

City of El Dorado, KS
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El Dorado, KS 67402
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www.eldoks.com

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Work Session Meeting Agenda
DATE: September 29, 2021

A Work Session is scheduled for September 29, 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. UV Disinfection
- b. Public Hearing – Dilapidated Homes

II. ITEMS FOR PRESENTATION AND DISCUSSION

- a. 2022 Pay Plan
- b. Code of Procedure
- c. Butler Community College Fire Training Facility Agreement

III. ITEMS PLACED ON REGULAR AGENDA

- a. Meeting Minutes – September 15 Work Session and September 20 Regular Meeting
- b. Appropriate Ordinance

IV. REPORTS

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

TO: City Commission
FROM: Tabitha Sharp, City Clerk
SUBJ: 2022 Salary Schedule
DATE: September 24, 2021

Background:

A salary schedule must be approved each year by the City Commission so that staff have direction on the starting and ending salary points for each position. It also provides a listing of all available positions within the City of El Dorado. Changes to the schedule include: the addition of Recreation Leader and Park Technician; the increase to \$15 and \$15.38 for positions at the beginning of the salary schedule; the addition of a Foreman position in Public Utilities; an Operator in Training in Public Utilities for new hires who do not have a current certification; and the change of the Engineering Administrative Assistant to Engineering Office Administrator.

The Recreation Leader and Park Technician were included at the request of the City Commission. The increase to \$15 per hour for entry level positions was done in an attempt to be more competitive in the local market. The Foreman position was a position that previously existed, but had been removed when no one was filling it, we have since promoted a current employee to that position and thus needed to add it back into the schedule. The Operator In Training position gives us a place to hire in individuals who have not achieved a certification, they would be promoted to Operator 1 once their first certification is complete. The Engineering Administrative Assistant has done more than those duties for a very long time and the City Engineer requested that she be moved to the position of Office Administrator which more closely fits her duties.

Policy Issue:

The Salary Schedule must be approved by the City Commission before it can be made official.

Alternatives:

The City Commission has several options:

1. Accept the recommended salary schedule.
2. Make no changes to the salary schedule.
3. Recommend other changes to the salary schedule.

Fiscal Impact:

The only changes that will have an impact to the 2022 Budget are the addition of the Recreation Leader and Park Technician at a cost of 1.8 mills. The increase of the entry level positions to \$15 per hour will not have an immediate impact as all current employees are at least at that level. Any new employees would come at approximately \$3,000 more than previous years.

Trade-offs:

Not applicable.

Staff Recommendation:

Approve the Resolution.

Commission Actions:

Position	Grade	Min.	Max	Minimum Annual
City Manager **	N/A	N/A	N/A	N/A
City Attorney	N/A	N/A	N/A	N/A
Municipal Court Judge	N/A	N/A	N/A	N/A
Assistant City Manager **	AD 7	\$ 33.72	\$ 49.68	\$ 70,137.60
Finance Director **				
City Clerk **	AD 6	\$ 25.48	\$ 37.54	\$ 52,998.40
Human Resources Manager **	AD 5	\$ 20.53	\$ 30.25	\$ 42,702.40
Municipal Information Officer				
Destination Services Coordinator	AD 4	\$ 19.98	\$ 29.44	\$ 41,558.40
Payroll & Benefits Clerk	AD 3	\$ 17.24	\$ 25.40	\$ 35,859.20
Senior Accountant				
Utility Billing Clerk				
Administrative Assistant	AD 2	\$ 15.38	\$ 22.83	\$ 31,990.40
Utility Cashier	AD 1	\$ 15.00	\$ 22.27	\$ 31,200.00

Position	Grade	Min.	Max	Minimum Annual
Parks & Recreation Director **	PR 6	\$ 33.72	\$ 49.68	\$ 70,137.60
Parks and Recreation Facilities Manager	PR 5	\$ 19.98	\$ 34.37	\$ 41,558.40
Cemetery Sexton				
Recreation Foreman				
Equipment Operator III	PR 4	\$ 18.71	\$ 27.57	\$ 38,916.80
Senior Center Director	PR 3	\$ 17.24	\$ 25.40	\$ 35,859.20
Equipment Operator II	PR 2	\$ 15.75	\$ 23.21	\$ 32,760.00
Equipment Operator I	PR 1	\$ 15.38	\$ 22.83	\$ 31,990.40
Recreation Leader				
Park Technician				
Administrative Assistant				

