



EL DORADO CITY COMMISSION - WORK SESSION AGENDA
CITY HALL – 220 E. FIRST AVENUE
November 15, 2023 - 5:00 PM

Work Session Discussion Items:

- a. Publication Charter Ordinance
- b. 2024 Salary Schedule
- c. Purchasing Policy
- d. Amending Temporary Sign Regulations

Regular Agenda Preview:

- a. Public Hearings for Projects 569, 570, 590, & 591.
- b. Items to be Placed on the Consent Agenda
 - i. Meeting Minutes
- c. Items to be Placed on the Regular Agenda
 - i. Rezone 1126, 1128, & 1204 W 6th Avenue
 - ii. Special Use Permit for Digital Video Sign at 210 E 2nd Avenue
 - iii. Consideration of a Resolution authorizing the offering for sale of General Obligation Bonds Temporary Notes, Series 2023-1, of the City of El Dorado, Kansas.
- d. Items to be Placed on the Land Bank Consent Agenda
- e. Executive Session

Reports:

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

TO: City Commission
FROM: Tabitha Sharp
SUBJ: Publication Charter Ordinance
DATE: November 15, 2023

Background:

The City is required by State Statute 12-1651 to publish various documents including ordinances, resolutions, meeting notifications, quarterly finance reports, etc. This statute is not uniform for all cities in Kansas and so the City of El Dorado can opt out with the adoption of a charter ordinance, a waiting period of 61 days and a resolution designating the city's website www.eldoks.com as the official site.

With the increase of social media and online content, there has been a decrease in the publication dates, size, circulation and staffing at the local newspaper. There have been a few publications that were missed because of these changes. Missing a publication can change when an ordinance is effective, require special meetings or cost more in consultant fees when things have to be republished.

Attachments:

1. Publication Charter Ordinance

Policy Issue:

The City Commission must consider whether to change how the city publishes items such as ordinances, notifications, etc.

Fiscal Impact:

The fiscal impact will vary depending on the business of the City. Annually, the City averages \$4,500 in direct payments to the newspaper. Moving publications to the website will save a portion of these funds. However, the City will still be required to publish items such as the budget as required by Kansas State Statute.

Trade-offs:

The City Commission has the following options:

1. Approve the Charter Ordinance as presented.
2. Request that staff make changes to the Charter Ordinance.
3. Decline the request to approve the Charter Ordinance.

Staff Recommendation:

Adopt the Charter Ordinance exempting the City from the provisions of K.S.A. 12-1651, providing substitute provisions regarding the designation of the official city newspaper, and creating section 2.04.105 of the El Dorado Municipal Code.

Commission Action:

CHARTER ORDINANCE NO. __

**AN ORDINANCE EXEMPTING THE CITY OF EL DORADO, KANSAS,
FROM THE TERMS AND PROVISIONS OF K.S.A. 12-1651, PROVIDING
SUBSTITUTE PROVISIONS REGARDING THE DESIGNATION OF THE
OFFICIAL CITY NEWSPAPER**

WHEREAS, the City of El Dorado, Kansas (the “City”), is a city of the second class duly organized and existing under the laws of the State of Kansas; and

WHEREAS, pursuant to Article 12, Section 5, of the Constitution of the State of Kansas, cities are empowered to determine their local affairs and government except for legislative enactments applicable uniformly to all cities; and

WHEREAS, K.S.A. 12-1651 applies to the City, and its provisions are not uniformly applicable to all cities in that K.S.A. 12-1651 applies only to cities of the second and third class; and

WHEREAS, the Governing Body of the City hereby determines that it is in the best interest of the City to exempt the City from K.S.A. 12-1651 and to provide substitute provisions for such statute; and

WHEREAS, the City finds it necessary and advisable to create Section 2.04.105 of the Code of the City of El Dorado, Kansas (the “City”) relating to the designation of the official city newspaper.

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

Section 1: The City, by virtue of the powers vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby enacts the following substitute and additional provisions of K.S.A. 12-1651 by creating Section 2.04.105 of the Municipal Code.

2.04.105 – Official Newspaper or Website.

The Governing Body shall designate by resolution an official city newspaper that meets one of the qualifications set forth below. Once designated the publication method shall be the official city newspaper until such time as the governing body designates a different official city newspaper by resolution.

- A. The newspaper selected as the official city newspaper may be a printed newspaper which has the following qualifications:
 - 1. It must be published at least weekly 50 times each year and have been so published for at least one year prior to the publication of any official city publication.
 - 2. It must be entered at the post office of publication as second-class mail matter.
 - 3. More than 50% of the circulation must be sold to the subscribers either on a daily, weekly, monthly, or yearly basis; and
 - 4. It shall have general paid circulation on a daily, weekly, monthly, or yearly basis in the county and shall not be a trade, religious or fraternal publication.
- B. In the alternative, the official city newspaper may be a designated website which has the following qualifications:
 - 1. It must be a public-facing website available to the public at all times, except during website maintenance as reasonably determined necessary.
 - 2. The website must be easily accessible from the City's website home page (<https://www.eldoks.com>).
 - 3. It must be available to website users free of charge.
 - 4. All current notices and unrepealed ordinances uploaded to the website for publication shall be uploaded in their entirety during any period they are in effect.

