

**City of El Dorado, KS**  
220 E. First Avenue  
El Dorado, KS 67402  
Phone: (316) 321-9100  
Fax: (316) 321-6282  
[www.eldoks.com](http://www.eldoks.com)

TO: City Commission  
FROM: David Dillner, City Manager  
SUBJ: Work Session Meeting Agenda  
DATE: September 13, 2021

A Work Session is scheduled for September 15, 2021 at 5:00 pm in the Commission Chambers at City Hall, 220 E. First Avenue.

**I. ITEMS TO BE PLACED ON THE REGULAR AGENDA**

- a. 2022 Budget Hearing and Adoption

**II. ITEMS FOR PRESENTATION AND DISCUSSION**

- a. [ARP Employee Bonus Program](#)
- b. [Bike/Pedestrian Path Grant](#)
- c. [Truck Routes and Parking](#)
- d. [Code of Procedure](#)

**III. ITEMS PLACED ON REGULAR AGENDA**

- a. Meeting Minutes – August 25, 2021

**IV. REPORTS**

- a. City Commission Reports
- b. City Manager Report

# EL DORADO

## K A N S A S

TO: City Commission  
FROM: David Dillner, City Manager  
SUBJ: Employee Bonus Program  
DATE: September 13, 2021

**Background:** City staff has worked above and beyond normal service delivery expectations during the COVID-19 pandemic. Their dedicated service has kept critical public services operating throughout the difficult situation affecting the community and the entire world. Many positions are unable to work remotely and must interact frequently with the public. Such interactions expose employees to the risk of viral infection and possible illness. It also potentially exposes employees' families as they return home from work each day.

The hardship of the pandemic creates anxiety and stress as employees navigate an ever-changing situation at home and work. Employees know they must fulfill the basic services required of the community while balancing the risk and impact of the pandemic on family and friends. An employee bonus does not fully compensate employees for their ongoing efforts during the pandemic, although it does provide some recognition of the efforts put forward by municipal employees during this difficult time.

The proposed bonus program will pay a fixed amount of \$125 per month to City employees working during the pandemic with a bonus cap of \$2,250. This structure will provide recognition to employees who have worked for the City during the pandemic, and it will prorate the amount for newly hired employees who did not work the entire duration of the pandemic.

**Policy Issue:** Should the City implement an employee bonus program to recognize employees for their efforts in providing essential municipal services during the COVID-19 pandemic?

**Strategic Priority:** *Municipal Workforce - The City of El Dorado desires to create a municipal organization that attracts and retains talented individuals dedicated to serving the community.*

- a. Nurture an organizational culture that attracts and retains talented individuals desiring to serve in municipal government and who exemplify the culture and values of the organization.
- b. Create and maintain a compensation structure that attracts and retains talented individuals, incentivizes performance, and maintains regional competitiveness.

**Fiscal Impact:** The proposed bonus program will be limited to a maximum of \$300,000, and will be paid from the reserve balance of various funds to include the General Fund, Water Fund, Sewer Fund, and other operational funds from which employees are presently paid. The reserve balances for operating funds will not fall below the required fund balance minimum requirement as a result of this program. The City will offset most of the expense associated with the proposed bonus program with revenue replacement funds authorized by the City's American Rescue Plan distribution.

**Legal Review:** This item has not been reviewed by legal counsel.

**Trade-offs:** By paying an employee bonus, the City will use public funds that could otherwise be spent on other public projects or initiatives. Alternatively, providing an employee bonus helps maintain morale of the public workforce and serves as a retention tool. These last two factors are critical, especially since the workforce environment is very competitive and recruitment efforts for new employees has been exceptionally difficult as of late.

There is no doubt that public funds could be used for other public projects and initiatives to the benefit of the community. Even so, municipal service delivery is very labor intensive and requires frequent interaction with the public. City employees take preventative measures to minimize the spread of COVID. The organization has still had employees test positive and become ill from exposure. An employee bonus recognizes employees for the risk they have taken and may help retain high-qualified individuals.