Position	Grade	Min.	Max	Minimum Annual
Public Works Director **	PW 8	\$ 33.72	\$ 49.68	\$ 70,137.60
Information Technology Manager **	PW 7	\$ 25.48	\$ 37.54	\$ 52,998.40
Automotive Technician	PW 6	\$ 19.98	\$ 29.44	\$ 41,558.40
Airport Manager	PW 5	\$ 18.71	\$ 27.57	\$ 38,916.80
Equipment Operator III				
Solid Waste Coordinator				
Computer Technician	PW 4	\$ 17.24	\$ 25.40	\$ 35,859.20
Building Maintenance Worker	PW 3	\$ 15.75	\$ 23.21	\$ 32,760.00
Equipment Operator II				
Animal Control Officer	PW 2	\$ 15.38	\$ 22.83	\$ 31,990.40
Animal Shelter Attendant				
Administrative Assistant				
Rolloff Driver				
Sanitation Leadperson				
Signs & Signals Technician				
Equipment Operator I				
Maintenance Worker III	PW 1	\$ 15.00	\$ 22.27	\$ 31,200.00
Maintenance Worker II				
Maintenance Worker I				
Sanitation Collector				

Part-Time Staff	1	\$ 7.25	\$ 30.00
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** Positions Salaried (Exempt)

Updated- 08/2021

Position	Grade	Min.	Max	Minimum Annual
Public Utilities Director **	PU 8	\$ 33.72	\$ 49.68	\$ 70,137.60
Superintendent **	PU 7	\$ 24.62	\$ 36.27	\$ 51,209.60
Chief Operator	PU 6	\$ 19.98	\$ 29.44	\$ 41,558.40
Foreman				
Plant Operator IV	PU 5	\$ 18.71	\$ 27.57	\$ 38,916.80
Equipment Operator III				
Plant Operator III	PU 4	\$ 16.74	\$ 24.67	\$ 34,819.20
Equipment Operator II	PU 3	\$ 15.75	\$ 23.21	\$ 32,760.00
Plant Operator II				
Administrative Assistant	PU 2	\$ 15.38	\$ 22.83	\$ 31,990.40
Equipment Operator I				
Plant Operator I				
Maintenance Worker III	PU 1	\$ 15.00	\$ 22.27	\$ 31,200.00
Meter Reader				
Maintenance Worker II				
Maintenance Worker I				
Operator in Training				

Position*	Grade	Min.	Max	Minimum Annual
Fire Chief **	FD 6	\$ 33.72	\$ 49.68	\$ 70,137.60
Deputy Fire Chief **	FD 5	\$ 28.90	\$ 42.58	\$ 60,112.00
Fire Captain *	FD 4	\$ 17.92	\$ 26.40	\$ 54,172.16
Fire Lieutenant *	FD 3	\$ 16.40	\$ 24.16	\$ 49,577.20
Master Firefighter *	FD 2	\$ 14.86	\$ 21.90	\$ 44,921.78
Firefighter *	FD 1	\$ 13.21	\$ 19.46	\$ 39,933.83

*Based on a 24/48 Rate

Position	Grade	Min.	Max	Minimum Annual
City Engineer **	EN 4	\$ 33.72	\$ 49.68	\$ 70,137.60
Building Official	EN 3	\$ 20.53	\$ 30.25	\$ 42,702.40
Planning & Zoning Coordinator				
Engineering Technician	EN 2	\$ 19.98	\$ 29.44	\$ 41,558.40
Engineering Clerk	EN 1	\$ 17.24	\$ 25.40	\$ 35,859.20

Position	Grade	Min.	Max	Minimum Annual
Police Chief **	PD 8	\$ 33.72	\$ 49.68	\$ 70,137.60
Police Captain **	PD 7	\$ 28.90	\$ 42.58	\$ 60,112.00
Detective/Patrol Lieutenant	PD 6	\$ 24.35	\$ 35.32	\$ 50,648.00
Patrol / Detective Sergeant	PD 5	\$ 22.95	\$ 33.17	\$ 47,736.00
Detective I				
Master Patrol Officer		\$ 21.45	\$ 30.92	\$ 44,616.00
Detective	PD 3	\$ 20.05	\$ 29.52	\$ 41,704.00
Patrol Officer				
Police Office Administrator	PD 2	\$ 17.24	\$ 25.40	\$ 35,859.20
Municipal Court Clerk	PD 1	\$ 15.38	\$ 22.83	\$ 31,990.40
Assistant Court/Records Clerk				

EL DORADO

KANSAS

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.

