



EL DORADO CITY COMMISSION - WORK SESSION AGENDA
CITY HALL – 220 E. FIRST AVENUE
November 29, 2023 - 5:00 PM

Work Session Discussion Items:

- a.** Consideration of an Amendment to the Published 2023 Budget
- b.** Consideration of an Amendment to the Temporary Sign Regulations

Regular Agenda Preview:

- a.** Items to be Placed on the Consent Agenda
 - i.** Approval of City Commission Meeting Minutes from November 6, 2023 and City Commission Meeting Minutes from November 20, 2023.
- b.** Items to be Placed on the Regular Agenda
 - i.** Consideration of an Ordinance accepting the results of the recent election regarding the sales tax question.
 - ii.** Consideration of an Amendment to the Published 2023 Budget
- c.** Items to be Placed on the Land Bank Consent Agenda
- d.** Executive Session

Reports:

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

TO: City Commission
FROM: Tabitha Sharp
SUBJ: Consideration of an Amendment to the Published 2023 Budget
DATE: November 29, 2023

Background:

Each year, the City Commission must amend the budget if the expenditures for a fund exceed the published budgeted expenditures (K.S.A 79-2929a). There are several funds requiring an amendment in 2023.

- The Senior Center Fund (005) will require a budget amendment of \$40,889 because the original published budget of \$115,961 did not include fund balance or other fund-raising activities the Senior Center participates in.
- The Stormwater Fund (009) will require a budget amendment of \$275,000 due to the transfer of fund balance to the BASE Grant project.
- The Economic Development Sales Tax Fund (010) will require a budget amendment of \$150,000 due to the transfer of fund balance to the BASE Grant project.
- The Tourism Tax Fund (024) will require a budget amendment of \$129,250 due to GoldFest expenses and the purchase of two Gators for the Police and Fire Departments for use in special events.
- The Ordinance Street Sales Tax Fund will require a budget amendment of \$600,000 due to the transfer of fund balance to the BASE Grant project.
- The Excess Sales Tax Fund (028) will require an amendment of \$130,000 due to the increase in collections not anticipated in the original budget.
- The Building Demolition Fund (031) will require an amendment of \$62,000 for the purchase of property and demolition of other properties from the fund balance.
- The Water Fund (060) will require an amendment of \$1,484,388 due to the transfer of fund balance to the BASE Grant project.
- The Sewer Fund (063) will require an amendment of \$835,852 due to the transfer of fund balance to the BASE Grant project.
- The Refuse Fund (066) will require a budget amendment of \$127,827 because expenses were based upon a rate increase that was not completed. There is currently enough in the fund balance to cover the increased expenses and staff will approach the Commission in the near future to discuss an increase.
- The Compressed Natural Gas Fund (069) will require a budget amendment of \$14,510. This is due to an increase in the demand for CNG and therefore an increase in the amount the city was required to purchase.

Attachments:

1. Budget Amendment Cert Form

Policy Issue:

The State of Kansas requires the City Commission to hold a public hearing before approving a budget amendment. Should the Commission approve the budget amendments in accordance with State Law?

Fiscal Impact:

This will increase the allowable expenditures in the previously listed funds by a cumulative

\$3,849,716. There are adequate resources to cover the increased expenses either through increased revenues or fund balance.

Trade-offs:

There are no applicable trade-offs as this is required by State Law.

Staff Recommendation:

Staff recommend holding the public hearing and approving the amendment as required by State Law.

Commission Action:

The City Commission will hold a public hearing on Monday, December 4th to hear comments from the public, after which they will vote on the amendment.

2023

**Amended
Certificate
For Calendar Year 2023**

To the Clerk of Butler, State of Kansas
We, the undersigned, duly elected, qualified, and acting officers of
El Dorado
certify that: (1) the hearing mentioned in the attached publication was
held;(2) after the Budget Hearing this Budget was duly approved and
adopted as the maximum expenditure for the various funds for the year.

			2023 Amended Budget		
			Amount of 2022 Tax that was Levied	Adopted 2023 Expenditures	Proposed Amended 2023 Expenditures
Table of Contents:			Page No.		
Fund	K.S.A.				
Senior Center		1		115,961	156,850
Stormwater		2		203,642	478,642
Economic Development Sales Tax		3		100,000	250,000
Tourism Tax		4		228,842	358,092
Ord. Street Sales Tax		5		600,000	1,200,000
Excess Sales Tax		6		500,000	630,000
Building Demolition		7		28,000	90,000
Water		8		4,487,677	5,972,065
Sewer		9		2,926,551	3,762,403
Refuse		10		1,679,673	1,807,500
CNG		11		15,490	30,000
Totals		xxxxxxx	0	10,885,836	14,735,552
Summary of Amendments		12			

Attested date: _____

County Clerk

Assisted by: _____

Address: _____

Email: _____

Governing Body

CPA Summary

TO: City Commission
FROM: Scott Rickard
SUBJ: Consideration of an Amendment to the Temporary Sign Regulations
DATE: November 29, 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:

1. Temp Signs Amendment Ordinance 2023

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:

The Commission will consider the following options at the next Commission meeting:

1. Accept the recommendation of the Planning Commission.
2. Overturn the recommendation of the Planning Commission.
3. Return the item to the Planning Commission with a request for specific changes or considerations.