Section 2: Publication. This Ordinance shall be published once each week for two (2) consecutive weeks in the Official City Newspaper.

Section 3: Effective Date. This Charter ordinance shall take effect January 1, 2024 unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter ordinance shall become effective upon approval by a majority of the electors voting thereon.

PASSED by the Governing Body of the City of El Dorado, Kansas, not less than two-thirds of the members elect voting in favor thereof, this 16th day of October, 2023.

Bill Young, Mayor

ATTEST:

Tabitha Sharp, City Clerk

APPROVED AS TO FORM:

Ashlyn Lindskog, City Attorney

TO: City Commission
FROM: Tabitha Sharp
SUBJ: 2024 Salary Schedule
DATE: November 15, 2023

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. The new schedule includes the 5% COLA, as approved in the 2024 budget. It has been applied to the minimum and maximum amounts.

Other changes to the schedule include:

1. Combination of Assistant City Manager and Finance Director positions, elimination of the Finance Director position.
2. Elimination of the City Clerk position (these duties are currently performed by the Administration Director).
3. Destination Services Coordinator title changed to Marketing Specialist.
4. Addition of a Management Analyst position.
5. The title of Administrative Assistant in Administration changed to Executive Assistant.
6. Addition of Engineering Technician II.
7. A portion of the Planning and Zoning Coordinator duties were given to the new Community Development Coordinator position. The others were absorbed by the City Engineer.
8. Elimination of Engineering Clerk.

The title changes above were done to either absorb the duties of individuals who left the city or to make positions more attractive/clear to potential applicants.

Attachments:

1. Salary Resolution 2024
2. 2023 Pay Plan
3. 2024 Pay Plan- draft

Policy Issue:

The City Commission must consider a salary schedule each year in order to determine the pay ranges for each position in the City.

Fiscal Impact:

The 5% COLA approved in the 2024 budget will increase the total City budget by approximately \$444,000. The impact on mill levy funds is \$247,000 and other funds (i.e. Enterprise Funds) is \$197,000.

Trade-offs:

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.

Staff Recommendation:

Approve the Salary Schedule and Resolution as submitted.

Commission Action:

RESOLUTION NO. ____

WHEREAS, under the provisions of Section 2.52.010 of Title 2, Chapter 2.52 of the Code of the City of El Dorado, Kansas, 1996, it is made the duty of the City Commission of the City of El Dorado, Kansas, to fix by Resolution, the salaries and wages to be paid to the various employees of said City, and to allocate to the various funds of said city, charges and debits for the payment of the compensation and wages of all City Officials and Employees; and

WHEREAS, the last such Resolution was adopted by the Commissioners of said City on the 5th day of December, 2022; and

WHEREAS, it has become necessary to make certain changes in the salaries to be paid to Officers and Employees of said City:

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSIONERS OF THE CITY OF EL DORADO, KANSAS:

That beginning January 1, 2024, and continuing thereafter, until modified by the City Commission of the City of El Dorado, Kansas, a position classification system and salary range schedule shall be established, thus repealing Resolution No. 2953 with the Personnel Pay Plan and Job Classification, attached hereto.

Unclassified

<u>Position</u>	<u>Maximum</u>
Mayor (Annual)	\$2,000.00
City Commissioners (Annual)	\$1,500.00
City Manager	Per Agreement
City Attorney	Per Agreement
City Prosecutor	Per Agreement
Municipal Judge	Per Agreement
Temporary and Part Time (Hourly)	\$7.25 - \$30.00

BE IT FURTHER RESOLVED, that beginning January 1, 2024, and continuing thereafter until modified by the City Commission of the City of El Dorado, Kansas, the Officers and Employees of said City shall be paid respectively the amount set opposite the name of their office or position, or between the range set forth, such salary for the period of time designated.

That all employees shall be compensated from the specific funds for which their services were performed, such application to be made by the City Manager of said City.

BE IT FURTHER RESOLVED, that there is hereby established a schedule of longevity pay in addition to the basic salary above defined, for each Employee of the City of El Dorado, Kansas, having completed sixty (60) months of service, computed as follows:

For the first 60 months of service	\$240.00
For each month of the next 180 months of service	\$ 4.00

This schedule of rate of pay based on longevity service with the City shall be annually computed as of November 30, and paid in November, provided that longevity pay for any one employee shall not exceed the sum of \$960.00 per annum.

BE IT FURTHER RESOLVED, that in addition to all other wages and benefits that overtime exempt as determined under the provisions of the Fair Labor Standard Act and designated by the City Manager, shall be paid at a rate of \$300.00 per year deferred compensation. Such deferred compensation is to be placed in applicable the Empower Retirement Services accounts.

BE IT FURTHER RESOLVED, that in addition to all other wages and benefits, that all regular full time employees, not eligible to participate in the KP&F retirement system, will be eligible for an additional retirement benefit as follows: the employee will receive a fixed percentage contribution of 0.74% of their annual gross salary into the Empower Retirement Services account upon hire. Additional employee elections will receive an employer match. The

City will contribute up to 5.74% of gross wages per pay period for every eligible employee who contributes at least 1% of their wages. The deferred compensation is to be deposited bi-weekly into the employee’s Empower Retirement Services account.