EL DORADO

K A N S A S

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Butler Community College Fire Training Facility Agreement
DATE: September 24, 2021

Background: In 2011, the City of El Dorado and Butler Community College entered into a Memorandum of Understanding outlining the terms and conditions of a partnership to construct a Fire Science Training Facility. The facility included provisions for a future fire tower for outdoor training exercises. The fire tower was built 2015 and has been used by both the El Dorado Fire Department and Butler Community College Fire Science classes.

Butler Community College requested an addendum to the lease agreement to allow them to construct an additional live fire training facility. The proposed facility will allow firefighters and students to train in fires that have a higher temperature than what the original fire tower can handle. It will also have enhanced flexibility to accommodate different training scenarios.

Policy Issue: Should the City partner with Butler Community College to construct an additional live fire training facility?

Strategic Priority: Municipal Workforce - Facilitate the *development of knowledge, skills, and abilities* of all individuals within the organization to meet the changing service delivery expectations of the community. Continuously *invest in public safety* initiatives, equipment, and technology to provide the El Dorado Police and Fire Departments with the resources needed to preserve order and protect life and property. Strive for *continuous improvement* within the organization to reduce costs, increase efficiencies, and make municipal programs more effective for citizens.

Fiscal Impact: The City is not being asked to participate in the cost of constructing the facility as the College considers the land as an in-kind match for the project. The total estimated cost of the facility is \$14,000.

Legal Review: The City Attorney has not reviewed the proposed Memorandum of Understanding.

Trade-offs: The El Dorado Fire Department presently has a live fire training facility. By partnering on this project, the Fire Department will be able to train in hotter, more realistic temperatures similar to what firefighters would experience in the field. The department will continue to train with the available facility with or without the new facility.

Staff Recommendation: The City Manager recommends approving the proposed addendum to the Memorandum of Understanding with Butler Community College for a new live fire training facility.

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.

MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF EL DORADO AND BUTLER COMMUNITY COLLEGE
Fire Science Learning Center

The purpose of this Memorandum of Understanding is to create learning opportunities through a partnership between the City of El Dorado and Butler Community College to provide students with a state of the art Fire Science Training Facility located in the 2600 block of West 6th Street in western El Dorado.

City of El Dorado will provide the following:

- Land and infrastructure of water, sewer, gas and electric brought to the building for a residential training center with (5 to 10 acres) outdoor space for a future fire tower and other outdoor props including a working fire hydrant,
- Let bids in June 2011 and approve a contractor by July 30, 2011 for construction to begin early Fall 2011.
- Complete 11,059 square foot Fire Science Training Facility with an occupancy date of July 1, 2012,
- Financing not to exceed \$1,785,000 for the facility and grounds through a 20 year lease agreement with interest not to exceed an annualized interest rate of 3.75% and annual projected payments not to exceed \$125,933.67. At the end of the 20 year lease agreement, the facility will belong to Butler Community College,
- Assurance that the college has the right to assign or transfer its ownership of facility if the demand for fire safety instruction is no longer justifiable,
- Tax exempt application and approval for the building to be used for educational purposes,
- Access to El Dorado's equipment and laboratory when not in use by the college for instructional purposes,
- Supervision of up to 10 Butler Fire Science Residency Students while serving on shifts as volunteer firefighters,
- Qualified instructors to teach onsite, online and blended courses for year around classes for the city to be reimbursed on a credit hour basis at the Adjunct Faculty rate which is currently \$552 per credit hour but subject to change annually,
- Provide waste dumpster and removal for trash and recyclables,
- Provide Cox Cable to the college's one TV,
- Provide lawn care and snow removal for the entire facility.

Butler Community College will provide:

- Annual payment not to exceed \$125,933.67 toward the 20 year lease for the facility and grounds beginning July 1st 2012,
- Up to 10 residential students, when available, to serve as City of El Dorado volunteer firefighters with regular schedules and duties,
- Access to Butler's training equipment and laboratory for training purposes when not in use by the college,

- Adjunct faculty pay for the use of instructors for each class taught by a City firefighter who may be teaching during city duty hours,
- Two well equipped learning studios and one all purpose training lab when they are not scheduled for college classes,
- A safe room in case of a weather emergency,
- Student housing facilities for up to 10 students.

