hunton

Lot 2 Block 11
Township Village Addition
349 Hunton

Lot 1 Block 11
Township Village Addition
357 Hunton

Lot 7 Block 9
Township Village Addition
2706 W 3rd

Lot 6 Block 9
Township Village Addition
411 Hunton

Lots 4 & 5 Block 9
Township Village Addition
425 Hunton

Lot 3 Block 9
Township Village Addition
509 Hunton

Lot 2 Block 9
Township Village Addition
511 Hunton

Lot 1 Block 9
Township Village Addition
515 Hunton

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 4, Township 26 South, Range 5 East, Butler County, Kansas, described as follows: Beginning 687 feet West and 650 feet North of the Southeast corner of said Northeast Quarter of the Northwest Quarter; thence West parallel to and 650 feet distant from the South line of said Northeast Quarter of the Northwest Quarter a distance of 607.23 feet to a point 30 feet East of the West line of said Northeast Quarter of the Northwest Quarter; thence North parallel to and 30 feet distant from said East line, a distance of 524.26 feet to a point on the Southerly right-of-way line of a public road and being 158.65 feet South of the North line of said Section 4; thence Northeasterly along said right-of-way line a distance of 56.75

feet; thence continuing Northeasterly with a deflection angle of 23° 2' right, a distance of 194.05 feet; thence North with a deflection angle of 66° 58' left, a distance of 41.75 feet to the North line of said Section 4; thence East along the North line of said Section 4, a distance of 389.47 feet; thence South and parallel to the East line of said Northeast Quarter of the Northwest Quarter a distance of 683.50 feet to the point of beginning.

2700 W 6th

Lot 14 Block 9
Township Village
520 Simpson

Lot 13 Block 9
Township Village
512 Simpson

Lot 12 Block 9
Township Village
502 Simpson

Lot 11 Block 9
Township Village
428 Simpson

Lot 10 Block 9
Township Village
420 Simpson

Lot 9 Block 9
Township Village
0000 Simpson

Lot 8 Block 9
Township Village
2720 W 3rd

Lots 15 & 16 Block 11
Township Village
358 Simpson

Lot 14 Block 11
Township Village
342 Simpson

Lot 13 Block 11
Township Village
336 Simpson

Lots 11 & 12 Block 11
Township Village
320 Simpson

Lots 9 & 10 Block 11
Township Village
302 Simpson

Lot 8 Block 10
Township Village
301 Simpson

Lot 7 Block 10
Township Village
315 Simpson

Lots 5 & 6 Block 10
Township Village
333 Simpson

Lot 4 Block 10
Township Village
337 Simpson

Lot 3 Block 10
Township Village
341 Simpson

Lot 2 Block 10
Township Village
345 Simpson

Lot 1 Block 10
Township Village

2739 W 3rd

Lot 7 Block 8
Township Village
2740 W 3rd

Lot 6 Block 8
Township Village
411 Simpson

Lot 5 Block 8
Township Village
425 Simpson

Lot 4 Block 8
Township Village
427 Simpson

Lot 3 Block 8
Township Village
501 Simpson

Lot 2 Block 8
Township Village
511 Simpson

Lot 1 Block 8
Township Village
519 Simpson
212-04-0-00-13-001-00-0

CERTIFICATE OF NO PROTEST

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

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

WITNESS my hand and official seal on April ____, 2021.

(Seal)

Tabitha Sharp, City Clerk
City of El Dorado, Kansas

TO: City Commission
FROM: Scott Rickard
SUBJ: Paving 5th Ave (School-Hunton) 2nd Ave (School-Diagonal) Public Hearing
DATE: February 8, 2021

Background:

Commission stated that they would be willing to initiate the street improvements on 5th Avenue & 2nd Avenue. This process allows for the streets to be brought up to City standards. The Commission must hold a public hearing to hear from owners within the Improvement District. If after the Public Hearing the Commission initiates the project, owners will have 20 days to file a protest petition after publication of the resolution. For the protest to be valid both 51% or more of the resident owners and owners of more than half of the property within the Improvement District must sign the petition.

Project Schedule:

Attachments:

Improvement District map, Cost Estimates, Resolution,

Policy Issue:

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

Alternatives:

N/A

Fiscal Impact:

The total cost of the project is \$435,243.65. The costs assessed to the improvement district will be \$379,307.47 and city-at-large costs will be \$55,936.18. The total cost of the project will be bonded, therefore allowing the improvement district to pay off the debt over a twenty-year period.

Trade-offs:

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

Staff Recommendation:

Open the public hearing and proceed with the improvements.

Commission Actions:

Commissioner _____ moved that Resolution No.2920 a resolution determining the advisability of the making of certain internal improvements for the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings, subject to protest (paving improvements/paving 5th Avenue and 2nd Avenue).

Commissioner _____ seconded the motion.



Circle Unified School District 375

901 Main, P O Box 9, Towanda, Kansas 67144

Mr. Don Potter, Superintendent
dpotter@usd375.org

Mr. Michael Janzen, Assist. Superintendent
mjanzen@usd375.org

CIRCLE HIGH SCHOOL
905 Main, P O Box 159
Towanda, KS 67144
316-536-2277
FAX 316-536-2249
Matthew Carroll, Principal
Tony Holguin, Asst. Prin.
John Cosslett, AD

CIRCLE MIDDLE SCHOOL
14697 SW 20th
Benton, KS 67017
316-778-1470
FAX 316-536-2249
Brenda Young, Principal
Nathan Sherwood, Asst. Prin./AD

CIRCLE BENTON ELEMENTARY
350 South Kansas, P O Box 39
Benton, KS 67017
316-778-1151
FAX 316-536-2249
Robert Leis, Principal

CIRCLE GREENWICH ELEMENTARY
3250 North Greenwich Rd
Wichita, KS 67226
316-315-4000
FAX 316-536-2249
Don Coffman, Principal

CIRCLE OIL HILL ELEMENTARY
2700 West Sixth
El Dorado, KS 67042
316-320-9515
FAX 316-536-2249
Misty Gawith, Principal

CIRCLE TOWANDA ELEMENTARY
Intermediate Building
516 North Street, P O Box 279
Towanda, KS 67144
316-536-2281
FAX 316-536-2249
Terri Turner, Principal

Primary Building
501 North Sixth Street, P O Box 279
Towanda, KS 67144
316-536-2728
FAX 316-536-2249
Terri Turner, Principal

City of El Dorado,

This letter is to express the views of the Circle Board of Education regarding the proposed street improvement projects of 5th Street and that of Hunton in the Village area of El Dorado. First and foremost, the Circle Board of Education wishes to support the desires of the patrons most affected by the street improvements and the accompanying tax assessments. The school district will do our part in the project if that is the wishes of the other patrons who are paying for the project.

In regards to the proposed improvements on 5th street, the school district does not directly benefit from this improvement. Currently this road is rarely used by our operations department to bring equipment to the site. An improved road could bring additional traffic by our playground area.

Parents dropping off or picking up students frequently enter the school property off of Hunton. Many students also use this road as a path to walk to school. The road is narrow and the ditches are fairly deep and frequently wet. The BOE would like to advocate for student safety. Please consider a safe route to school such as a sidewalk as part of this project.

The School District appreciates the opportunity to express our views in regards to the proposed projects and wishes to partner with our patrons to provide upkeep and safety to our neighborhood streets.