PASSED AND APPROVED by the Governing Body of the City, this 16th day of October, 2023.

Mayor Bill Young

Commissioner Kelly Tetrick

Commissioner Gregg Lewis

Commissioner Leon Leachman

Commissioner Kendra Wilkinson

ATTEST:

Tabitha Sharp, City Clerk

2023
CITY OF EL DORADO
PAY PLAN CLASSIFICATION
RESOLUTION NO. 2953

Administration

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	\$ 34.73	\$ 51.17	\$ 72,241.73
Finance Director **				
Administration Director**				
Human Resources Manager **	AD 6	\$ 26.24	\$ 38.67	\$ 54,588.35
Municipal Information Officer	AD 5	\$ 21.15	\$ 31.16	\$ 43,983.47
Destination Services Coordinator	AD 4	\$ 20.58	\$ 30.32	\$ 42,805.15
Payroll & Benefits Clerk	AD 3	\$ 17.76	\$ 26.16	\$ 36,934.98
Accounts Payable Clerk				
Accounts Receivable Clerk				
Executive Assistant	AD 2	\$ 15.84	\$ 23.51	\$ 32,950.11
Utility Cashier	AD 1	\$ 15.45	\$ 22.94	\$ 32,136.00

Engineering

Position	Grade	Min.	Max	Minimum Annual
City Engineer **	EN 4	\$ 34.73	\$ 51.17	\$ 72,241.73
Building Official	EN 3	\$ 21.15	\$ 31.16	\$ 43,983.47
Planning & Zoning Coordinator				
Engineering Technician	EN 2	\$ 20.58	\$ 30.32	\$ 42,805.15
Engineering Clerk	EN 1	\$ 17.76	\$ 26.16	\$ 36,394.98

Fire Department

Position*	Grade	Min.	Max	Minimum Annual
Fire Chief **	FD 6	\$ 34.73	\$ 51.17	\$ 72,241.73
Deputy Fire Chief **	FD 5	\$ 29.77	\$ 43.86	\$ 61,915.36
Fire Captain *	FD 4	\$ 18.46	\$ 27.19	\$ 55,804.58
Fire Lieutenant *	FD 3	\$ 16.89	\$ 24.88	\$ 51,058.47
Master Firefighter *	FD 2	\$ 15.31	\$ 22.56	\$ 46,282.13
Firefighter *	FD 1	\$ 14.00	\$ 20.63	\$ 42,322.00

*Based on a 24/48 Rate

Parks & Recreation

Position	Grade	Min.	Max	Minimum Annual
Parks & Recreation Director **	PR 5	\$ 34.73	\$ 51.17	\$ 72,241.73
Parks & Recreation Facilities Manager **	PR 4	\$ 20.58	\$ 35.40	\$ 42,805.15
Cemetery Sexton				
Recreation Foreman				
Equipment Operator III	PR 3	\$ 19.27	\$ 28.40	\$ 40,084.30
Parks & Recreation Specialist	PR 2	\$ 16.22	\$ 23.91	\$ 33,742.80
Recreation Leader				
Equipment Operator II				
Equipment Operator I	PR 1	\$ 15.84	\$ 23.51	\$ 32,950.11
Park Technician				

Police Department

Position	Grade	Min.	Max	Minimum Annual
Police Chief **	PD 8	\$ 34.73	\$ 51.17	\$ 72,241.73
Deputy Police Chief**	PD 7	\$ 29.77	\$ 43.86	\$ 61,915.36
Detective/Patrol Lieutenant **	PD 6	\$ 25.08	\$ 36.38	\$ 52,167.44
Training & Standards Lieutenant **				

Patrol / Detective Sergeant	PD 5	\$ 23.64	\$ 34.17	\$ 49,168.08
Traffic and Community Policing Sergeant				
Detective I	PD 4	\$ 22.09	\$ 31.85	\$ 45,954.48
Master Patrol Officer				
Code Enforcement Officer				
Detective	PD 3	\$ 20.65	\$ 30.41	\$ 42,955.12
Patrol Officer				
Police Office Administrator	PD 2	\$ 17.76	\$ 26.16	\$ 36,934.98
Municipal Court Clerk	PD 1	\$ 15.84	\$ 23.51	\$ 32,950.11
Assistant Court/Records Clerk				

Public Utilities

Position	Grade	Min.	Max	Minimum Annual
Public Utilities Director **	PU 8	\$ 34.73	\$ 51.17	\$ 72,241.73
Superintendent **	PU 7	\$ 26.35	\$ 37.36	\$ 52,745.89
Chief Operator	PU 6	\$ 20.58	\$ 30.32	\$ 42,805.15
Foreman				
Plant Operator IV	PU 5	\$ 19.27	\$ 28.40	\$ 40,084.30
Equipment Operator III				
Plant Operator III	PU 4	\$ 17.24	\$ 25.41	\$ 35,863.78
Equipment Operator II	PU 3	\$ 16.22	\$ 23.91	\$ 33,742.80
Plant Operator II				
Administrative Assistant	PU 2	\$ 15.84	\$ 23.51	\$ 32,950.11
Equipment Operator I				
Plant Operator I				
Maintenance Worker III	PU 1	\$ 15.45	\$ 22.94	\$ 32,136.00
Meter Reader				
Maintenance Worker II				
Maintenance Worker I				
Operator in Training				