The City of El Dorado and Butler Community College agree to evaluate formally the effectiveness of this partnership on an annual basis to identify activities for continuous improvement as well as further partnership opportunities. The evaluation will take place prior to the end of each academic year. Either party may terminate this agreement with cause. If a course(s) is in progress, the effective date of termination shall be upon completion of the course(s).

Herb Llewellyn, Manager
City of El Dorado
Date _____

Jacqueline Vietti, President
Butler Community College
Date _____

ADDENDUM TO LEASE

THIS ADDENDUM to Lease made and entered in to this _____ day of _____, 2021, by and between THE CITY OF EL DORADO, a Kansas Municipality, hereinafter called "Landlord", and BUTLER COMMUNITY COLLEGE, a Community College duly organized and existing under the constitution and laws of the State of Kansas, hereinafter called "Tenant".

WITNESSTH:

WHEREAS, Landlord and Tenant entered into an original Lease between the parties dated November 21, 2011.

WHEREAS, the parties wish to add an additional live fire training facility.

NOW, THEREFORE, it is agreed by and between the parties as follows:

1. The parties agree to add an additional live fire training facility to the Leased Premise.
2. The parties have agreed that it will be the tenant's responsibility to coordinate and construct the facility.
3. The Landlord understands that the concrete pad already in existence to the west of the fire training tower will need to be modified to support the new facility. To include building anchors for the shipping containers. El Dorado City engineer has reviewed building plans and provided recommendations.
4. The parties agree that both the Tenant and Landlord will be able to utilize the facility for live fire training purposes. The Tenant will have first priority for scheduling. Properly trained personnel must be present to conduct live fire activities. Training will be provided to both Tenant and Landlord as needed for safe operation of the facility.
5. The parties agree that the Tenant will create and enforce operational policies for the facility. This includes operations, training of instructors, and materials used during live fire training.
6. The parties agree that the facility will be constructed out of (4), 20' shipping containers and (1) 40' shipping container. The facility will be (2) stories, have (3) burn rooms, and will include safety features to limit risk to users (see attachment B for building drawings).
7. In the event that the Tenant ceases using the live fire training facility, parties have agreed the site shall revert to the Landlord.

This addendum shall not override the original provisions of the Lease dated November 21, 2011 and shall remain in full force, including Section 1.4 Ownership Transfer and Article 2 Rent to Include this additional Training Tower

IN WITNESS WHEREOF, the parties have executed this Addendum to Lease as of the date first above written.

ATTEST:

LESSEE:

THE CITY OF EL DORADO

By: _____
Mayor

ATTEST:

LESSOR:

BUTLER COMMUNITY COLLEGE

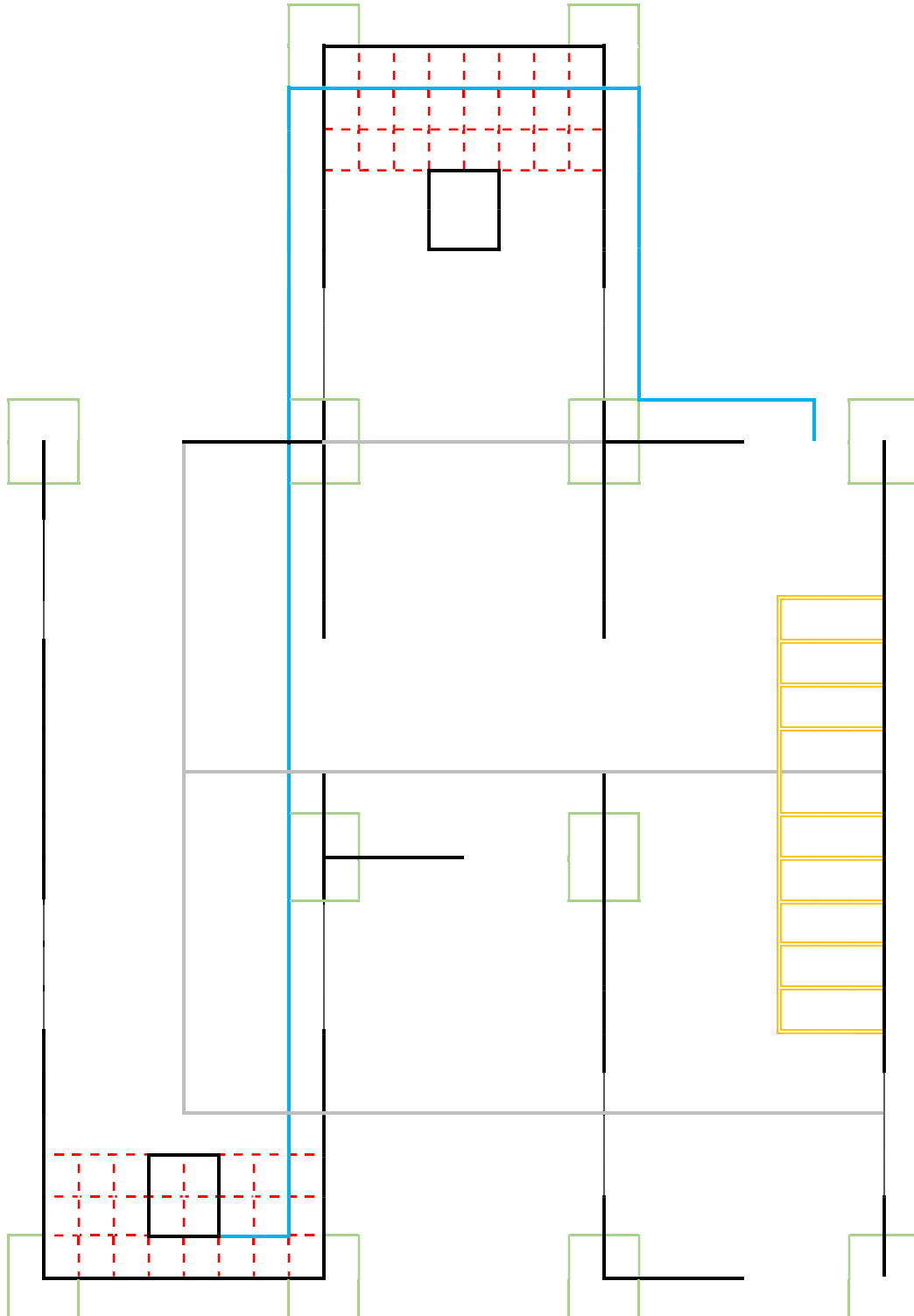
By: _____
President