**Staff Recommendation:** The City Manager recommends the City Commission approve up to \$300,000 towards an employee bonus program to recognize employees for their efforts during the COVID-19 pandemic.

**Commission Actions:** The City Commission has the following options with respect to this issue (*listed in no particular order*):

- **Accept and approve the recommendation as presented by staff.**
- **Modify the recommendation presented by staff.**
- **Deny approval of the proposal.**
- **Request additional information from the City Manager.** The City Manager will collect such other information as may be necessary to assist the City Commission in making an informed decision on this matter. The City Commission will need to specify the information desired if this option is selected.

# EL DORADO

## K A N S A S

TO: City Commission  
FROM: Scott Rickard  
SUBJ: Bike Path  
DATE: September 13, 2021

**Background:** The City of El Dorado was awarded a Transportation Alternatives grant in 2018 for the extension of our Bike Path. The proposed route would follow the Walnut River around the compost site and tie back into East Park. This project has been in holding for the last two years awaiting a permit from the BNSF railroad. BNSF had approved design, however we been struggling to get an actual construction permit. KDOT has attempted to help the City with this permit as well. The grant would have covered 80% of the construction cost with the remaining 20% to be funded by the City of El Dorado. KDOT is nearing a deadline that their portion of funds need to be spent or they will need to be returned.

With that in mind staff has had a discussion with KDOT about removing the project and applying for a different project in another location.

The designed route will still exist and could be used in the future should the City desire to proceed at a future date.

One possible location for the extension of the Bike Path would be along 12<sup>th</sup> Ave. to the Walnut River Sports Complex. This location could be a good opportunity specifically based on the outcomes of the Lake Master Plan. An application could be made to KDOT in the spring of 2022.

**Policy Issue:** Should the City effectively mothball the path around the compost site and seek a grant at an alternate location?

**Strategic Priority:**

**Quality of Life** - *The City of El Dorado desires to create a place where people choose to live and visit.*

- a. Coordinate ***recreation opportunities at El Dorado Lake*** that attract visitors and enhance the quality of life for residents.

**Staff Recommendation:** Staff recommends mothballing the proposed route and submission of an application in the new location.

**Commission Actions:**

- **Accept the recommendation as presented by staff.**
- **Continue to try to acquire the permit from BNSF**
- **Request additional information from the City Manager.** The City Manager will collect such other information as may be necessary to assist the City Commission in making an informed decision on this matter. The City Commission will need to specify the information desired if this option is selected.