Regards,

Michael Janzen
Assistant Superintendent
Circle USD#375

IMPROVEMENT DISTRICT

Project 000 - Paving
2nd and 5th Avenues (Township Village)

Improvement Dist. ----

Property # 1

SF In District 123,456

Property Lines ----



2020

W 6TH AVE

19
212,086

W 5TH AVE

20
11,288

27
11,200

28
10,640

35
10,640

21
11,288

26
11,200

29
10,640

34
10,640

22
11,288

25
11,200

30
10,640

33
10,640

23
5,655

24
5,600

31
5,320

32
5,320

HUNTON RD

MARMATON RD

VILLAGE RD

NORRIS ST

W 4TH AVE

W 3RD AVE

SCHOOL RD

SIMPSON RD

DIAGONAL RD

1
10,523

7
21,000

8
19,950

13
9,975

14
9,975

2
10,515

6
10,500

9
22,091

12
9,975

15
9,975

3
10,508

5
12,740

11
9,975

16
9,975

17
12,170

4
12,698

10
12,130

W 2ND AVE

18
240,722

W CENTRAL AVE

City of El Dorado, Kansas
Engineers Estimate of Cost for Petition
Total Project Cost

11/17/2020

Paving 5th Ave (School Rd. to Hunton Rd., 2nd Ave.(School Rd. to Diagonal Rd) (Township Village)
 30% of Total Combined Hunto, Simpson, 2nd, and 5th

Item No.	Description	Unit	No. of Units	Unit Cost	Total Cost
1	Common Excavation	C.Y.	2957.4	\$ 15.00	\$ 44,361.00
2	6 1/2" Reinforced Rock Base	S.Y.	4736.1	\$ 12.00	\$ 56,833.20
3	2'-6" Curb & Gutter	L.F.	2444.4	\$ 16.00	\$ 39,110.40
4	6" Reinforced Concrete Drive	S.Y.	286	\$ 50.00	\$ 14,300.00
5	BM-2 (10%rap) Asph. Conc. Pvm. Base	TONS	1140.6	\$ 85.00	\$ 96,951.00
6	BM-2 Asph. Conc. Pvm. Surface	TONS	510.3	\$ 95.00	\$ 48,478.50
7	Mobilization	L.S.	0.3	\$ 40,000.00	\$ 12,000.00
8	Site Restoration	L.S.	0.3	\$ 15,000.00	\$ 4,500.00
9	Erosion Control	L.S.	0.3	\$ 15,000.00	\$ 4,500.00
10	Type 22 Inlet	EA	2	\$ 5,000.00	\$ 10,000.00
11	18" Concrete Pipe	L.F.	100	\$ 90.00	\$ 9,000.00

Construction Sub Total	\$ 340,034.10
Design	\$ 34,003.41
Admin Items	\$ 17,001.71
Temp Financing	\$ 17,001.71
Engineering	\$ 27,202.73
TOTAL	\$ 435,243.65
CAL	\$ 55,936.18
BD	\$ 379,307.47

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

Scott Rickard
 Engineering Department

Estimated Assessments

Improvement: Paving 2nd (School-Hunton) Paving 5th (School-Hunton)

Date:10/14/20

OWNER OF RECORD	PROP. NO.	PROPERTY DESCRIPTION	ITEM	QUANTITY	UNIT	ASSESSMENT
Michael Wentworth Drucilla Wentworth 328 School El Dorado KS 67042	1	Lot 12 Block 10	Area	10,523.0	S.F.	\$4,741.40
		Township Village Addition	Drives	0.0	S.Y.	
		328 School				
		212 04 0 00 23 005 00 0				
			TOTAL			\$4,741.40
Christopher Bolen 318 School El Dorado KS 67042	2	Lot 11 Block 10	Area	10,515.00	S.F.	\$4,737.80
		Township Village Addition	Drives	0.0	S.Y.	
		318 School				
		El Dorado KS 67042				
		212 04 0 00 23 006 00 0	TOTAL			\$4,737.80
Richard Srna Shirley Srna 312 School El Dorado KS 67042	3	Lot 10 Block 10	Area	10,508.0	S.F.	\$4,734.65
		Township Village Addition	Drives	0.0	S.Y.	
		312 School				
		212 04 0 00 23 007 00 0	TOTAL			\$4,734.65
Richard Ammerman Diane Ammerman 640 Hunton El Dorado, KS 67042	4	Lot 9 Block 10	Area	12,698.0	S.F.	\$5,721.41
		Township Village Addition	Drives	51.0	S.Y.	\$2,550.00
		302 School				
		212 04 0 00 23 008 00 0	TOTAL			\$8,271.41
Donald Duvall Debora Duvall 301 Simpson El Dorado, KS 67042	5	Lot 8 Block 10	Area	12,740.0	S.F.	\$5,740.33
		Township Village Addition	Drives	21.0	S.Y.	\$1,050.00
		301 Simpson				
		212 04 0 00 23 009 00 0	TOTAL			\$6,790.33
Jennifer Corkill 315 Simpson El Dorado KS 67042	6	Lot 7 Block 10	Area	10,500.0	S.F.	\$4,731.04
		Township Village Addition	Drives	0.0	S.Y.	
		315 Simpson				
		212 04 0 00 23 010 00 0	TOTAL			\$4,731.04
Barry Mohler Susan Mohler 333 Simpson El Dorado KS 67042	7	Lots 5 & 6 Block 10	Area	21,000.0	S.F.	\$9,462.08
		Township Village Addition	Drives	0.0	S.Y.	
		333 Simpson				
		212 04 0 00 23 011 00 0	TOTAL			\$9,462.08
Eugene Hanson Deborah Zager 320 Simpson	8	Lots 11 & 12 Block 11	Area	19,950.0	S.F.	\$8,988.98
		Township Village Addition	Drives	0.0	S.Y.	
		320 Simpson				
		212 04 0 00 22 005 00 0	TOTAL			\$8,988.98

9	Austin Prewitt Ulala Prewitt 302 Simpson El Dorado KS 67042	Lots 9 & 10 Block 11 Township Village Addition 302 Simpson 212 04 0 00 22 006 00 0	Area Drives TOTAL	22,091.0 35.0 \$11,703.66	S.F. S.Y.	\$9,953.66 \$1,750.00
10	Ronald Ryser Judith Ryser 301 Hunton El Dorado KS 67042	Lot 8 Block 11 Township Village Addition 301 Hunton 212 04 0 00 22 007 00 0	Area Drives TOTAL	12,130.0 0.0 \$5,465.48	S.F. S.Y.	\$5,465.48
11	Dustin Martin Sara Martin 311 Hunton El Dorado KS 67042	Lot 7 Block 11 Township Village Addition 311 Hunton 212 04 0 00 22 008 00 0	Area Drives TOTAL	9,975.0 0.0 \$4,494.49	S.F. S.Y.	\$4,494.49
12	Donald May Karen May 1635 NW Hwy 196 El Dorado, KS 67042	Lot 6 Block 11 Township Village Addition 317 Hunton 212 04 0 00 22 009 00 0	Area Drives TOTAL	9,975.0 0.0 \$4,494.49	S.F. S.Y.	\$4,494.49
13	Schell Medical Inc 2440 Potters Ct El Dorado KS 67042	Lot 5 Block 11 Township Village Addition 325 Hunton 212 04 0 00 22 010 00 0	Area Drives TOTAL	9,975.0 0.0 \$4,494.49	S.F. S.Y.	\$4,494.49
14	Traci Rodgers 324 Hunton El Dorado, KS 67042	Lot 12 Block 12 Township Village Addition 324 Hunton 212 04 0 00 21 006 00 0	Area Drives TOTAL	9,975.0 0.0 \$4,494.49	S.F. S.Y.	\$4,494.49
15	Sandra Dunn 320 Hunton El Dorado, KS 67042	Lot 11 Block 12 Township Village Addition 320 Hunton 212 04 0 00 21 007 00 0	Area Drives TOTAL	9,975.0 0.0 \$4,494.49	S.F. S.Y.	\$4,494.49
16	Orville Brown Jodi Brown 312 Hunton El Dorado, KS 67042	Lot 10 Block 12 Township Village Addition 312 Hunton 212 04 0 00 21 008 00 0	Area Drives TOTAL	9,975.0 0.0 \$4,494.49	S.F. S.Y.	\$4,494.49
17	Don Lore Thelma Lore 302 Hunton Rd El Dorado, KS 67042	Lot 9 Block 12 Township Village Addition 302 Hunton 212 04 0 00 21 009 00 0	Area Drives TOTAL	12,170.0 38.0 \$7,383.50	S.F. S.Y.	\$5,483.50 \$1,900.00