On November 20, 2023, the City of El Dorado, Kansas adopted Ordinance No. G-____, an Ordinance Amending Article 8 of the Zoning Regulations of the City of El Dorado, Kansas, with certain omissions, changes and additions; prescribing additional regulations; providing certain penalties and repealing prior ordinances. The full text of this Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 220 E 1st Avenue, El Dorado, Kansas or online at <http://eldoks.com/268/Open-Records-Information>. This summary is certified by Ashlyn B. Lindskog, El Dorado City Attorney, pursuant to K.S.A. 12-3007, et seq.

ORDINANCE NO. G- ____

AN ORDINANCE AMENDING THE CITY OF EL DORADO, KANSAS ZONING REGULATIONS

WHEREAS the El Dorado Planning Commission reviewed the existing Zoning Regulations of the City of El Dorado, Kansas, and determined a need to make amendments hereto; and

WHEREAS the El Dorado Planning Commission did conduct a public hearing, following due and proper notice thereof, on October 26th, 2023, concerning said proposed amendments; and

WHEREAS the El Dorado Planning Commission, following the conclusion of said public hearing, did recommend to the City Commission of the City of El Dorado, Kansas, that certain amendments to the Zoning Regulations of the City of El Dorado, Kansas should be made.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COMMISSION OF THE CITY OF EL DORADO, KANSAS:

Section 1: Article 8 – Sign Regulations, Section 5 – Permit Required of the El Dorado Zoning Regulations, is hereby amended to read as follows:

Permit Required: No sign as defined in this article may be erected or altered except temporary signs as defined in Section 11 until a sign permit has been issued by the Zoning administrator.

- A. Application: Application for permits required under this Article shall be made on forms provided by the Zoning administrator and accompanied by the following, if required by the Zoning administrator or if required by the provisions hereof:
 - (1) Plans and specifications of the proposed sign; the right to inspect all permanent signs and marquees prior to their installation and erection and prior to the issuance of a permit.
 - (2) A certificate of Accident Public Liability Insurance issued to the person or firm installing or erecting a sign or marquee over public property and providing coverage of \$50,000 per person, \$100,000 per accident and \$25,000 property damage.
- B. Permit Fees: Every application before being granted a permit hereunder, shall pay to the Office of the City Engineer. Permit fees for each such sign or other advertising structure are based upon the value of the project. A schedule of fees is available from the Zoning Administrator.
- C. Inspection: As soon as a sign has been erected, the permittee shall notify the zoning administrator who shall inspect such sign and approve the same if it is in compliance with the provisions of this article. The zoning administrator may, from time to time, as he deems necessary, inspect all signs or other advertising

structure regulated by this article for the purpose of ascertaining whether the same is secure or insecure or whether it is in need of removal or repair.

- D. Permit Revocable at Any Time. All rights and privileges acquired under the provisions of this article or any amendment thereto, are mere licenses revocable at any time by the zoning administrator; and all such permits shall contain this provision.

Section 2: Article 8 – Sign Regulations, Section 7 – Classification of Signs, Subsection 7 - Temporary Sign of the El Dorado Zoning Regulations, is hereby amended to read as follows:

Classification of Signs:

(7) Temporary Sign: A display sign as listed below that are intended for short-term placement and are not of a permanent nature and shall be erected and maintained in compliance with these guidelines.

- (a) Event Signs: Temporary signs advertising special events, community activities, or promotions.
- (b) Business Advertising: Temporary signs used as business advertising regardless of type.
- (c) Banner and Flags: Temporary banners and flags used for event promotion or advertising.
- (d) Inflatable Advertising: Inflatable signs or figures used for advertising to draw attention.
- (e) Small Signs: Small signs used for advertising or an event:
- (f) Vinyl Signs: Vinyl signs or similar type material with printed advertising mounted on T-posts or lumber.
- (g) Temporary Portable Display Signs: Any movable display structure capable of relocation under its own power or towed by a motor vehicle.
- (h) Real Estate Sign: A temporary sign pertaining to the sale or lease of a lot or tract of land on which the sign is located or to the sale or lease of one or more structures or a portion thereof on which the sign is located.
- (i) Construction Sign: A temporary sign indicating the names of the architects, engineers, landscape architects, contractors and similar artisans involved in the design and construction of a structure, complex or project only during the construction period and only on the premises on which the construction is taking place.
- (j) Political Campaign Sign: Any sign relating to a candidate, political party, ballot issue, or other issue to be voted upon in any public election.