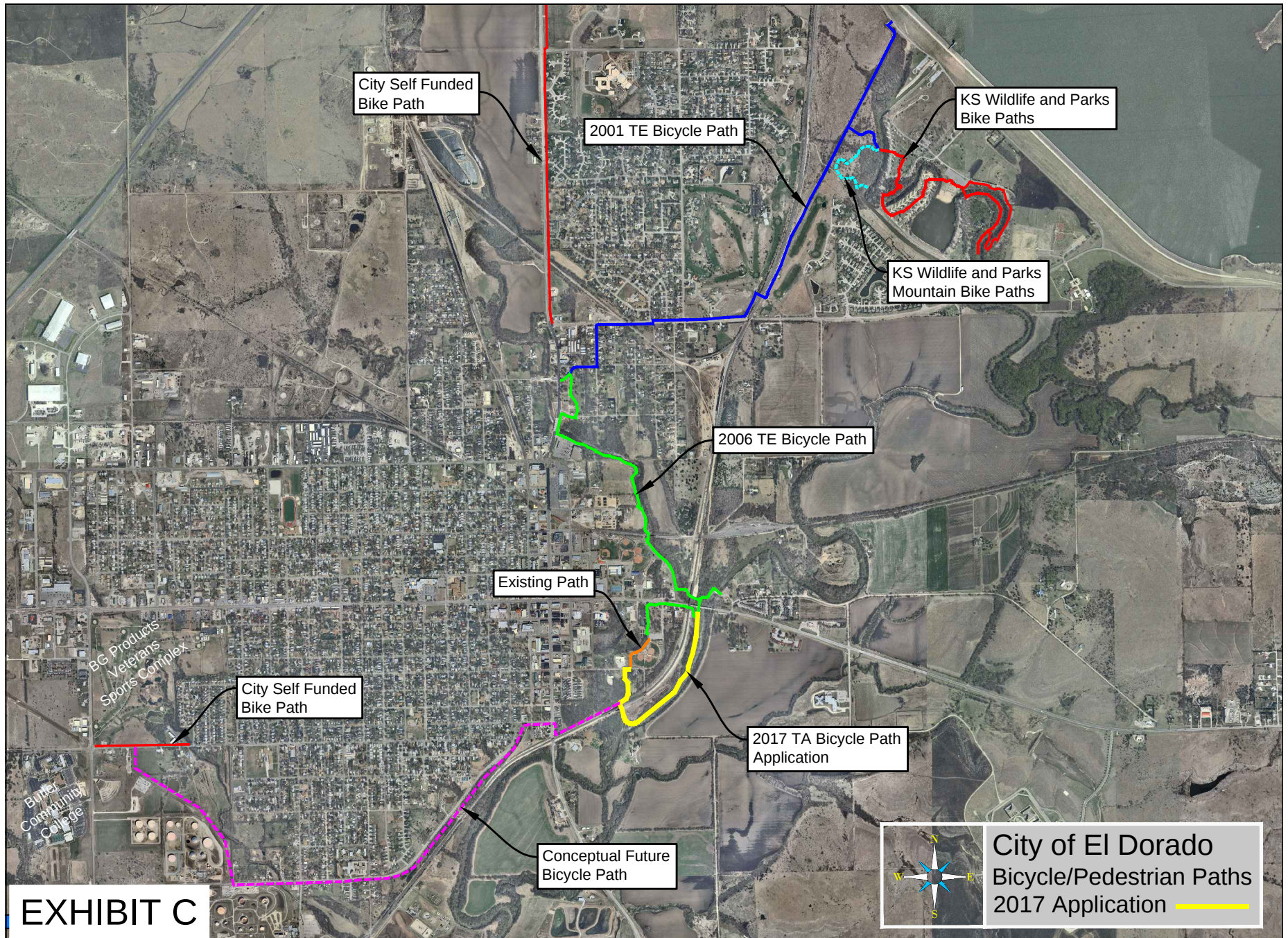


EXHIBIT C



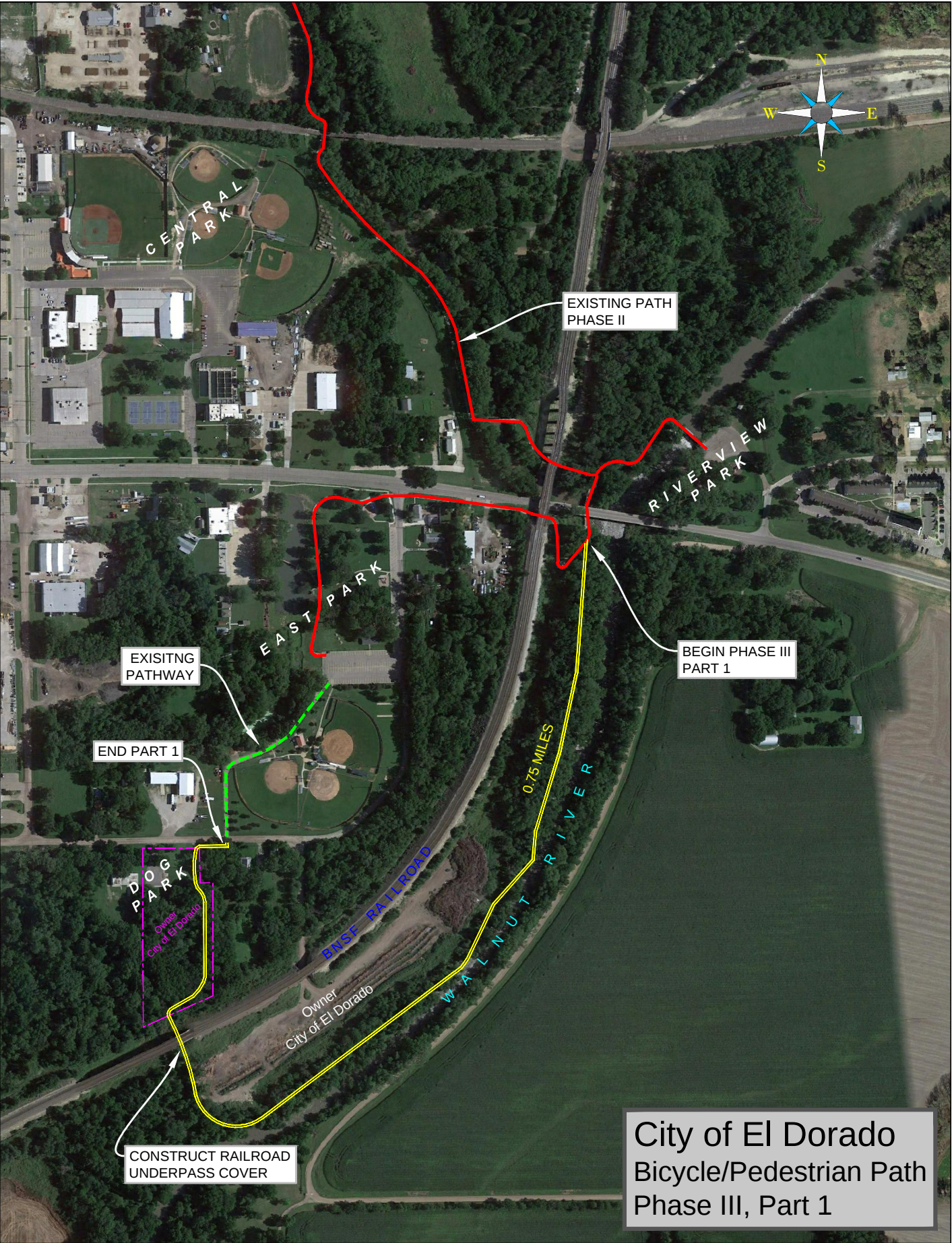
# 12TH AVE BIKE PATH

Proposed Extension  
(Jason Dr to Lake Diamonds)

- Proposed Path (8' Wide) 
- Bridge (150') 
- Right-of-Way Line 



SEPTEMBER  
2021



CENTRAL PARK

EAST PARK

RIVERVIEW PARK

EXISTING PATHWAY

END PART 1

DOG PARK

Owner  
City of El Dorado

Owner  
City of El Dorado

EXISTING PATH  
PHASE II

BEGIN PHASE III  
PART 1

0.75 MILES

WALNUT RIVER

EL DORADO RAILROAD

CONSTRUCT RAILROAD  
UNDERPASS COVER

City of El Dorado  
Bicycle/Pedestrian Path  
Phase III, Part 1

# EL DORADO

## KANSAS

TO: City Commission  
FROM: David Dillner, City Manager  
SUBJ: Truck Parking  
DATE: September 13, 2021

**Background:** Stephan Mogolis, general manager of Holiday Inn Express, met with Curt Zieman and I to discuss the Police Department's enforcement of truck parking along El Dorado Avenue in the business park. City ordinance prohibits trucks with a gross weight in excess of 24,000 pounds to park on City streets unless necessary for local deliveries or otherwise signed to allow truck parking.

El Dorado Avenue is not signed to allow trucks to park on it. Mogolis wants the City to allow trucks to park on El Dorado Avenue because the Holiday Inn and Days Inn parking lots are not large enough to accommodate trucks who may be staying overnight. Staff explained that trucks were not allowed to park on City streets because the streets were not build for large trucks and such use causes damage.

**Policy Issue:** Should the City modify its ordinance regarding truck parking to accommodate the request be the Holiday Inn Express to allow truck parking on El Dorado Avenue?