Sutherland Lumber Tallgrass LLC 3008 W Main St Jenks, OK 74037	18	2850 W Central 212 04 0 00 25 001 00 0	Area Drives TOTAL	240,772.0 51.0	S.F. S.Y.	\$107,079.51 \$2,550.00
USD 375 PO Box 9 Towanda, KS 67144	19	2700 W 6th 212 04 0 00 08 001 00 0	Area Drives TOTAL	212,086.0 21.0	S.F. S.Y.	\$94,321.87 \$1,050.00
Danny Anderson Patricia Anderson 520 School Rd El Dorado, KS 67042	20	Lot 14 Block 8 Township Village Addition 520 School Rd 212 04 0 00 13 002 00 0	Area Drives TOTAL	11,288.0 48.0	S.F. S.Y.	\$5,020.16 \$2,400.00
Cristin Cox 512 School Rd El Dorado, KS 67042	21	Lot 13 Block 8 Township Village Addition 512 School Rd 212 04 0 00 13 003 00 0	Area Drives TOTAL	11,288.0 0.0	S.F. S.Y.	\$5,020.16 \$5,020.16
Danny Shipman Linda Shipman 502 School Rd El Dorado, KS 67042	22	Lot 12 Block 8 Township Village Addition 502 School Rd 212 04 0 00 13 004 00 0	Area Drives TOTAL	11,288.0 0.0	S.F. S.Y.	\$5,020.16 \$5,020.16
Sean Schwartz Cynthia Schwartz 415 Village Ln Eureka, KS 67045	23	Lot 11 Block 8 Township Village Addition 428 School Rd 212-04-0-00-13-005.00-0	Area Drives TOTAL	5,655.0 0.0	S.F. S.Y.	\$2,514.97 \$2,514.97
Eddie Simmons 427 Simpson Rd El Dorado, KS 67042	24	Lot 4 Block 8 Township Village Addition 427 Simpson Rd 212-04-0-00-13-012.00-0	Area Drives TOTAL	5,600.0 0.0	S.F. S.Y.	\$2,490.51 \$2,490.51
Teddi Pope 501 Simpson El Dorado, KS 67042	25	Lot 3 Block 8 Township Village Addition 501 Simpson 212 04 0 00 13 013 00 0	Area Drives TOTAL	11,200.0 0.0	S.F. S.Y.	\$4,981.02 \$4,981.02
Taci Anderson 511 Simpson El Dorado, KS 67042	26	Lot 2 Block 8 Township Village Addition 511 Simpson 212 04 0 00 13 014 00 0	Area Drives TOTAL	11,200.0 0.0	S.F. S.Y.	\$4,981.02 \$4,981.02

Brian Bauer 519 Simpson El Dorado, KS 67042	27	Lot 1 Block 8 Township Village Addition 519 Simpson 212 04 0 00 13 001 00 0	Area Drives TOTAL	11,200.0 21.0 \$6,031.02	S.F. S.Y.	\$4,981.02 \$1,050.00
David Richard Denise Richard 520 Simpson El Dorado, KS 67042	28	Lot 14 Block 9 Township Village Addition 520 Simpson 212 04 0 00 14 002 00 0	Area Drives TOTAL	10,640.0 0.0 \$4,731.97	S.F. S.Y.	\$4,731.97
Chad Carter Madeleine Carter 512 Simpson El Dorado, KS 67042	29	Lot 13 Block 9 Township Village Addition 512 Simpson 212 04 0 00 14 003 00 0	Area Drives TOTAL	10,640.0 0.0 \$4,731.97	S.F. S.Y.	\$4,731.97
Vincent Lara Cherlynn Lara 502 Simpson El Dorado, KS 67042	30	Lot 12 Block 9 Township Village Addition 502 Simpson 212 04 0 00 14 004 00 0	Area Drives TOTAL	10,640.0 0.0 \$4,731.97	S.F. S.Y.	\$4,731.97
Reed Campbell Darci Campbell 428 Simpson Rd El Dorado KS 67042	31	Lot 11 Block 9 Township Village Addition 428 Simpson 212 04 0 00 14 004 01 0	Area Drives TOTAL	5,320 0 \$2,365.99	S.F. S.Y.	\$2,365.99
Dana Jordan 425 Hunton El Dorado, KS 67042	32	Lots 4, 5 Block 9 Township Village Addition 425 Hunton 212 04 0 00 14 009 00 0	Area Drives TOTAL	5,320 \$2,365.99	S.F. S.Y.	\$2,365.99
Dana Jordan 425 Hunton El Dorado, KS 67042	33	Lot 3 Block 9 Township Village Addition 425 Hunton 212 04 0 00 14 010 00 0	Area Drives TOTAL	10,640.0 0.0 \$4,731.97	S.F. S.Y.	\$4,731.97
Flint Hills Grass & Cattle LLC 218 E Central Ave El Dorado KS 67042	34	Lot 2 Block 9 Township Village Addition 511 Hunton 212 04 0 00 14 011 00 0	Area Drives TOTAL	10,640.0 0.0 \$4,731.97	S.F. S.Y.	\$4,731.97
Raymond Pile Brenda Pile 224 N 10th St Fredonia, KS 66736	35	Lot 1 Block 9 Township Village Addition 515 Hunton 212 04 0 00 14 001 00 0	Area Drives TOTAL	10,640.0 0.0 \$4,731.97	S.F. S.Y.	\$4,731.97

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON MARCH 15, 2021**

The governing body met in regular session at the usual meeting place in the City, at 6:30 P.M., the following members being present and participating, to-wit:

Absent:

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

* * * * *

(Other Proceedings)

Thereupon, pursuant to a notice duly published in the *Butler County Times-Gazette*, the Mayor opened the public hearing and announced that anyone desiring to be heard in connection with the advisability of making the following described improvements (the "Improvements"):

Paving 5th Avenue (School Rd. to Hunton Rd.) 2nd Avenue (School Rd. to Diagonal Rd.)
(Township Village)

would now be heard.

Thereafter, the Mayor adjourned the public hearing.

* * * * *

(Other Proceedings)

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS FOR THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS, SUBJECT TO PROTEST (PAVING IMPROVEMENTS/PAVING 5TH AVENUE AND 2ND AVENUE).

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

Yea: _____.

Nay: _____.

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

* * * * *

(Other Proceedings)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

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

CERTIFICATE

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

(SEAL)

City Clerk

(Published in the *Butler County Times-Gazette* on March 20, 2021)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS FOR THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS, SUBJECT TO PROTEST (PAVING IMPROVEMENTS/PAVING 5TH AVENUE AND 2ND AVENUE).

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

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

WHEREAS, the governing body of the City of El Dorado, Kansas (the “City”) has heretofore by Resolution No. 2917, directed and ordered a public hearing on the advisability of certain internal improvements in the City, pursuant to the Act; and providing for the giving of notice of said public hearing in the manner required by the Act; and

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

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

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

commenced if, within twenty (20) days after publication of the resolution ordering the improvement, written protests signed by both fifty-one per cent (51%) or more of the resident owners of record of property within the improvement district and the owners of record of more than half of the total area of such improvement district are filed with the City Clerk; and

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

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

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

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

Paving 5th Avenue (School Rd. to Hunton Rd.) 2nd Avenue (School Rd. to Diagonal Rd.) (Township Village), 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: \$435,243.65, exclusive of interest on financing and administrative and financing costs; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

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

See **Exhibit A** attached hereto.

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

In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. In the event that unplatted property within the Improvement District is platted after adoption this Resolution, each platted lot shall be equally assessed for the costs associated with the unplatted property. 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: 87% or \$379,307.47 to be assessed against the Improvement District and 13% or \$55,936.18 to be paid by the City-at-large.

Section 2. Authorization of Improvements. The Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body as set forth in **Section 1** of this Resolution; except that, the Improvement shall not be commenced if, within twenty (20) days after publication of this Resolution, written protests signed by both fifty-one per cent (51%) or more of the resident owners of record of property within the Improvement District **and** the owners of record of more than half of the total area of the Improvement District are filed with the City Clerk. The City Clerk shall report to the governing body at the end of said protest period as to whether or not any such protest petition has been filed.

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

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

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

ADOPTED by the governing body of the City on March 15, 2021.

(SEAL)

By: _____

Name: Bill Young

Title: Mayor

ATTEST:

By: _____

Name: Tabitha Sharp

Title: City Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on March 15, 2021, as the same appears of record in my office.

DATED: March 15, 2021.