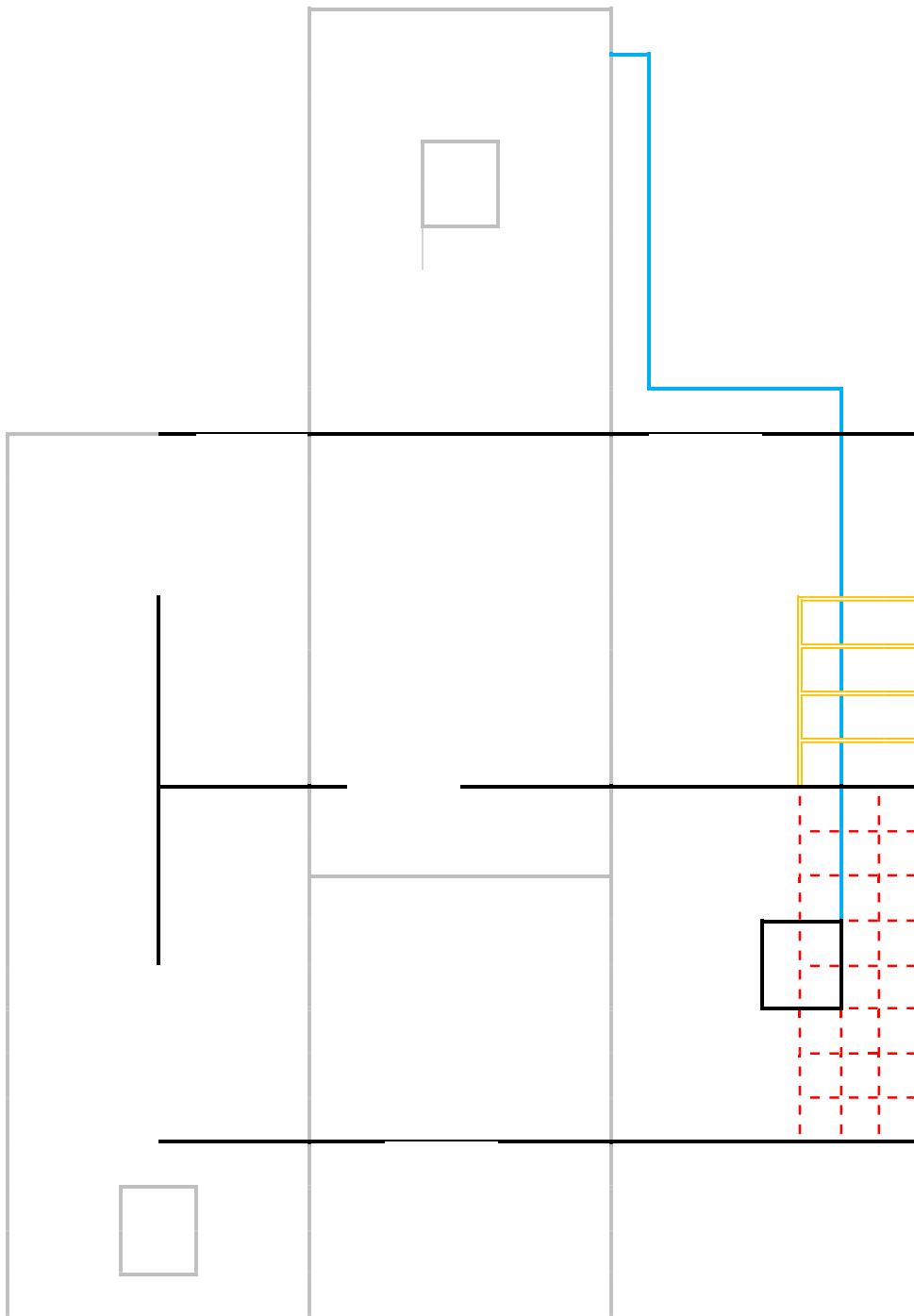
Attachment A

LOCATION