Public Works

Position	Grade	Min.	Max	Minimum Annual
Public Works Director **	PW 8	\$ 34.73	\$ 51.17	\$ 72,241.73
Information Technology Manager **	PW 7	\$ 26.24	\$ 38.67	\$ 54,588.35
Automotive Technician	PW 6	\$ 20.58	\$ 30.32	\$ 42,805.15
Airport Manager	PW 5	\$ 19.27	\$ 28.40	\$ 40,084.30
Equipment Operator III				
Solid Waste Coordinator				
Computer Technician	PW 4	\$ 17.76	\$ 26.16	\$ 36,934.98
Building Maintenance Worker	PW 3	\$ 16.22	\$ 23.91	\$ 33,742.80
Equipment Operator II				
Animal Control Officer	PW 2	\$ 15.84	\$ 23.51	\$ 32,950.11
Animal Shelter Attendant				
Administrative Assistant				
Rolloff Driver				
Sanitation Leadperson				
Signs & Signals Technician				
Equipment Operator I	PW 1	\$ 15.45	\$ 22.94	\$ 32,136.00
Maintenance Worker III				
Maintenance Worker II				
Maintenance Worker I				
Sanitation Collector				

Part-Time	Grade	Min.	Max
Part-Time Staff	1	\$ 7.25	\$ 30.00

** Positions Salaried (Exempt)

Updated-

2024
CITY OF EL DORADO
PAY PLAN CLASSIFICATION
RESOLUTION NO. ____

Administration

Position	Grade	24 Min.	24 Max	Minimum Annual
City Manager **	N/A			N/A
City Attorney	N/A			N/A
Municipal Court Judge	N/A			N/A
Assistant City Manager / Finance Director **	AD 7	\$ 36.47	\$ 53.73	\$ 75,850.32
Finance Director **				
Administration Director **				
City Clerk **	AD 6	\$ 27.55	\$ 40.60	\$ 57,308.16
Human Resources Manager **				
Marketing Specialist	AD 5	\$ 22.21	\$ 32.72	
Municipal Information Officer				
Destination Services Coordinator	AD 4			
Management Analyst	AD 4	\$ 21.61	\$ 31.84	\$ 44,946.72
Payroll & Benefits Clerk	AD 3	\$ 18.65	\$ 27.47	\$ 38,787.84
Accounts Payable Clerk				
Accounts Receivable Clerk				
Executive Assistant	AD 2	\$ 16.63	\$ 24.69	\$ 34,594.56
Utility Cashier	AD 1	\$ 16.22	\$ 24.09	\$ 33,742.80

Engineering

Position	Grade	24 Min.	24 Max	Minimum Annual
City Engineer **	EN 3	\$ 36.47	\$ 53.73	\$ 75,850.32
Building Official	EN 2	\$ 22.21	\$ 32.72	\$ 46,191.60
Engineering Technician II				
Community Development Coordinator				
Planning & Zoning Coordinator	EN 1	\$ 21.61	\$ 31.84	\$ 44,946.72
Engineering Technician I				
Engineering Clerk	EN 1	\$ 18.65	\$ 27.47	\$ 36,394.98

Fire Department

Position*	Grade	24 Min.	24 Max	Minimum Annual
Fire Chief **	FD 6	\$ 36.47	\$ 53.73	\$ 75,850.32
Deputy Fire Chief **	FD 5	\$ 31.26	\$ 46.05	\$ 65,017.68
Fire Captain *	FD 4	\$ 19.38	\$ 28.55	\$ 58,585.74
Fire Lieutenant *	FD 3	\$ 17.73	\$ 26.12	\$ 53,597.79
Master Firefighter *	FD 2	\$ 16.08	\$ 23.69	\$ 48,609.84
Firefighter *	FD 1	\$ 14.70	\$ 21.66	\$ 44,438.10

*Based on a 24/48 Rate

Parks & Recreation

Position	Grade	24 Min.	24 Max	Minimum Annual
Parks & Recreation Director **	PR 5	\$ 36.47	\$ 53.73	\$ 75,850.32

Parks & Recreation Facilities Manager **	PR 4	\$ 21.61	\$ 37.17	\$ 44,946.72
Cemetery Sexton				
Recreation Foreman				
Equipment Operator III	PR 3	\$ 20.23	\$ 29.82	\$ 42,085.68
Parks & Recreation Specialist	PR 2	\$ 17.03	\$ 25.11	\$ 35,424.48
Recreation Leader				
Equipment Operator II				
Equipment Operator I	PR 1	\$ 16.63	\$ 24.69	\$ 34,594.56
Park Technician				