By: _____

Name: Tabitha Sharp

Title: City Clerk

EXHIBIT A

PROPERTY DESCRIPTION
PAVING 5th AVENUE (SCHOOL RD. TO HUNTON RD.) AND
2ND AVENUE (SCHOOL RD. TO DIAGONAL RD.)
(TOWNSHIP VILLAGE)

Lot 12 Block 10
Township Village Addition
328 School

Lot 11 Block 10
Township Village Addition
318 School
El Dorado KS 67042

Lot 10 Block 10
Township Village Addition
312 School

Lot 9 Block 10
Township Village Addition
302 School

Lot 8 Block 10
Township Village Addition
301 Simpson

Lot 7 Block 10
Township Village Addition
315 Simpson

Lots 5 & 6 Block 10
Township Village Addition
333 Simpson

Lots 11 & 12 Block 11
Township Village Addition
320 Simpson

Lots 9 & 10 Block 11
Township Village Addition
302 Simpson

Lot 8 Block 11
Township Village Addition
301 Hunton

Lot 7 Block 11
Township Village Addition
311 Hunton

Lot 6 Block 11
Township Village Addition
317 Hunton

Lot 5 Block 11
Township Village Addition
325 Hunton

Lot 12 Block 12
Township Village Addition
324 Hunton

Lot 11 Block 12
Township Village Addition
320 Hunton

Lot 10 Block 12
Township Village Addition
312 Hunton

Lot 9 Block 12
Township Village Addition
302 Hunton

Lot 1, Block 1 Matlock & Johnson Addition
to the City of El Dorado, in Butler County
Kansas

2850 W Central

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 4, Township 26 South, Range 5 East, Butler County, Kansas, described as follows: Beginning 687 feet West and 650 feet North of the Southeast corner of said Northeast Quarter of the Northwest Quarter; thence West parallel to and 650 feet distant from the South line of said Northeast Quarter of the Northwest Quarter a distance of 607.23 feet to a point 30 feet East of the West line of said Northeast Quarter of the Northwest Quarter; thence North parallel to and 30 feet distant from said East line, a distance of 524.26 feet to a point on the Southerly right-of-way line of a public road and being 158.65 feet South of the North line of said Section 4; thence Northeasterly along said right-of-way line a distance of 56.75 feet; thence continuing Northeasterly with a deflection angle of 23° 2' right, a distance of 194.05 feet; thence North with a deflection angle of 66° 58' left, a distance of 41.75 feet to the North line of said Section 4; thence East along the North line of said Section 4, a distance of 389.47 feet; thence South and parallel to the East line of said Northeast Quarter of the Northwest Quarter a distance of 683.50 feet to the point of beginning.

2700 W 6th

Lot 14 Block 8
Township Village Addition
520 School Rd

Lot 13 Block 8
Township Village Addition
512 School Rd

Lot 12 Block 8
Township Village Addition
502 School Rd

Lot 11 Block 8
Township Village Addition
428 School Rd

Lot 4 Block 8
Township Village Addition

427 Simpson Rd

Lot 3 Block 8
Township Village Addition
501 Simpson

Lot 2 Block 8
Township Village Addition
511 Simpson

Lot 1 Block 8
Township Village Addition
519 Simpson

Lot 14 Block 9
Township Village Addition
520 Simpson

Lot 13 Block 9
Township Village Addition
512 Simpson

Lot 12 Block 9
Township Village Addition
502 Simpson

Lot 3 Block 9
Township Village Addition
509 Hunton

Lot 2 Block 9
Township Village Addition
511 Hunton

Lot 1 Block 9
Township Village Addition
515 Hunton

Lot 11 Block 9
Township Village Addition
428 Simpson

Lots 4, 5 Block 9
Township Village Addition
425 Hunton

CERTIFICATE OF NO PROTEST

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

I, the City Clerk of the City of El Dorado, Kansas, do hereby certify that Resolution No. _____ authorizing paving/Paving 5th Avenue and 2nd Avenue, was duly published once in the ***Butler County Times-Gazette***, the official newspaper of the City, on March 20, 2021, as required by law; that more than twenty (20) days has elapsed from the date of said publication; and that there has been no sufficient written protest against the making of said improvements filed in the office of the City Clerk in accordance with K.S.A. 12-6a01 *et seq.*

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

(Seal)

Tabitha Sharp, City Clerk
City of El Dorado, Kansas

TO: City Commission
FROM: Scott Rickard
SUBJ: Project #560 Sanitary Sewer South Haverhill
DATE: March 2, 2021

Background:

Project No. 560 is complete. The City Commission must set a hearing date to spread the costs to the properties involved.

Project Schedule:

Public Hearing 4/5/21

Attachments:

Excerpt of minutes, notice of public hearing, and statement of cost proposed to be assessed

Policy Issue:

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

Alternatives:

N/A

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. Continuously ***evaluate public facilities*** to ensure that such facilities receive proper investment for maintenance, and facilitate the planning of new or renovation of such facilities when needed to maintain service delivery.

Fiscal Impact:

The total cost of the project is \$5,519.73. The costs assessed to the improvement district will be \$5,519.73 and city-at-large costs will be \$0.00. The total cost of the project will be paid out of the sewer fund. The improvement district will be able to pay off the debt over a twenty-year period.

Trade-offs:

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

Staff Recommendation:

Set the public hearing for April 5, 2021.

Commission Actions:

Commissioner _____ moved to set the public hearing for 6:30 p.m. on April 5, 2021 to be held for the purpose of considering the proposed assessments of the cost of Project No. 560, 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
January 6, 2021	Certification of Statement of Final Costs and Proposed Assessment Rolls
February 17, 2021	Preparation of Initial Assessment Proceedings
March 15, 2021	Governing Body Meeting Approve Statement of Final Costs, Assessment Roll and Notices of Public Hearing; Establish Date for Public Hearing
March 20, 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 April 5, 2020]
March __, 2021	Preparation of Final Assessment Proceedings
April 5, 2020	Governing Body Meeting Conduct Public Hearing; Pass Assessment Ordinance
April 10, 2021	Publish Assessment Ordinance or Summary in The Butler County Times-Gazette; Mail Notice of Assessment
May 10, 2021	Pay-in Period Ends [30 day Non-litigation Period After April 10, 2021]
Before 08/25/2021	Certify Assessment Spreads to Butler County Clerk

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON MARCH 15, 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. 560 - Sanitary Sewer Improvements

Resolution No. 2898

Sanitary Sewer Improvements

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 April 5, 2020 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)

[BALANCE OF THIS PAGE INTENTIONALLY LEFT BLANK]

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

CITY OF EL DORADO, KANSAS

**PROJECT 560 - SANITARY SEWER IMPROVEMENTS
RESOLUTION NO. 2989**

STATEMENT OF FINAL COSTS

CONSTRUCTION	\$4,442.24
ENGINEERING	577.49
COSTS OF ISSUANCE	500.00
<i>TOTAL</i>	<i>\$5,519.73</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 March 15, 2021.

CITY OF EL DORADO, KANSAS

By: _____
Scott Rickard

SCHEDULE I

**PROJECT 560 - SANITARY SEWER IMPROVEMENTS
RESOLUTION NO. 2898**

Description of Property	Amount of Proposed Assessment
A tract of land commencing at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6 th P.M., Butler County, Kansas; thence South 313.06 feet, for a point of beginning; thence South 208.71 feet; thence West 208.71 feet; thence North 208.71 feet; thence East 208.71 feet to the point of beginning.	\$2,759.87
A tract of land commencing at a point being 313.06 feet South and 417.43 feet West of the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6 th P.M., Butler County, Kansas, thence on an assumed bearing of S 00°23'34" W a distance of 397.97 feet for a point of beginning; thence S 89°12'35" E a distance of 377.22 feet to the west right of way line of SW Haverhill Road; thence S 00°23'34" W along said right of way a distance of 293.54 feet; thence N 89°12'35" W a distance of 377.06 feet; thence N 00°23'55" E a distance of 293.54 feet to the point of beginning.	\$2,759.87

EXHIBIT C

(Published in *The Butler County Times-Gazette* on March 20, 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 April 5, 2020, 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. 560 - Sanitary Sewer Improvements

Resolution No. 2898

Sanitary Sewer Improvements

Property Description:

A tract of land commencing at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M., Butler County, Kansas; thence South 313.06 feet, for a point of beginning; thence South 208.71 feet; thence West 208.71 feet; thence North 208.71 feet; thence East 208.71 feet to the point of beginning.

A tract of land commencing at a point being 313.06 feet South and 417.43 feet West of the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M., Butler County, Kansas, thence on an assumed bearing of S 00°23'34" W a distance of 397.97 feet for a point of beginning; thence S 89°12'35" E a distance of 377.22 feet to the west right of way line of SW Haverhill Road; thence S 00°23'34" W along said right of way a distance of 293.54 feet; thence N 89°12'35" W a distance of 377.06 feet; thence N 00°23'55" E a distance of 293.54 feet to the point of beginning.

Cost of Improvements:

\$5,519.73.

100% to be assessed against the Improvement District and 0% 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 March 15, 2021.

/s/ Tabitha Sharp, City Clerk

EXHIBIT D

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

March 20, 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 April 5, 2020, 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 560 - SANITARY SEWER IMPROVEMENTS
RESOLUTION NO. 2898**

Description of Property	Amount of Proposed Assessment
A tract of land commencing at the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6 th P.M., Butler County, Kansas; thence South 313.06 feet, for a point of beginning; thence South 208.71 feet; thence West 208.71 feet; thence North 208.71 feet; thence East 208.71 feet to the point of beginning.	\$2,759.87
A tract of land commencing at a point being 313.06 feet South and 417.43 feet West of the Northeast Corner of the Southeast Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6 th P.M., Butler County, Kansas, thence on an assumed bearing of S 00°23'34" W a distance of 397.97 feet for a point of beginning; thence S 89°12'35" E a distance of 377.22 feet to the west right of way line of SW Haverhill Road; thence S 00°23'34" W along said right of way a distance of 293.54 feet; thence N 89°12'35" W a distance of 377.06 feet; thence N 00°23'55" E a distance of 293.54 feet to the point of beginning.	\$2,759.87

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 March 20, 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 March 20, 2021.