**Strategic Priority:** The City's Strategic Plan does not provide any specific guidance on this item. The City's core values include "stewardship," which is defined as "prudently protect and manage community resources." Staff's position for this recommendation seeks to protect existing public infrastructure for unnecessary damage that will require repair at taxpayer expense.

**Fiscal Impact:** Local policy requires the City to maintain improved streets. The City did not design and construct many streets in El Dorado to a standard that protects against damage caused from the weight of heavy trucks. Truck movements, such as parking and turning, can significantly damage streets over time. The City will then need to repair the damage caused by trucks. The extent of the damage will determine the cost of such repairs. A mill and overlay project, or even a large patch, could cost a considerable amount of money, especially if the repair is built to better accommodate heavy trucks.

The City's street maintenance funds already do not allow the necessary maintenance to keep up with ongoing deterioration. Adding heavy trucks to El Dorado Avenue, or other streets, will require street maintenance dollars be used to repair streets that presently do not have significant issues.

**Legal Review:** The City Attorney has not reviewed this item.

**Trade-offs:** Allowing heavy trucks on El Dorado Avenue will likely increase the damage done to the public street, requiring more frequent or costly maintenance and repairs. In addition, City staff worry that other requests will follow for other streets in El Dorado.

The El Dorado Police Department presently enforces the truck parking ordinance on a case-by-case basis. Police officers have the discretion to write citations for violations of this ordinance. Enforcement will continue until, and only if, the ordinance is amended.

The City has also received complaints from adjacent property owners regarding the truck traffic on the street. Therefore, the City Commission will need to balance the request of the Holiday Inn Express who wishes to allow truck parking on the street with other property owners who desire the opposite effect.

Street lighting is only located on the south side of El Dorado Avenue. Parking a large-sized truck under the existing streetlights in the business park will impede the amount of light hitting the road surface. The current lights, with limited voltage, were installed because of the high cost of undergrounding the electrical service to provide Evergy-powered street lights.

The City's zoning regulations requires businesses in the business park to provide adequate off-street parking. The Holiday Inn Express and Days Inn were constructed when these regulations were effective, and should have included off-street truck parking if they wanted to accommodate this type of vehicle. The businesses in the business park desiring to serve truck drivers should have to construct off-street parking in order to comply with existing zoning regulations.

**Staff Recommendation:** Staff recommends preserving existing truck parking requirements on El Dorado Avenue to minimize unnecessary damage to public infrastructure that may occur due from the heavy weight of semi-trucks.

**Commission Actions:** The City Commission has the following options with respect to this issue (*listed in no particular order*):

- **Accept the recommendation as presented by staff.**
- **Request an ordinance by drafted amending the truck parking requirements.**
- **Request additional information from the City Manager.** The City Manager will collect such other information as may be necessary to assist the City Commission in making an informed decision on this matter. The City Commission will need to specify the information desired if this option is selected.

# EL DORADO

## K A N S A S

TO: City Commission  
FROM: David Dillner, City Manager  
SUBJ: Code of Procedure  
DATE: September 13, 2021

**Background:** The City Commission does not have an adopted set of procedures to govern how governing body meetings will function. Meeting flow and the decision-making process could be improved by creating a procedure to address such procedural matters as agenda items, amendments, voting, and maintaining the order of meetings. Such procedures will help the City Manager and staff administer policy decisions and address things that may come up during the course of a meeting.

**Policy Issue:** Should the City Commission adopt a Code of Procedures to define how governing body meetings will operate?

**Strategic Priority:** The City's Strategic Plan does not provide any guidance on this specific item, although several priorities indirectly align with the intent of the proposal. The City's core values include "Excellence," which is defined as "exceeding standards and maximizing talents to achieve the best outcomes for the community." The City Commission can potentially improve the outcomes of the City by adopting and following a Code of Procedures to ensure that the decision-making process follows agreed upon processes.