Police Department

Position	Grade	24 Min.	24 Max	Minimum Annual
Police Chief **	PD 8	\$ 36.47	\$ 53.73	\$ 75,850.32
Deputy Police Chief **	PD 7	\$ 31.26	\$ 46.05	\$ 65,017.68
Detective/Patrol Lieutenant **	PD 6	\$ 26.33	\$ 38.20	\$ 54,774.72
Training & Standards Lieutenant **				
Patrol / Detective Sergeant	PD 5	\$ 24.82	\$ 35.88	\$ 51,629.76
Traffic and Community Policing Sergeant				
Detective I	PD 4	\$ 23.19	\$ 33.44	\$ 48,244.56
Master Patrol Officer				
Code Enforcement Officer				
Detective	PD 3	\$ 21.68	\$ 31.93	\$ 45,099.60
Patrol Officer				
Police Office Administrator	PD 2	\$ 18.65	\$ 27.47	\$ 38,787.84
Municipal Court Clerk	PD 1	\$ 16.63	\$ 24.69	\$ 34,594.56
Assistant Court/Records Clerk				

Public Utilities

Position	Grade	24 min	24 Max	Minimum Annual
Public Utilities Director **	PU 8	\$ 36.47	\$ 53.73	\$ 75,850.32
Superintendent **	PU 7	\$ 27.67	\$ 39.23	\$ 57,548.40
Chief Operator	PU 6	\$ 21.61	\$ 31.84	\$ 44,946.72
Foreman				
Plant Operator IV	PU 5	\$ 20.23	\$ 29.82	\$ 42,085.68
Equipment Operator III				
Plant Operator III	PU 4	\$ 18.10	\$ 26.68	\$ 37,652.16
Equipment Operator II	PU 3	\$ 17.03	\$ 25.11	\$ 35,424.48
Plant Operator II				
Administrative Assistant	PU 2	\$ 16.63	\$ 24.69	\$ 34,594.56
Equipment Operator I				
Plant Operator I				
Maintenance Worker III	PU 1	\$ 16.22	\$ 24.09	\$ 33,742.80
Meter Reader				
Maintenance Worker II				
Maintenance Worker I				
Operator in Training				

Public Works

Position	Grade	24 min	24 max	Minimum Annual
Public Works Director **	PW 8	\$ 36.47	\$ 53.73	\$ 75,850.32
Information Technology Manager **	PW 7	\$ 27.55	\$ 40.60	\$ 57,308.16
Automotive Technician	PW 6	\$ 21.61	\$ 31.84	\$ 44,946.72
Airport Manager	PW 5	\$ 20.23	\$ 29.82	\$ 42,085.68
Equipment Operator III				
Solid Waste Coordinator				
Computer Technician	PW 4	\$ 18.65	\$ 27.47	\$ 38,787.84
Building Maintenance Worker	PW 3	\$ 17.03	\$ 25.11	\$ 35,424.48
Equipment Operator II				
Animal Control Officer	PW 2	\$ 16.63	\$ 24.69	\$ 34,594.56
Animal Shelter Attendant				
Administrative Assistant				
Rolloff Driver				
Sanitation Leadperson				
Signs & Signals Technician				
Equipment Operator I				
Maintenance Worker III	PW 1	\$ 16.22	\$ 24.09	\$ 33,742.80
Maintenance Worker II				
Maintenance Worker I				
Sanitation Collector				

Part-Time

Grade

<i>Part-Time Staff</i>	<i>1</i>	
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** Positions Salaried (Exempt)

Updated-

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Purchasing Policy
DATE: November 15, 2023

Background:

The City of El Dorado maintains a Purchasing Policy to provide written procedures for procuring supplies and services that may be purchased with or without specific authorization from the governing body. The City Commission, as the governing body of the City of El Dorado, delegates authority to the City Manager to allow the municipal government to make purchases necessary for its operations. By establishing a policy, the City Commission defines for management what purchases may be made by individuals within the organization. The City Manager is then charged with implementing the policy to the satisfaction of the City Commission. The current Purchasing Policy was last amended on October 5, 2020, with the adoption of Resolution No. 2908.

The governing body of the City of El Dorado, Kansas, desires to eliminate the necessity of the governing body's approval for normal budgeted operating and maintenance purchases. The City Manager's office will maintain proper and adequate records of the City's purchasing to maintain compliance with Kansas cash basis and budget laws.

Attachments:

1. DRAFT 2023 Purchasing Policy

Policy Issue:

The City's adopted Strategic Plan defines "Fiscal Stewardship" as a strategic priority of the City. It defines this priority as follows: *"The City of El Dorado will prudently manage community resources as a responsible steward."* The Purchasing Policy is an important piece of the City's program to facilitate fiscal stewardship. The policy must balance organizational efficiency with the public's need for transparency and accountability. The policy sets forth the framework for purchases and requires the City Commission's review and oversight. Ultimately, the governing body delegates its authority to make certain purchases, as defined by the Purchasing Policy, to the City Manager. **The primary policy question is, "should the City Commission modify the Purchasing Policy to enhance the purchasing authority of the City Manager and staff?"**

Fiscal Impact:

The proposed Purchasing Policy will change the delegated authority to make purchases on behalf of the City for the City Manager, Department Directors, and employees. The policy does not have an immediate impact on the City's finances, although it will expand staff's ability to approve certain purchases. The policy will streamline the approval process for many purchases, which means that it will make it easier for the City to spend money without the approval of either the City Manager or the City Commission. In addition, the policy grants the City Manager more authority to approve purchases up to \$100,000.