(Seal)

Tabitha Sharp, City Clerk

[attach sample copy of form]

TO: City Commission
FROM: Scott Rickard
SUBJ: District 142 CDBG Phase II Public Hearing
DATE: March 2, 2021

Background:

A public hearing must be held for the purpose of considering an application to be submitted to the Kansas Department of Commerce for Small Cities Community Development Block Grant funds under the Downtown Commercial Rehabilitation category.

The specific project to be discussed is the rehabilitation of the building located 142 North Main Street El Dorado Kansas at the corner of North Main Street and West 1st Street. The proposed rehabilitation project will consist of replacing existing windows and doors second floor, install passenger elevator, accessible public restrooms on second floor, plumbing sewer main & interceptor and electrical service. The estimated project cost is \$341,700.00, with the grant request for \$250,000.00 of the project cost and a local match of \$91,700.00. Other project proposals introduced at the public hearing will be considered. Oral and written comments will be recorded and become a part of the City of El Dorado CDBG Citizen Participation Plan.

Project Schedule:

Construction and Completion in 2021

Attachments:

Resolution, SCKEDD Admin contract, Anti-Displacement, Disclosure, Attestation, Statement of Assurances

Policy Issue:

The City Commission must hold a public hearing and approve the Resolution in order to move forward with the application.

2021 Strategic Plan

- I. **Economic Development** – *The City actively works to create an environment that facilitates capital investment, produces jobs, and increases the tax base of the community.*
 - a. Actively collaborate with downtown stakeholders to ***facilitate revitalization efforts in downtown El Dorado.***

Alternatives:

The City Commission has several options:

1. Hold the public hearing and approve the Resolution.
2. Deny the request.
3. Request additional information.

Fiscal Impact:

Costs for the administration of the grant will be paid from grant proceeds.

Trade-offs:

N/A

Staff Recommendation:

Conduct the public hearing, approve the resolution and authorize the Mayor to execute the administrative services contract and other documentation.

Commission Actions:

Commissioner _____ moved to approve Resolution No. 2021, a Resolution certifying legal authority to apply for the Kansas Small Cities Community Development Block Grant Program from the Kansas Department of Commerce and authorizing the Mayor to sign and the City of El Dorado, Kansas to submit such an application.

Commissioner _____ seconded the motion.

Commissioner _____ moved to authorize the Mayor to execute a contract for administrative services for the Community Development Block Grant.

Commissioner _____ seconded the motion.

Commissioner _____ moved to authorize the Mayor to execute all documents required to apply for the Community Development Block Grant.

Commissioner _____ seconded the motion

[Return to Agenda](#)

THE CITY OF EL DORADO, KANSAS

RESOLUTION NO.2021

RESOLUTION CERTIFYING THE LEGAL AUTHORITY
TO APPLY FOR THE KANSAS SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
FROM THE KANSAS DEPARTMENT OF COMMERCE
AND AUTHORIZING THE MAYOR
TO SIGN AND SUBMIT SUCH AN APPLICATION

WHEREAS, The City of El Dorado, Kansas, is a legal governmental entity as provided by the laws of the STATE OF KANSAS, and

WHEREAS, The City of El Dorado, Kansas intends to submit an application for assistance from the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby certifies that the City of El Dorado, Kansas, is a legal governmental entity under the status of the laws of the STATE OF KANSAS and thereby has the authority to apply for assistance from the KANSAS SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby authorizes the MAYOR of El Dorado, Kansas, to act as the applicant's official representative in signing and submitting an application for assistance to the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

THE APPLICANT hereby dedicates \$91,800.00 in cash funds toward this project.

APPROVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS,
this 15th day of March 2021.

APPROVED _____
MAYOR

ATTEST _____

(SEAL)

THE CITY OF EL DORADO, KANSAS

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

THIS CONTRACT is entered into this ____ day of March, 2021 by and between The City of El Dorado, Kansas, Party of the First Part, hereinafter referred to as "City" and the South Central Kansas Economic Development District, Inc. (SCKEDD) a non-profit Kansas corporation under the laws of the State of Kansas, Party of the Second Part, hereinafter called "SCKEDD".

This contract is contingent upon award of a current Small Cities Community Development Block Grant (CDBG) application from the State of Kansas Department of Commerce. If the application is not successful and the grant not funded, this contract will be declared null and void.

SCKEDD hereby agrees to provide grant administration services to the City in the administration of the CDBG which may be awarded by the Kansas Department of Commerce to the City for downtown commercial rehab. The services to be provided are outlined in the attached Exhibit "A" and hereby incorporated into this contract and made a part hereof. SCKEDD's official agent for this contract is its Executive Director.

SCKEDD further agrees to the following:

1. SCKEDD will provide the City, the Kansas Department of Commerce, or the Comptroller General through any authorized representative, the access to, and the right to examine, SCKEDD's records, books, papers or documents related to the contract.
2. SCKEDD will provide safeguards to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves, or others, particularly those with whom they have family, business, or other ties.

SCKEDD further agrees to abide by the following State and Federal Regulations:

1. Title VI of the Civil Rights Act of 1964;
2. Title VIII of the Civil Rights Act of 1968, as amended by the Housing Act of 1974;
3. Section 109, Housing and Community Development (HCD) Act of 1974, as amended;
4. Section 3 of the Housing and Urban Development Act of 1968, as amended through 1994, and implemented by 24 CFR 135;
5. Section 503 of Rehabilitation Act of 1973, as amended;
6. Section 504 of the Rehabilitation Act of 1973, as amended;
7. Age Discrimination Act of 1975, as amended;
8. Executive Order 11063 (1962);
9. Executive Order 11246 (1965), as amended;
10. 24 CFR 85, as modified by CFR 570, Subpart J;
11. Title I of the Housing and Community Development Act of 1974, as amended;
12. Section 519, Public Law 101-144 (1990 HUD Appropriation Act);

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

13. Cranston-Gonzales National Affordable Housing Act (Sections 906 and 912);
14. Kansas Act Against Discrimination; and
15. Fair Housing Amendment Act of 1988.

These items are described in more detail in Section 10, Appendix "B" of the Kansas Small Cities Community Development Block Grant Program Grantee Handbook. These pages are attached hereto as Exhibit "B" and hereby incorporated into this contract and made a part hereof.

The City agrees, as related to this contract, to assume the following duties and obligations:

1. To pay SCKEDD **\$17,000.00** for the administration of this contract. Payments are due to SCKEDD as follows for administrative duties:

\$4,250.00 at the completion of the environmental assessment;

\$4,250.00 after the first portion of the CDBG funds is requested to pay for construction;

\$4,250.00 after 50% of the total of all money set aside for construction is spent;

\$2,550.00 when the grant is ready for closeout, and clearance of all monitoring findings is received; and

\$1,700.00 when the final closeout paperwork (with the exception of audit) is submitted to KDOC.

SCKEDD will write the CDBG grant application at no cost to the City.

2. During the course of, and for all activities relating to this contract, to appoint an authorized grant liaison with whom SCKEDD is to work.

It is further agreed that at any time during the contract, should either party to this contract become dissatisfied with the provisions of the contract, or the execution of duties as set forth herein, they may request from, and will be granted by, the other party a renegotiation of terms. This request must take the form of a written notification detailing the reasons for complaint. If thirty (30) days after the receipt of the request for renegotiations, the renegotiations have not been resolved, this contract will be declared null and void from that date, subject to the payment of SCKEDD's expenses to date by the City.

It is further agreed that in the event the grant is not forthcoming, SCKEDD will be paid by the Kansas Department of Commerce for its time and expenses up to the date the grant is canceled.

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

It is further agreed that no provision herein set forth shall be construed to mean that SCKEDD shall assume from the City any direct responsibility to the Kansas Department of Commerce as detailed in the City's Grant Agreement for the above-referenced grant, other than that of an agent of the City.

This contract is in effect until grant closeout procedures, except the audit, have been completed.

SCKEDD and the City have agreed to the terms of this contract executed this ___ day of March 2021, as evidenced by the following affixed signatures.