**Fiscal Impact:** This item has no fiscal impact statement.

**Legal Review:** legal counsel has not reviewed this item.

**Trade-offs:** A Code of Procedures helps ensure the implementation of a good decision-making process to minimize "spur of the moment" decisions. Without such a process, staff may not have an opportunity to review decisions of the governing body that may have an impact on municipal operations and finances. It also creates guidance so the governing body, staff, and the public understand how certain actions will be managed. There have been questions in the past about how a specific situation will be managed during a meeting. The proposed Code of Procedure helps address these situations with clear guidance.

**Staff Recommendation:** The City Manager recommends approval of a Code of Procedure to establish a uniform procedure for governing body meetings.

**Commission Actions:** The City Commission has the following options with respect to this issue (*listed in no particular order*):

- **Direct the City Manager place the item on an upcoming regular agenda for consideration.**
- **Modify the recommendation presented by staff.**
- **Request additional information from the City Manager.** The City Manager will collect such other information as may be necessary to assist the City Commission in making an informed decision on this matter. The City Commission will need to specify the information desired if this option is selected.

## CODE OF PROCEDURE

City of El Dorado, Kansas

2021 Edition

Adopted by Resolution No. \_\_\_\_\_

### 1. DEFINITIONS

- a. **Governing Body.** The term “governing body” shall mean the City Commission, and includes the mayor and commissioners.
- b. **Quorum.** Per State law, the governing body shall require a quorum consisting of a majority of the members of the City Commission to conduct business. Therefore, three members shall constitute a majority of the governing body for the purposes of conducting official business.

### 2. MEETINGS

- a. **Regular Meetings.** Regular meetings of the City will be held at 6:30 pm on the first and third Mondays of each month as established by ordinance.
- b. **Special Meetings.** Special meetings, where action will be taken, will be held only for special purposes and will be called in accordance with local ordinance and applicable state law.
- c. **Work Sessions.** No agenda is required for a work session and no binding action may be taken during a work session. A quorum shall not be required to conduct work sessions since no action will be taken.
- d. **Quorum.** A quorum is required at all meetings during which binding action will be taken by the City Commission.
- e. **Public Comment.** If public comment is allowed during the meeting, the citizen desiring to comment on matters of a general nature, not specific to an agenda item, shall sign up in advance of the meeting and shall provide his or her name and address for the purpose of recording both in the official minutes of the meeting. Any public comments taken on specific agenda items shall require a citizen to state his or her name and personal address for the record and inclusion in the official minutes. The governing body may limit the time of each citizen based upon the number of people wishing to speak and the amount of time available for the public comment portion of the meeting.
- f. **Presiding Officer.** The Mayor, or in the place of the Mayor the Vice-Mayor, shall be responsible for maintaining order during meetings. He or she may take such actions deemed appropriate to maintain order. Such actions may include requesting the removal of any individual not complying with any request to maintain order during the meeting.

### 3. PUBLIC HEARINGS

- a. **Notice of Public Hearings.** All public hearings scheduled before the governing body shall be noticed in the official newspaper of the City, as required by applicable state statute or local ordinance. Notices of public hearings shall not require action by the governing body unless otherwise required by applicable state statute or local ordinance. Unless otherwise provided,

notices of public hearings shall be published in the official newspaper at least once a minimum of ten days prior to such scheduled public hearing. Notices of public hearings shall also be posted on the City's website with the same requirements as the newspaper publication.