Trade-offs:

Maintaining the current Purchasing Policy will require the City Commission to approve purchases that exceed \$50,000. The City Commission has opined that it desires to expand the City Manager's purchasing authority to streamline the purchasing process. The City Commission will still have the ability to review purchases as the City Commission receives a copy of the check ledger at every other City Commission meeting. The City Commission will also retain the ability to hold the City Manager accountable for violations of the policy not addressed to the governing body's satisfaction. Finally, the

City Commission has the ability to amend its Purchasing Policy at any time if it determines that changes are needed.

Staff Recommendation:

The City Manager developed the proposed changes to the Purchasing Policy based on guidance from the City Commission. The City Commission thought that the City Manager needed expanded purchasing authority to approve purchases needed by the City without requiring a lengthy delay or an overly bureaucratic process. Consequently, the City Manager recommends approval of the proposed Purchasing Policy to meet the guidance provided by the governing body.

Commission Action:

Commissioner _____ moved to approve a Resolution amending the Purchasing Policy of the City of El Dorado, Kansas, as presented by the City Manager.

Commissioner _____ seconded the motion.

EL DORADO

K A N S A S

SUBJ: Purchasing Policy
RES: DRAFT – NOT YET APPROVED
DATE:

Section 1: Background

The governing body of the City of El Dorado, Kansas, desires to eliminate the necessity of the governing body's approval for normal budgeted operating and maintenance purchases. The City Manager's office will maintain proper and adequate records of the City's purchasing to maintain compliance with Kansas cash basis and budget laws.

Section 2: Purpose

The purposes of this policy are to:

1. Provide written procedures for procuring supplies and services that may be purchased with or without specific authorization from the governing body;
2. Make all employees aware of the requirements of adequate written authorization necessary to make purchases or enter into contracts;
3. Set the requirements for the classification of a purchase as a capital asset;
4. Set the requirements for procuring professional services; and
5. Establish a code of conduct for City elected officials, staff, or agents regarding the procurement of supplies and services for the City.

Section 3: Definitions

The following definitions shall apply to the implementation of this policy:

1. *Capital Asset* – Purchases in which the dollar amount is \$25,000 or greater, and the item has a useful life of three (3) or more years.
2. *Change Order* – A written order signed by the City Manager, or his/her designee, directing a contractor to make changes in a contract.
3. *Contract* – All types of City agreements for purchasing or disposing supplies, services, or construction.
4. *Emergency Situation* – Situations in which department operations would be severely hampered and adversely impacted if a purchase was not made immediately.
5. *Gratuity* – Any item or service of value greater than \$25.00.

6. *Local vendor* – A business, corporation, individual, or other entity organized to do business within the State of Kansas and who operates a physical presence within the corporate limits of the City of El Dorado.
7. *Non-Competitive Negotiations* – Non-Competitive Negotiations include any method of purchasing or procuring supplies or services not included in Competitive Sealed Bidding, Competitive Negotiations, or Small Purchases.
8. *Purchasing* – Buying, purchasing, renting, leasing, or acquiring any supplies, services, or construction.
9. *Purchasing Program* – Purchasing cooperatives available to various organizations due to their distinction as a government entity or through a professional association.
10. *Reoccurring Purchase* – A service or supply purchased more than once by a department during a budget year. For example, road salt costs \$50 per ton, but aggregate purchases of this material during the year exceed \$2,500.
11. *Service* – The furnishing of labor, time, and/or effort by a contractor not involving the delivery of a specific end product other than reports, which are merely incidental to the required performance.
12. *Sole Source* – Items or services available only from a single supplier.
13. *Substantial Interest* – The following criteria shall define an individual's substantial interest for the purposes of this policy:
 - a. If an individual or an individual's spouse, individually or collectively, has owned within the preceding twelve (12) months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less;
 - b. If an individual or an individual's spouse, individually or collectively, has received during the preceding twelve (12) months' compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$2,000 from any business or combination of businesses;
 - c. If an individual or an individual's spouse, individually or collectively, has received in the preceding twelve (12) months, without reasonable and valuable consideration, supplies or services having an aggregate value of \$500 or more from a business or combination of businesses;

- d. If an individual or individual's spouse holds the position of officer, director, associate, partner, or proprietor of any business, other than an organization exempt from federal taxation of corporations under section 501(c)(3), (4), (6), (7), (8), (10) or (19) of chapter 26 of the United States Code, the individual has a substantial interest in that business irrespective of the amount of compensation received by the individual or individual's spouse; or
 - e. If an individual or an individual's spouse received compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business or combination of businesses from which fees or commissions the individual or the individual's spouse, either individually or collectively, received in aggregate of \$2,000 or more in the preceding calendar year.
14. *Supply or Supplies* – All property, including but not limited to, equipment, materials, printed materials, insurance, and real property leases, excluding land or a permanent interest in land.
15. *Vendor* – Seller of supplies and/or services, and includes any person representing the vendor.