CITY OF EL DORADO, KANSAS

SOUTH CENTRAL KANSAS ECONOMIC
DEVELOPMENT DISTRICT, INC.

Bill Young
Mayor

Steven Wilkinson
Executive Director

EXHIBIT A

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

ADMINISTRATIVE SERVICES

1. Update Procurement Procedures, as needed.
2. Assist the City in "Furthering Fair Housing" and "Civil Rights" compliance by arranging to publish the proper notices in the official newspaper for the City, or by performing specific activities, and documenting them.
3. Complete the notices and prepare the publications required to complete the Environmental Review process.
4. Prepare all newspaper advertisements that are needed to inform the public about the project and to solicit construction contractors. The City will pay for all newspaper advertisements.
5. Perform the required notification to Minority-Owned Business Enterprises and Women-Owned Business Enterprises.
6. Attend the meeting during which the construction bids are opened.
7. Verify the contractor's eligibility with KDOC.
8. Assist the City in setting up and maintaining the required records, including:
 - a. Prepare signature forms.
 - b. Establish accounting procedures and books.
 - c. Maintain a spreadsheet to track expenses for the overall project.
 - d. Prepare every Request for Payment form (used to draw down grant funds).
 - e. Prepare each Estimated Cash Disbursement Report.
 - f. File all Quarterly Progress Reports.
 - g. Work with auditor on audit, if required by KDOC.
9. These are the Labor Standards activities that will be handled by the administrator:
 - a. Request for determination of applicable Davis-Bacon Wage Rates.
 - b. Perform a Wage Survey and request for Davis-Bacon Wage Rates for any labor classification that does not appear on the original determination.
 - c. Conduct Pre-Construction Conference.
 - d. Prepare the Notice of Start of Construction.
 - e. Prepare the Notice of Completion.
 - f. Review Weekly Payroll Reports and make sure that all errors are corrected.
 - g. Perform on-site employee interviews to comply with CDBG requirements.
10. Participate in on-site monitoring visits by KDOC staff.
11. Correct any monitor's findings.
12. Close out the grant, through:
 - a. Preparation of all grant closeout documents.
 - b. Preparation for the Public Hearing for Citizen Participation.
13. Provide other assistance as needed to see that the grant is in compliance with KDOC requirements.

SCKEDD understands that the above is not an all-inclusive list. SCKEDD assures that all items required by the Kansas Department of Commerce, to be in compliance with their CDBG Program for grant administration services, will be provided and completed by SCKEDD to KDOC's satisfaction.

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

EXHIBIT B
CDBG STATE AND FEDERAL REGULATIONS

SECTION 10, APPENDIX B

SUMMARY OF CIVIL RIGHTS LAWS, EXECUTIVE ORDERS, AND REGULATIONS
(Applicable to construction)

CDBG grantees must ensure all project activities will be administered in compliance with all civil rights laws and regulations. The following are summaries of those parts of the civil rights laws and regulations applicable to CDBG activities.

Title VI of the Civil Rights Act of 1964 provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title VIII of Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental and financing of dwellings based on race color, religion, sex or national origin. Title VIII was amended in 1988 (effective March 12, 1989) by the Fair Housing Amendment Act, which: expanded the coverage of the Fair Housing Act to prohibit discrimination based on disability or on familial status (presence of child under age of 18, and pregnant women); established new administrative enforcement mechanisms with HUD attorneys bringing actions before administrative law judges on behalf of victims of housing discrimination; and revised and expanded Justice Department jurisdiction to bring suit on behalf of victims in Federal district courts.

Section 109, Housing and Community Development (HCD) Act of 1974, as amended, provides that no person in the United States shall, on the grounds of race, color, national origin, religion, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under Title I of the Housing and Community Development Act of 1974.

Section 504 of the Rehabilitation Act of 1973, as amended provides for nondiscrimination of an otherwise qualified individual solely on the basis of his/her handicap in benefiting from any program or activity receiving federal financial assistance. All recipients must certify to compliance with all provisions of this Section.

Age Discrimination Act of 1975. No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or subjected to discrimination under, and program or activity receiving federal financial assistance.

Executive Order 11063, as amended, directs all departments and agencies to take all action necessary and appropriate to prevent discrimination in housing and related facilities owned or operated by the federal government or provided with federal financial assistance and in the lending practices with respect to residential property and related facilities (including land to be

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

developed for residential use) of lending institutions, insofar as such practices relate to loans insured or guaranteed by the federal government.

Kansas Act Against Discrimination. It is a policy of the State of Kansas that requires all employers, labor organizations, employment agencies, realtor, financial institutions, or other persons covered by this Act to assure equal opportunities and encourage every citizen regardless of race, religion, color, sex, age, physical disability, national origin, or ancestry, to secure and hold – without discrimination, segregation, or separation – employment in any field of work or labor for which they are properly qualified, the opportunity for full and equal public accommodations, and to assure full and equal opportunities in housing.

Section 3 of the Housing and Urban Development Act of 1968, as amended, provides that, to the greatest extent feasible, opportunities for training and employment shall be given to recipients of public housing and lower income residents of the unit of local government or the metropolitan area (or non-metropolitan City) in which the project is located, contract work in connection with such projects shall be awarded to business concerns which are owned in substantial part by persons residing in the same metropolitan area (or non-metropolitan City) as the project, employ Section 3 residents in full-time positions, or subcontract with businesses which provide economic opportunities to lower income persons.

Executive Order 11246, as amended, provides that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in any phase of employment during the performance of federal or federally assisted construction contracts in excess of \$10,000. The following civil rights requirements also apply to CDBG grantee performance: grantees shall comply with Executive Order 11246, as amended by Executive Order 12086, and the regulations issued pursuant thereto (41 CFR Chapter 60) which provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin in all phases of employment during the performance of federal or federally-assisted construction contracts. As specified in Executive Order 11246 and the implementing regulations, contractors and subcontractors on federal or federally assisted construction contracts shall take affirmative action to ensure fair treatment in employment, upgrading, demotion or transfer, recruitment or retirement advertising, layoff or termination, rates of pay, or other forms of compensation and selection or training and apprenticeship.

Section 503 of the Rehabilitation Act of 1973, as amended, provides for the nondiscrimination in contractor employment. All recipients of federal funds must certify to the following through all contracts issued:

Affirmative Action for Handicapped Workers

1. The contractor will not discriminate against any employee in regard to any position for which the employee or applicant for employment is qualified. The contractor agrees to make affirmative action to employ, advance in employment and otherwise treat qualified handicapped individuals without discrimination based upon their physical or mental

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

handicap in all employment practices such as the following: Employment upgrading, demotion or transfer, recruitment, advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeships.

2. The contractor agrees to comply with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.
3. In the event of the contractor's noncompliance with the requirements of this clause, action for noncompliance may be taken in accordance with the rules, regulations, and relevant orders of the Secretary of Labor issued pursuant to the Act.
4. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices in the form to be prescribed by the Director, provided by or through the contracting officer. Such notices shall state the contractor's obligation under the law to take affirmative action to employ and advance in employment qualified handicapped employees and applicants for employment, and the rights of applicants and employees.
5. The contractor will notify each labor union or representative of workers with which it has a collective bargaining agreement or other contract understanding, that the contractor is bound by the terms of Section 503 of the Rehabilitation Act of 1973, and is committed to take affirmative action to employ and advance in employment physically and mentally handicapped individuals.
6. The contractor will include the provisions of this clause in every subcontract or purchase order of \$2,500 or more unless exempted by rules, regulations, or orders of the Secretary issued pursuant to Section 503 of the Act, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontractor or purchase order as the Director of the Office of Federal Contract Compliance Programs may direct to enforce such provisions, including action for noncompliance.

Section 912 of the Cranston-Gonzales National Affordable Housing Act, as amended, Section 109 (a) of the HCD Act to prohibit discrimination on the basis of religion.

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

EXHIBIT C
TERMS AND CONDITIONS

1. Termination of Contract for Cause: If, through any cause, the Consultant shall fail to fulfill in a timely manner his/her obligations under this contract, or if the Consultant shall violate any of the covenants, agreements or stipulations of this contract, the City shall thereupon have the right to terminate this contract by giving written notice to the Consultant of such termination and specifying the effective date thereof, at least five days before the effective date of such termination. In such event, all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs and reports prepared by the Consultant under this Contract shall, at the option of the City, become its property and the Consultant shall be entitled to receive just and equitable compensation for any work satisfactorily completed hereunder.