- b. Order of Proceedings.** The Mayor, or in the place of the Mayor the Vice-Mayor, shall convene public hearings scheduled before the City Commission. At the start of the public hearing, the Mayor or Vice-Mayor, shall state the subject of the public hearing and the rules governing the proceeding. At the direction of the presiding elected official, staff may provide an overview of the subject of the public hearing prior to the hearing of any public comments from the general public. Members of the public may then provide comments to the governing body within any time restrictions placed on such comments by the governing body. Public comments shall cease once the public hearing has been closed by the presiding elected official.
- c. Time Limits.** As a general rule, comments from the public during a public hearing shall be limited to three minutes per individual participant. The governing body, at its discretion, may allow for longer or shorter periods for public comments, although such modification of time limits shall be provided equally to all participants. Modifications to time restrictions shall be declared at the beginning of the public hearing by the presiding elected official so that all participants may be made aware of the applicable time limit for public comments.
- d. Adjourn to a Later Date and Time.** The governing body, by motion and vote, may establish a maximum time limit for a public hearing. If the public hearing is unable to conclude during the time allotted, the public hearing may be adjourned to a time and date certain to continue the public hearing. The motion shall state the time, place, and date for the meeting to reconvene. If the motion is adopted, the public hearing is adjourned to the specified time, place, and date. Adjourned public hearings do not require reconvening at a regular or special meeting if no action will be taken following the conclusion of the hearing.
- e. Presiding Officer.** The Mayor, or Vice-Mayor in the absence of the Mayor, shall be responsible for maintaining order during public hearings and for overseeing the time limits of participants.

#### 4. AGENDAS

- a. Distribution of the Agenda.** Prior to each regular and special meeting, the City Clerk, or designee, will distribute an agenda to each governing body member. The agenda will also be made available to the public on the City's website and at City Hall.
- b. Setting the Agenda.** The Mayor, in consultation with the City Manager, shall oversee the setting of the agenda for City Commission meetings. The governing body shall approve the agenda at the start of each regular meeting, and shall not act on items not included on the approved agenda.
- c. Agenda Items.** Any governing body member or staff member of the City may request to have an item placed on the agenda. Members of the public may not place an item on the agenda, but may have a governing body member sponsor such an item.

- d. **Scheduling of Items.** Action items requested for inclusion on an agenda shall be referred to either an upcoming work session or regular meeting prior to the City Commission considering action on any topic or issue requested for an agenda. No action will be taken on any matter not previously scheduled on the agenda. The purpose of this requirement is to allow issues to be properly evaluated prior to the City Commission considering action on a subject.
- e. **Additions to Agenda.** Items may be added to or removed from the agenda at a regular meeting by motion approved by a majority of those governing body members present and voting. No items may be added to the agenda of a special meeting.
- f. **Order of Business.** At the hour appointed for the meeting, the Mayor shall call the meeting to order. The Vice-Mayor shall chair the meeting in the absence of the Mayor. Upon having a quorum present, the governing body shall proceed to business, which shall be conducted in the order set by the governing body.
- g. **Consent Agenda.** Administrative items, as determined by the Mayor, may be placed on the consent agenda. A majority of the governing body may remove any item placed on the consent agenda for separate action.
- h. **Order of Business, Suspended or Amended.** As a general rule, the governing body will conduct business in the order such matters are scheduled on the agenda so as to respect the time of all those in attendance. By a majority vote of the governing body, the order of business may be amended to add or delete sections as appropriate, or may be suspended in its entirety to consider other matters. Executive sessions may be held at any time in the order of business as provided by state law.

## 5. MOTIONS

- a. **Motions; Second.** All motions require a second before such motion may be considered by the governing body.
- b. **Debate.** All motions are debatable unless otherwise noted in the section governing that motion.
- c. **Substantive Motion.** Only one main substantive motion may be pending on the floor at any one time. It must be withdrawn or advanced to a vote before another substantive motion is introduced.
- d. **Substitute Motion.** Substitute motions are prohibited. Substantive motions must be withdrawn or advanced before another substantive motion is introduced.
- e. **Motion to Amend.** A motion to amend is in order when the proposal is to change, add, or delete words from the main substantive motion. If the motion is to amend a document before voting on its adoption, it is advisable to reduce the change to writing, but it is not required if all members of the governing body understand the amendment. A vote on an amendment is

not a final vote on the underlying substantive motion. Adoption of the underlying substantive motion requires a vote.