Section 4: Purchasing Authority

The following governing body, officers, employees, and agents of the City shall have the authority to take the following actions:

- 1. Governing Body
 - a. Adopt the annual operating budget to determine levels of expenditures by fund, department, and program.
 - b. Adopt a policy for the purchasing of all supplies and services.
 - c. Review and approve non-capital purchases over \$100,000.
 - d. Review and approve all purchases of Capital Assets valued over \$100,000.
 - e. Approve all leases of equipment with annual payments exceeding \$100,000.
- 2. City Manager or his/her designee
 - a. Approve all purchases up to \$100,000.
 - b. Present purchasing recommendations to the governing body for non-capital purchases over \$100,000.
 - c. Implement and enforce provisions of the adopted policy for purchasing all supplies and services.
 - d. Exercise discretion and authority to override this policy in emergency situations to provide for the City's best interest and inform the governing body of all such decisions.

3. Assistant City Manager/Finance Director
 - a. Approve all purchases up to \$50,000.
 - b. Weekly review of all purchases of supplies and services.
 - c. Monitor expenditures and advise the City Manager of monthly expenditures.
 - d. Ensure budgeted levels for each fund are not exceeded.
 - e. Make recommendations to the City Manager for updating the purchasing policy and procedures.
 - f. Oversee competitive bid processes according to state statutes and local policy.
 - g. Authorize appropriate personnel to make purchases.
4. Department Directors
 - a. Approve all purchases up to \$15,000.
 - b. Inform personnel of purchasing requirements and ensure adherence.
 - c. Plan purchases to allow sufficient time to obtain proposals or quotations, determine the best vendor, obtain any necessary approvals from staff and/or the governing body, and issue orders or contracts with reasonable time for delivery.
 - d. Department Directors may designate up to two employees to exercise purchasing authority on his or her behalf. The Assistant City Manager/Finance Director must approve any employees delegated such purchasing authority.
5. Employees
 - a. Employees, at the discretion of Department Directors, are approved to make purchases up to \$1,000.
 - b. Conferences, seminars, and workshops not exceeding the budgeted line item total do not require the governing body's authorization. Department Directors must approve professional development purchases before enrolling in the conference, seminar, or workshop. The City Manager, or his or her designee, shall approve all conferences, seminars, or workshops located out of state.
 - c. School tuition subject to reimbursement by the City, not exceeding the budgeted line item total, does not require authorization of the governing body. Department Directors and the City Manager must approve tuition reimbursement before enrolling in any educational course.

Section 5: Prohibited Purchases

The following purchases cannot be made from City funds:

1. The purchase of any illegal substances or services;
2. Gambling-related purchases; or
3. Purchases made for personal benefit with no value to the City.

Section 6: Vendor Selection

1. Vendor Participation

- a. Vendors interested in receiving requests for bids and proposals should monitor the City's website at www.eldoks.com. The requesting department is encouraged to notify vendors with adequate expertise to attract bids from local and knowledgeable vendors.
2. Irresponsible Vendors
 - a. Any vendor who fails to comply with the terms of an awarded bid, quote, or required specifications may be declared an irresponsible vendor upon recommendation of a Department Director or designee, and approval of the City Manager, or his/her designee. Any vendor wishing to appeal this decision may request the City Manager, or his/her designee, present the appeal to the governing body for review and final determination. An appeal shall be submitted to the City Manager in writing within ten (10) working days after the aggrieved has been notified in writing of the City's initial decision.
3. Local Vendor Preference
 - a. The City may elect to grant preferred status to local bidders, defined as businesses with a physical presence located within the corporate boundaries of the City, for any bid submitted that is within seven percent (7%) of the lowest, responsive bidder, and that otherwise meets the City's requirements as specified in the bid documents.

Section 7: Procurement Procedures

1. Competitive Bidding Procedures
 - a. *Invitation for Bids* – An invitation to bid shall be posted on the City's website at least seven (7) days before the due date for submission of bids. Notice shall be filed with the Finance Director, or his/her designee, and shall be open to public inspection.
 - b. *Bid Opening* – Bids shall be opened in the presence of one or more witnesses. The amount of each bid and other relevant information shall be recorded along with the name of each bidder.
 - c. *Bid Evaluation* – Bids shall be evaluated based on requirements established in the Invitation to Bid, which may include criteria to determine acceptability, such as inspection, testing, quality, and suitability for a particular purpose. No criteria may be used in bid evaluation that are not established in the Invitation to Bid. Bids submitted after the due date advertised in the Invitation to Bid may be disqualified.
 - d. *Award* – The contract shall be awarded or rejected with reasonable promptness. The award shall be made to the responsible bidder who submits a bid most advantageous to the City.

2. Competitive Negotiations

- a. Competitive negotiations will be initiated by publishing a Request for Proposals (RFP) or a Request for Qualifications (RFQ).
 - i. The RFP is used when price is a factor of selection.
 - ii. The RFQ is used when the price is considered after selection.
 - iii. In both the RFP and RFQ processes, the services to be procured will be clearly defined, as will the factors used in evaluation and selection.
 - iv. Preparation and signing of a contract formalizing the scope of work and the terms of compensation is required.