Notwithstanding the above, the Consultant shall not be relieved of liability to the City for damages sustained by the City by virtue of any breach of the contract by the Consultant, and the City may withhold any payments to the Consultant for the purpose of set-off until such time as the exact amount of damages due the City from the Consultant is determined.

2. Termination for Convenience of the City: The City may terminate this contract at any time by giving at least 10 days' notice in writing to the Consultant. If the Contract is terminated by the City as provided herein, the Consultant will be paid for the time provided and expenses incurred up to the termination date. If this contract is terminated due to the fault of the Consultant, Paragraph 1 hereof relative to termination shall apply.
3. Changes: The City may, from time to time, request changes in the scope of services of the Consultant to be performed hereunder. Such changes, including any increase or decrease in the amount of the Consultant's compensation, which are mutually agreed upon by and between the City and the Consultant, shall be incorporated in written amendments to this Contract.
4. Personnel:
 - a. The Consultant represents that he/she has, or will secure at his/her own expense, all personnel required in performing the services under this contract. Such personnel shall not be employees of, or have any contractual relationship with, the City.

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

- b. All of the services required hereunder will be performed by the Consultant or under his/her supervision and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under state and local law to perform such services.
 - c. None of the work or services covered by this contract shall be subcontracted without the prior written approval of the City. Any work or services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this contract.
- 5. Assignability: The Consultant shall not assign any interest on this contract, and shall not transfer any interest in the same (whether by assignment or invitation), without the prior written consent of the City thereto; provided, however, that claims for money by the Consultant from the City under this contract may be assigned to a bank, trust company or other financial institution without such approval. Written notice of any such assignment or transfer shall be furnished promptly to the City.
- 6. Reports and Information: The Consultant, at such times and in such forms as the City may require, shall furnish the City such periodic reports as it may request pertaining to the work or services undertaken pursuant to this contract, the costs and obligations incurred or to be incurred in connection therewith and any other matters covered by this contract.
- 7. Records and Audits: The Consultant shall maintain accounts and records, including personnel, property and financial records, adequate to identify and account for all costs pertaining to the contract and such other records as may be deemed necessary by the City to assure proper accounting for all project funds, both federal and non-federal shares. These records will be made available for audit purposes to the City or any authorized representative and will be retained for four years after the expiration of this contract unless permission to destroy them is granted by the City.
- 8. Findings Confidential: All of the reports, information, data, etc., prepared or assembled by the Consultant under this contract are confidential and the Consultant agrees that they shall not be made available to any individual or organization without prior written approval by the City.
- 9. Copyright: No report, maps or other documents produced in whole or in part under this Contract shall be the subject of an application for copyright by or on behalf of the Consultant.
- 10. Compliance with Local Laws: The Consultant shall comply with all applicable laws, ordinances and codes of the state and local governments, and the Consultant shall hold the City harmless with respect to any damages arising from tort done in performing any of the work embraced by this contract.

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

11. Equal Employment Opportunity: During the performance of this contract, the Consultant agrees as follows:

- a. The Consultant will not discriminate against any employee or applicant for employment because of race, creed, sex, color or national origin. The Consultant will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, creed, sex, color or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City setting forth the provisions of this non-discrimination clause.
- b. The Consultant will, in all solicitation or advertisements for employees placed by or on behalf of the Consultant, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex or national origin.
- c. The Consultant will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Contract so that such provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.
- d. The Consultant will comply with all provisions of Executive Order 11246 of September 24, 1965, and the rules, regulations and relevant orders of the Secretary of Labor.
- e. The Consultant will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his/her books, records and accounts by the City's Department of Housing and Community Development and the Secretary of Labor for purposes of investigation to ascertain with such rules, regulations and orders.
- f. In the event of the Consultant's non-compliance with the non-compliance clauses of this contract or with any such rules, regulations or orders, this contract may be canceled, terminated or suspended in whole or in part and the Consultant may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor or as otherwise provided by law.
- g. The Consultant will include the provisions of paragraphs (a) through (g) in every subcontract or purchase order unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The Consultant will take such action

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

with respect to any subcontract or purchase order as the City's Department of Housing and Community Development may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that in the event the Consultant becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the City's Department of Housing and Community Development, the Consultant may request the United States to enter into such litigation to protect the interests of the United States.

12. Civil Rights Act of 1964: Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

13. Section 109 of the Housing and Community Development Act of 1974:

- a. a. No person in the United States shall, on the grounds of race, color, national origin or sex be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

14. "Section 3" Compliance in the Provision of Training, Employment and Business Opportunities: The work to be performed under this Contract is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 USC 1701u. The purpose of Section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by Section 3 shall, to the greatest extent feasible be directed to low and very low-income persons, particularly persons who are recipients of HUD assistance for housing.

The parties to this contract agree to comply with HUD's regulations in 24 CFR Part 135, which implement Section 3. As evidenced by their execution of this contract, the parties to this Contract certify that they are under no contractual or other impediment that would prevent them from complying with Part 135 regulations.

The Contractor agrees to send to each labor organization or representative of workers with which the Contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the Contractor's commitments under this Section 3 clause and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the Section 3 preference, shall set forth minimum number and job titles subject to hire; availability of apprenticeship and training positions; the qualifications for each; the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.

CONTRACT FOR ADMINISTRATIVE SERVICES
CITY OF EL DORADO, KANSAS
CDBG DOWNTOWN COMMERCIAL REHABILITATION

The Contractor agrees to include this Section 3 clause in every subcontract subject to compliance with regulations in 24 CFR Part 135, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this Section 3 clause, upon finding that the subcontractor is in violation of the regulations in 24 CFR Part 135. The Contractor will not subcontract with any subcontractor where the Contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in 24 CFR Part 135.

The Contractor will certify that any vacant employment positions including training positions, that are filled (1) after the Contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of 24 CFR Part 135 require employment opportunities to be directed, were not filled to circumvent the Contractor's obligations under 24 CFR Part 135.

The Contractor agrees to submit such reports as required to document compliance with Part 135. Non-compliance with the regulations in 24 CFR Part 135 may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

15. Interest of Members of a City: No member of the governing body of the City and no other officer, employee or agent of the City who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this contract; and the Consultant shall take appropriate steps to assure compliance.
16. Interest of Other Local Public Officials: No member of the governing body of the locality and no other public official of such locality, who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this contract; and the Consultant shall take appropriate steps to assure compliance.
17. Interest of Consultant and Employees: The Consultant covenants that he/she presently has no interest and shall not acquire interest, direct or indirect, in the study area or any parcels therein or any other interest which would conflict in any manner or degree with the performance of their services hereunder.

The Consultant further covenants that in the performance of this contract, no person having any such interest shall be employed.

(Minimum required by all applicants for funding – must be submitted with application)

**Residential Anti-displacement and Relocation Assistance Plan
under Section 104(d) of the
Housing and Community Development Act of 1974, as Amended**

The jurisdiction will replace all occupied and vacant occupiable low- and moderate-income dwelling units demolished or converted to a use other than as low- moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR Part 570.488.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the [jurisdiction] will make public and submit to the Kansas Department of Commerce the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as Section 104(d) replacement dwelling units;
5. The source of funding and a time schedule for the provision of Section 104(d) replacement dwelling units; and
6. The basis for concluding that each Section 104 (d) replacement dwelling unit will remain a low- and moderate-income dwelling unit for at least ten years from the date of initial occupancy.

The jurisdiction will provide relocation assistance, as described in Section 570.488 to each low- and moderate-income household displaced by the demolition of housing or by the conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the act, the jurisdiction will take the following steps to minimize the displacement of persons from their homes:

Based on initial review of project, the following occupied dwellings (by address) will be demolished with grant funds (should contain proposed demolitions):

As chief official of the jurisdiction, I hereby certify that the above plan was officially adopted by the jurisdiction of El Dorado on the 15th day of March, 2021.

_____ Signature – Chief Elected Official	_____ El Dorado Jurisdiction	_____ March 15 th 2021 Date
---	------------------------------------	--

Applicant/Recipient Disclosure/Update Report

U.S. Department of Housing
and Urban Development

OMB Approval No. 2510-0011 (exp. 11/30/2018)

Instructions. (See Public Reporting Statement and Privacy Act Statement and detailed instructions on page 2.)