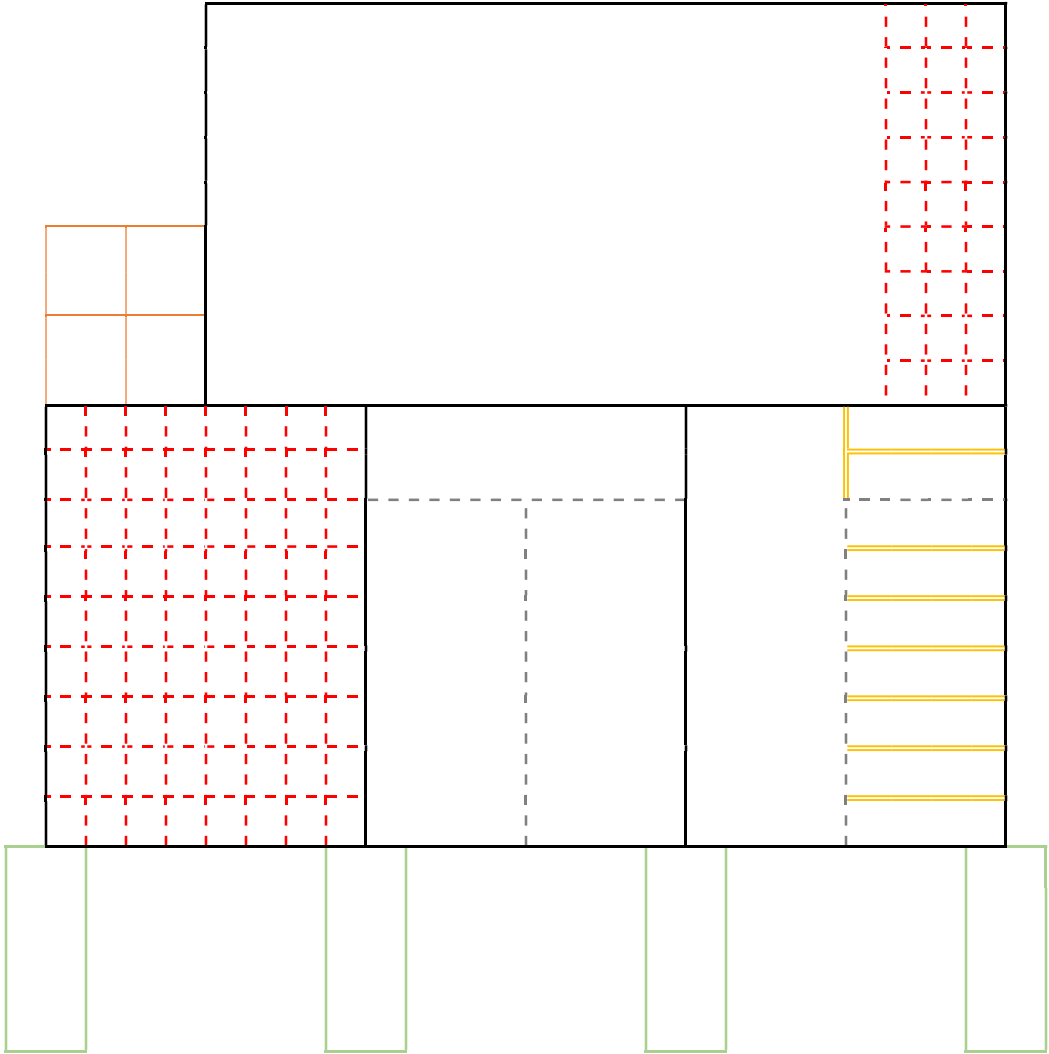


Attachment B

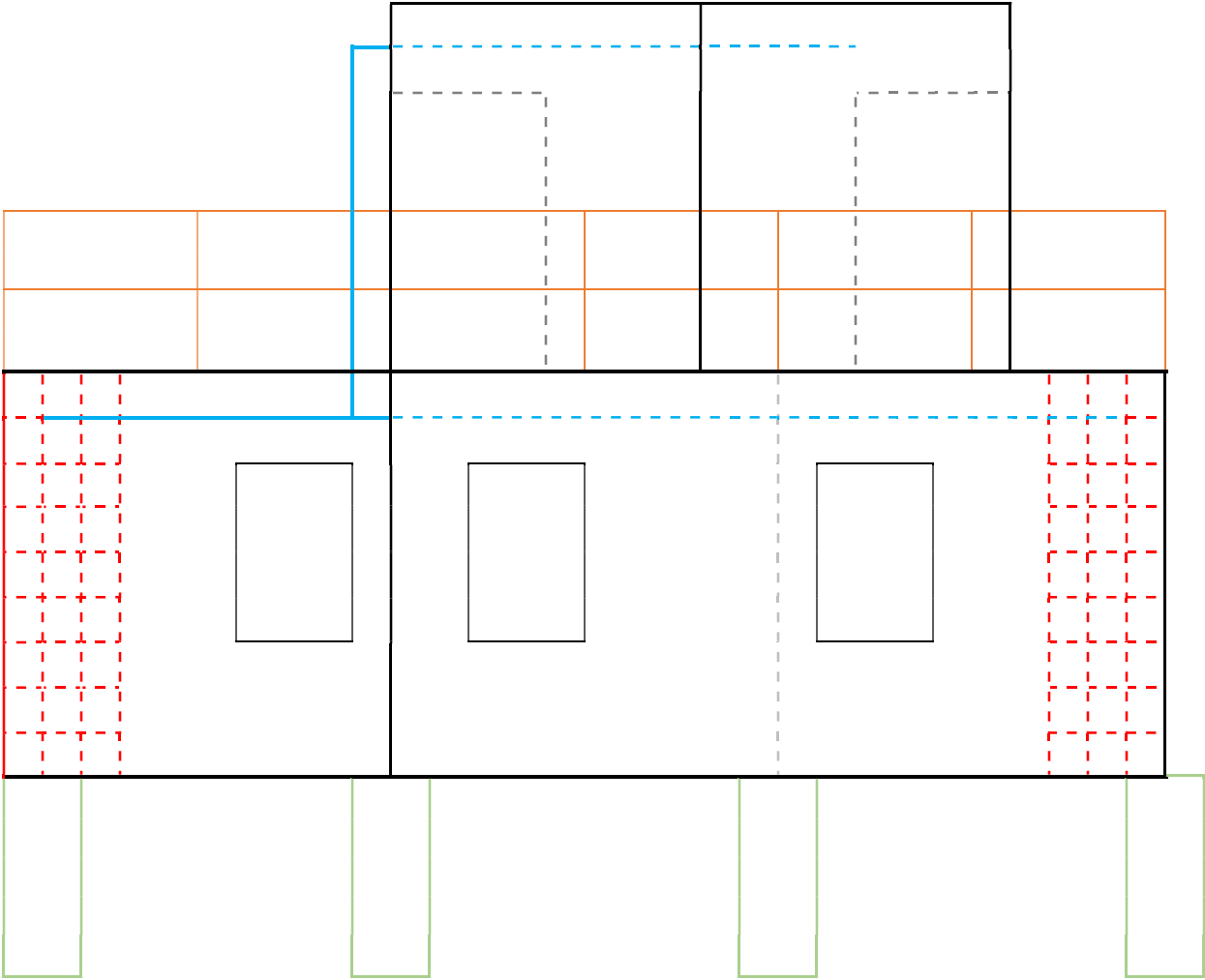