3. Small Purchases - Purchases under \$50,000

- a. Purchases between \$15,001 and \$50,000 require at least three documented price quotes that will be maintained on file. The Assistant City Manager and/or Finance Director have final approval authority.
- b. Purchases between \$5,001 and \$15,000 require at least three documented price quotes that will be maintained on file. Department Directors, or designees, have final approval authority.
- c. Purchases under \$5,000 shall not require competitive quotes if the prices are considered reasonable, although informal quotes are encouraged. The purchasing department should try to obtain quotes in person, by telephone, by electronic mail, from websites, or in writing from at least three (3) qualified vendors.
- d. All purchases made under this provision shall be maintained on file for at least eighteen (18) months from the approval date.

Section 8: Types of Purchases; Applicable Procedures

1. Purchases over \$100,000 – Competitive Sealed Bidding

- a. Unless otherwise exempted pursuant to this policy, state law, or the City Manager or his/her designee determines this method is impractical, contracts exceeding \$100,000 shall be awarded by the governing body through Competitive Sealed Bidding.

2. Purchases over \$100,000 – Competitive Negotiations

- a. When determined appropriate by the City Manager or his/her designee, contracts exceeding \$100,000 shall be awarded by the governing body through Competitive Negotiation.

3. Purchases under \$50,000 – Purchases under \$50,000 shall be made pursuant to the Small Purchases procedures.

4. Non-Competitive Negotiations

- a. Purchases made under the following circumstances shall not require competitive sealed bidding or other competitive selection and may be made through Non-Competitive Negotiations:

- i. When the purchase is a response during an emergency situation.
 - ii. When the price or methods of acquisition is prescribed by law.
 - iii. When the supplier is the sole source of supply.
 - iv. When the supply/service is available from another government entity or purchasing program at a price deemed less than commercially available.
 - v. Professional services.
 - vi. In the case of repairs for heavy equipment or vehicles when the extent of repair cannot be determined or when specifications cannot practically be prepared.
 - vii. Utility bills for water, sewer, electricity, natural gas, and communications.
 - b. Purchases made through Non-Competitive Negotiations of \$50,000 or less may be approved by the appropriate City staff according to the Small Purchases procedures, provided any bidding requirements of such procedures are not required.
 - c. Purchases made through Non-Competitive Negotiations of more than \$100,000 shall be approved by the governing body.
5. Process for Obtaining Governing Body Approval – All Applicable Procedures
- a. All purchases or service contracts totaling more than \$100,000 but less than \$250,000 in which the item is in the approved budget and the low bid is recommended may be included in the consent agenda for approval by the governing body.
 - b. If the purchase or service contract exceeds \$100,000 and is not in the approved budget or the low bid is not recommended, a separate, regular agenda item is required.
 - c. Items over \$250,000 shall require a separate, regular agenda item.
 - d. Contracts for the construction of public infrastructure for which the governing body has already approved the resolution and the low bid as recommended may be placed on the consent agenda if the City-at-large cost is \$250,000 or less. Otherwise, a separate, regular agenda item is required.
 - e. All purchases or services contracts shall be accompanied by a written recommendation from the City Manager or his/her designee.

Section 9: Change Orders

- 1. Change orders are issued to address changes in terms and conditions associated with unforeseen problems not addressed in the bid or contract document or changes/modifications recommended after a contract is awarded.
 - a. Change orders under \$100,000 may be approved by the City Manager or his/her designee.
 - b. Change orders over \$100,000 must be approved by the governing body.

TO: City Commission
FROM: Scott Rickard
SUBJ: Amending Temporary Sign Regulations
DATE: November 15, 2023

Background:

The Planning Commission held public hearings on September 28th and October 26th to address the current temporary sign regulations in the City of El Dorado Zoning Regulations. Additionally, City Staff solicited feedback from the Chamber of Commerce and the public at large before the public hearings. However, the Planning Commission and City Staff encountered challenges in gathering substantial feedback. Consequently, the Planning Commission engaged in discussions to assess the effectiveness and relevance of the existing regulations. The primary goal of these deliberations was to explore potential amendments that would offer greater flexibility for business owners when using temporary signage. Following careful consideration, the Planning Commission unanimously voted to recommend the proposed changes before you today.

The proposed amendments to the zoning regulations aim to provide more precise definitions of temporary signs, allowable sizes, permissible locations, and the removal of certain permitting requirements.

Attachments:

Policy Issue:

To adopt the proposed changes, the City Commission must pass an ordinance amending the Zoning Regulations of the City of El Dorado. The City Commission also has the option to send this item back to the Planning Commission for further consideration or review.

Fiscal Impact:

Approval of the zoning amendments is anticipated to have little to no fiscal impact on the city's budget. The changes primarily involve adjustments to the existing regulations and do not entail significant costs or revenue implications.

Trade-offs:

The Planning Commission did consider balancing the interest of business with the overall aesthetics of the City.

Staff Recommendation:

Staff recommends approval of the proposed amendments.

Commission Action:

Commissioner _____ moved to approve the proposed zoning amendments to Article 8 - Sign Regulations and that Ordinance No. _____ be approved.

Commissioner _____ seconded the motion.