Applicant/Recipient Information

Indicate whether this is an Initial Report ☒ or an Update Report ☐

1. Applicant/Recipient Name, Address, and Phone (include area code): City of El Dorado, Kansas 220 East 1st Avenue, El Dorado Kansas 67042-2003 (316) 744-9287	2. Social Security Number or Employer ID Number: 48-603594
3. HUD Program Name Downtown Commercial Rehabilitation Development Block Grant	4. Amount of HUD Assistance Requested/Received \$250,000
5. State the name and location (street address, City and State) of the project or activity: 142 N. Main Street, El Dorado, Kansas 67042	

Part I Threshold Determinations

- | | |
|--|---|
| 1. Are you applying for assistance for a specific project or activity? These terms do not include formula grants, such as public housing operating subsidy or CDBG block grants. (For further information see 24 CFR Sec. 4.3).
☐ Yes ☒ No | 2. Have you received or do you expect to receive assistance within the jurisdiction of the Department (HUD), involving the project or activity in this application, in excess of \$200,000 during this fiscal year (Oct. 1 - Sep. 30)? For further information, see 24 CFR Sec. 4.9
☒ Yes ☐ No. |
|--|---|

If you answered "No" to either question 1 or 2, **Stop!** You do not need to complete the remainder of this form. **However,** you must sign the certification at the end of the report.

Part II Other Government Assistance Provided or Requested / Expected Sources and Use of Funds.

Such assistance includes, but is not limited to, any grant, loan, subsidy, guarantee, insurance, payment, credit, or tax benefit.

Department/State/Local Agency Name and Address	Type of Assistance	Amount Requested/Provided	Expected Uses of the Funds

(Note: Use Additional pages if necessary.)

Part III Interested Parties. You must disclose:

- All developers, contractors, or consultants involved in the application for the assistance or in the planning, development, or implementation of the project or activity and
- any other person who has a financial interest in the project or activity for which the assistance is sought that exceeds \$50,000 or 10 percent of the assistance (whichever is lower).

Alphabetical list of all persons with a reportable financial interest in the project or activity (For individuals, give the last name first)	Social Security No. or Employee ID No.	Type of Participation in Project/Activity	Financial Interest in Project/Activity (\$ and %)
SCKEDD - 9730 E. 50th St, Bel Aire, KS 67226	48-0791574	Administration	\$17,000 (6.8%)
Gravity Works, 101 S. Star El Dorado, KS 67042	48-1116843	Architectural	\$15,000 (6.0%)

(Note: Use Additional pages if necessary.)

Certification

Warning: If you knowingly make a false statement on this form, you may be subject to civil or criminal penalties under Section 1001 of Title 18 of the United States Code. In addition, any person who knowingly and materially violates any required disclosures of information, including intentional non-disclosure, is subject to civil money penalty not to exceed \$10,000 for each violation.

I certify that this information is true and complete.

Signature: X	Date: (mm/dd/yyyy)
---------------------	--------------------

City/County Attestation

To Whom It May Concern:

As a Chief Elected Official of the City/County of El Dorado, I hereby certify that I have knowledge of all activities in the above- referenced application. I also certify that I am aware that the regulation of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

Mayor/County Commission

ATTEST:

City/County Clerk

STATEMENT OF ASSURANCES AND CERTIFICATIONS

The applicant hereby assures and certifies with respect to the grant that:

- (1) It possesses legal authority to make a grant submission and to execute a community development and housing program.
- (2) Its governing body has duly adopted or passed as an official act a resolution, motion, or similar action authorizing the person identified as the official representative of the grantee to submit the final statement, all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the grantee to act in connection with the submission of the final statement and to provide such additional information as may be required.
- (3) Prior to submission of its application to Commerce, the grantee has met the citizen participation requirements, prepared its application of community development objectives and projected use of funds, and made the application available to the public, as required by Section 104(a)(2) of the Housing and Community Development Act of 1974, as amended, and implemented at 24 CFR 570.486.
- (4) It has developed its final statement (application) of projected use of funds so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight; the final statement (application) of projected use of funds may also include activities that the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available.
- (5) Its chief executive officer or other officer of the grantee approved by Commerce:
 - (a) Consents to assume the status of a responsible federal official under the National Environmental Policy Act of 1969 and other provisions of federal law as specified in 24 CFR 58.1(a);
 - (b) Is authorized and consents on behalf of the grantee and himself/herself to accept the jurisdiction of the federal courts for the purpose of enforcement of his/her responsibilities as such an official; and
- (6) The grant will be conducted and administered in compliance with the following federal and state regulations (see Appendix A: Applicable Laws and Regulations):

- (a) Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), and implementing regulations issued at 24 CFR Part 1;
- (b) Fair Housing Amendments Act of 1988, as amended, administering all programs and activities relating to housing and community development in a manner to affirmatively further fair housing; and will take action to affirmatively further fair housing in the sale or rental of housing, the financing of housing, and the provision of brokerage services;
- (c) Section 109 of the Housing and Community Development Act of 1974, as amended; and the regulations issued pursuant thereto (24 CFR Section 570.602);
- (d) Section 3 of the Housing and Urban Development Act of 1968, as amended; and implementing regulations at 24 CFR Part 135;
- (e) Executive Order 11246, as amended by Executive Orders 11375 and 12086 and implementing regulations issued at 41 CFR Chapter 60;
- (f) Executive Order 11063, as amended by Executive Order 12259 and implementing regulations at 24 CFR Part 107;
- (g) Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112), as amended and implementing regulations when published for effect;
- (h) The Age Discrimination Act of 1975, as amended, (Pub. L. 94-135), and implementing regulations when published for effect;
- (i) The relocation requirements of Title II and the acquisition requirements of Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and the implementing regulations at 24 CFR 570.488;
- (j) Anti-displacement and relocation plan requirements of Section 104(d) of Title I, Housing and Community Development Act of 1974, as amended;
- (k) Relocation payment requirements of Section 105(a)(11) of Title I, Housing and Community Development Act of 1974, as amended.
- (l) The labor standards requirements as set forth in 24 CFR 570.603 and HUD regulations issued to implement such requirements;
- (m) Executive Order 11988 relating to the evaluation of flood hazards and Executive Order 11288 relating to the prevention, control, and abatement of water pollution;

- (n) The regulations, policies, guidelines and requirements of 2 CFR Part 200 and A-122 as they relate to the acceptance and use of federal funds under this federally assisted program;
 - (o) The American Disabilities Act (ADA) (P.L. 101-336: 42 U.S.C. 12101) provides disabled people access to employment, public accommodations, public services, transportation, and telecommunications;
- (7) The conflict of interest provisions of 24 CFR 570.489 apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the state, or of a unit of general local government, or of any designated public agencies, or sub recipients which are receiving CDBG funds. None of these persons may obtain a financial interest or benefit from the activity, or have an interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter, and that it shall incorporate or cause to be incorporated, in all such contracts or subcontracts a provision prohibiting such interest pursuant to the purpose of this certification;
 - (8) It will comply with the provisions of the Hatch Act that limits the political activity of employee;
 - (9) It will comply with the provisions of 24-CFR-200.
 - (10) It will comply with the lead-based paint requirements of 24 CFR Part 35 Subpart B issued pursuant to the Lead-Based Paint Hazard Elimination Act (42 U.S.C. 4801 et seq.).
 - (11) The local government will not attempt to recover any capital costs of public improvements assisted in whole or in part with CDBG funds by assessing properties owned and occupied by low- and moderate-income persons unless: (a) CDBG funds are used to pay the proportion of such assessment that relates to non CDBG funding or; (b) the local government certifies to the state that, for the purposes of assessing properties owned and occupied by low- and moderate-income persons who are not very low-income, that the local government does not have sufficient CDBG funds to comply with the provision of (a) above.
 - (12) It accepts the terms, conditions, selection criteria, and procedures established by this program description and that it waives any right it may have to challenge the legitimacy and the propriety of these terms, conditions, criteria, and procedures in the event that its application is not selected for CDBG funding.
 - (13) It will comply with the regulations, policies, guidelines, and requirements with respect to the acceptance and use of federal funds for this federally assisted program.

- (14) It will comply with all parts of Title I of the Housing and Community Development Act of 1974, as amended, which have not been cited previously as well as with other applicable laws.

The applicant hereby certifies that it will comply with the above stated assurances.

_____ Signature, Chief Elected Official Mayor	_____ Bill Young Name (typed or printed)
_____ Title	_____ Date

To Whom It May Concern:

As Chief Elected Official of the City/County of El Dorado, I hereby certify that I have knowledge of all activities in the above-referenced application. I also certify that I am aware that the regulations of the CDBG program prevent the use of any facility built or rehabilitated with CDBG funds, or any portion thereof, to be used for the conduct of official business. I therefore certify that no portion of the above application violates this regulation.

Mayor/County Commission

ATTEST:

City/County Clerk/City Clerk