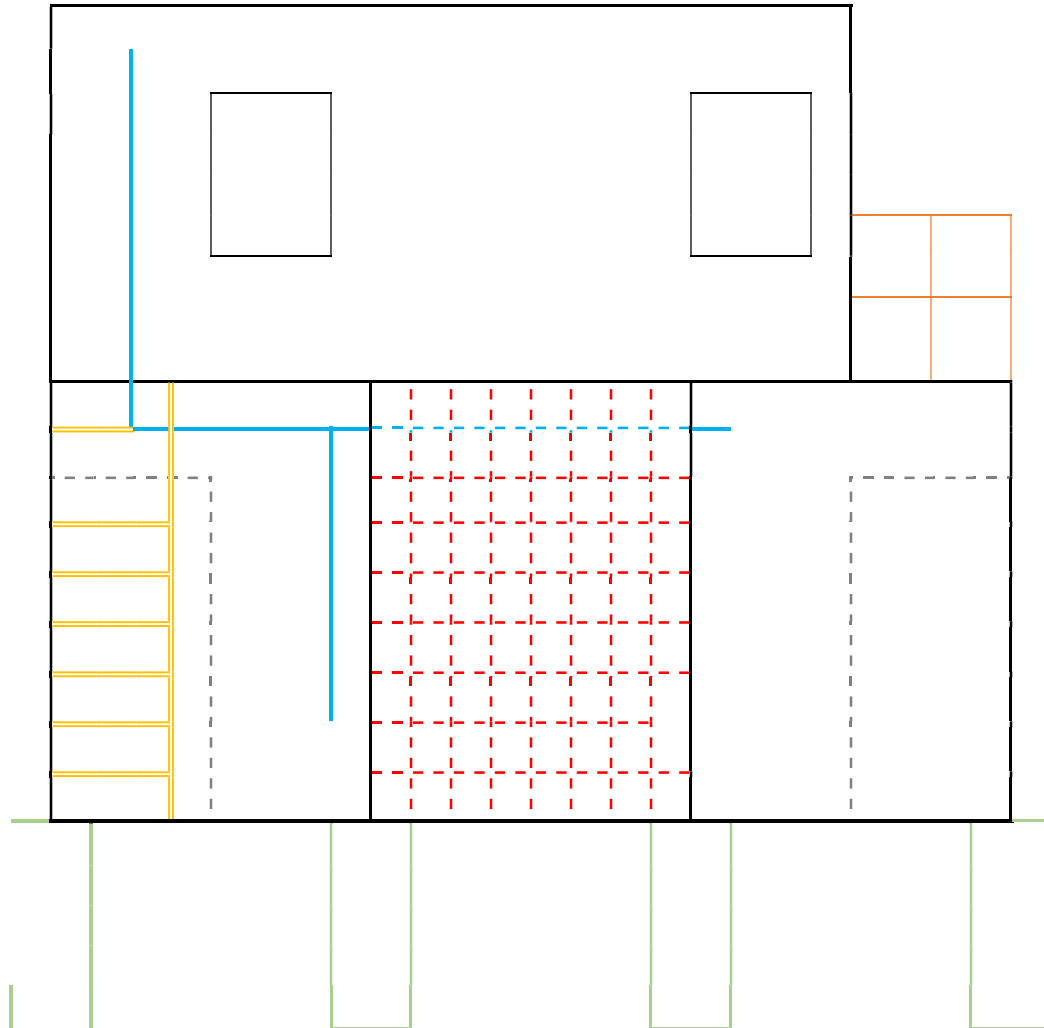
Side A



Side B



Side C



Side D