- f. Motion to Pass an Ordinance.** All ordinances of the City shall be considered at a public meeting of the governing body. After consideration and amendment of the ordinance, if any, the question shall be: *“Shall the ordinance pass?”* No ordinance shall contain more than one subject, which shall be clearly expressed in its title, and no section or sections of an ordinance shall be amended unless the amending ordinance contains the entire section or sections as amended and the section or sections amended shall be repealed.
- g. Motion to Refer.** If the governing body deems if appropriate, it may refer an ordinance, resolution, contract, or other matter back to staff, committee, board, or other appropriate location for further review and consideration. Such motion may or may not contain a time certain for the item to be returned to the governing body.
- h. Motion to Reconsider; Prohibited.** Motions to reconsider are prohibited during the same meeting. Any governing body member may make a new substantive motion on a matter previously considered by the City Commission at a prior meeting.
- i. Motion to Call the Previous Question.** This motion is not debatable and, if passed by a majority of the governing body, calls for an immediate vote on the substantive motion. This motion requires a vote.
- j. Motion to go into Executive Session.** The motion to go into executive session shall be made as follows: *“I move that the governing body recess into executive session pursuant to the \_\_\_\_\_ (cite applicable state law) exception in order to discuss \_\_\_\_\_ (general description), the open meeting to resume in the Commission Chambers at \_\_\_\_\_ (time).”*

The motion may also state who is to be present in the executive session, although this is not required. This motion must be made, seconded, and carried. Such motion shall be recorded in the minutes of the meeting. The meeting may not reconvene until the time stated in the motion.
- k. Motion to Adjourn to a Later Date and Time.** If the governing body is unable to complete its agenda during the time allotted for the meeting, the meeting may be adjourned to a time and date certain to continue the regular or special meeting. The motion shall state the time, place, and date for the meeting to reconvene. If the motion is adopted, the meeting is adjourned to the specified time, place, and date.
- l. Motion to Adjourn.** At the conclusion of the agenda, a motion to adjourn is in order and requires a majority vote of the governing body.

## 6. VOTING

- a. Form of Vote.** All votes, other than votes concerning proposed ordinances, shall be by voice vote or, in the alternative, the mayor may request that a vote be by “show of hands.” Votes involving proposed ordinances shall be made by roll call with governing body members

voting “yea” if in favor of the proposed ordinance and voting “no” if voting in opposition to the proposed ordinance. No vote shall be by secret ballot.

- b. Division.** The mayor or any member may request a formal division of vote. At the discretion of the mayor, division may be by either a roll call vote of each member or a show of hands.
- c. Duty to Vote.** Members of the governing body have a duty to vote unless such member choosing to abstain has a conflict of interest or other conflict that appears to make voting on an issue improper. Any member who abstains must state, for the purpose of its inclusion in the minutes, the reason for the abstention.
- d. Recording.** Upon final passage of a matter, the vote shall be recorded in the minutes.
- e. Votes; Non-Ordinance Matters.** Unless otherwise specifically required by law, the adoption or rejection of resolutions and other motions shall be by a majority of those governing body members present. An abstention shall be counted with the prevailing side.
- f. Votes; Ordinary Ordinances and Non-Ordinance Matters.** The adoption of an ordinary ordinance or approval of non-ordinance matters requires at least three affirmative votes of the governing body. All governing body members, to include the Mayor, shall be allowed a vote on matters before the governing body and each vote shall have equal weight.
- g. Same; Charter Ordinance.** The adoption of a charter ordinance requires four affirmative votes of the City Commission. All governing body members, to include the Mayor, shall be allowed a vote on charter ordinances before the governing body and each vote shall have equal weight.
- h. Same; Commission Appointments.** The Mayor has a vote on all matters. The Mayor does not have a “second vote” to break a tie. Appointments in commission cities are by motion, second, and a vote.
- i. Amendments.** The City Commission shall consider amendments to ordinances, resolutions, and other written policies only when a written document containing the proposed amendment language is presented before the governing body. The governing body may not consider amendments as one action item that are not of a similar nature.

## **7. APPLICATION AND AMENDMENT**

- a. Rules.** For those matters not covered by these rules, the procedure shall be as decided by a majority vote of the governing body. These rules may be amended after adoption by a subsequent ordinance amending specific rules as identified in the ordinance. Such ordinance amends the adopting ordinance. The rules may not be suspended by the governing body during any meeting.