Section 3: Article 8 – Sign Regulations, Section 11 – Temporary Signs of the El Dorado Zoning Regulations, is hereby amended to read as follows:

Temporary Signs:

- A. Temporary Portable Display Signs: With or Without Wheels Attached: One (1) Portable display sign per property is allowed. Shall not exceed thirty-two (32) square feet in area. Portable display signs not exceeding twelve (12) square feet per side shall be allowed on the sidewalk in a C-2 zoning district. Portable Display signs utilizing LED messaging are limited to a period of up to 14 calendar days per year from the date of installation.
- B. Event Signs: Event signs shall not exceed thirty-two (32) square feet in area. Two (2) per property. Event signs may be displayed on the property of the event for a period of up to 7 calendar days prior to the event and shall be removed within 48 hours after the event concludes.
- C. Business Advertising Signs: Temporary signs used as business advertising regardless of type shall be limited to the following: Two (2) per property in C-1, O-1, I-1 and I-2 zoning districts and One (1) per property in C-2 zoning district.
- D. Banners and Flags: Shall not exceed two (2) per property, height restriction of 15 feet, not allowed in C-2 zoning district.
- E. Inflatable Advertising: Permits are required, the permit fee is \$10.00. Maximum one (1) per property and it shall not affect any required parking or specific zoning requirements of the lot. May be displayed for a period of up to 14 calendar days per year from the date of installation. The height restriction is 20 feet. Not allowed in C-2 zoning district.
- F. Small Signs: Shall not exceed two (2) per property. Signs shall not exceed four (4) square feet in area.
- G. Vinyl Signs: Shall not exceed thirty-two (32) square feet in area. One (1) sign per property.
- H. Real Estate Signs: Real Estate Signs shall be removed within one week of the date of sale, rental, lease, or open house. Signs over thirty-two (32) square feet in area shall be authorized by the Planning Commission, which shall base its decision on setback, traffic speed, sign design, and surroundings.
- I. Construction Signs: Construction signs shall be thirty-two (32) square feet or less. Such signs are subject to yard area requirements and may be erected at the start of construction and shall be removed upon project completion.
- J. Temporary Sign Location: Temporary signs shall be located in a manner that does not obstruct accessways, sidewalks, windows, sight triangles, or traffic visibility. Signs shall only be placed on the property where the service, business, or event is taking place. Signs shall not be placed on parking or impact specific zoning requirements of the lots.
- K. Temporary Sign Illumination: Temporary signs shall not be illuminated, except for portable display signs.
- L. Removal of Temporary Signs: Temporary signs shall be removed by the owner or permittee within the specified timeframes outlined in the regulations.

Failure to remove the sign within these periods may result in its removal and enforcement.

- M. Exemptions and Exclusions: Construction, Political, Real Estate, and City of El Dorado uses.
- N. Enforcement and Maintenance: Temporary signs shall be maintained in compliance with the regulations and design standards in this article. If a temporary sign is found to be unsafe, insecure, tattered, torn, in disrepair, or in violation of these guidelines, Code Enforcement may take necessary actions for removal or alteration, as specified in the general sign regulations.

Section 4: Article 8 – Sign Regulations, Section 13 – Maintenance, is now amended to Section 12 – Maintenance.

Section 5: Article 8 – Sign Regulations, Section 14 – Office Parks, Shopping Centers and Planned Districts, is now amended to Section 13 - Office Parks, Shopping Centers and Planned Districts.

Section 6: Article 8 – Sign Regulations, Section 15 – District Regulations, is now amended to Section 14 - District Regulations.

Section 7: Article 8 – Sign Regulations, Section 14 – District Regulations, Subsection A. of the El Dorado Zoning Regulations, is hereby amended to read as follows:

District Regulations:

- A. Permitted Signs: The following table identifies permitted signs by type and district. Permitted signs are designated (P) in the table. Signs that are not permitted are designated (X). Signs that are permitted only by Special Use Permit are designated (S).

Sign Types	A-R, R-S, R-1, R-2, R-3, & M-P	C-1	C-2	O-I	I-1	I-2
Functional Types						
Off-site Advertising Sign	X	S	X	S	P	P
Bulletin Board Sign	P ⁴	P	P	P	P	P
Business Sign	P ¹	P	P	P	P	P
Identification Sign	P	P	P	P	P	P
Name Plate Sign	P	P	P	P	P	P
Memorial Sign	P	P	P	P	P	P
Temporary Sign*See Section 11	P ²	P ²	P ²	P ²	P ²	P ²
Structural Types						
Awning, Canopy or Marquee Sign	X	P	P	P	P	P
Ground Sign	P ³	P	P	P	P	P
Monument Sign	P ³	P	P	P	P	P
Elevated Sign	X	P	P	P	P	P
Portable Sign	X	P	X	X	P	P
Projecting Sign	X	P	P	P	P	P
Wall Sign	P	P	P	P	P	P

Flush-Mounted Logo Roof Sign	X	P	N	N	P	P
Elevated/Projecting Roof Sign	X	X	X	X	X	X
Window Sign	X	P	P	P	P	P
Digital Video Sign	X	P	S	S	P	P
¹	Limited to business signs pertaining to a home occupation and subject to the sign requirements of the home occupation section of this regulation.					
²	Real estate signs for a period of not more than three years or beyond the sale of 75% of the lots of a subdivision.					
³	Limited to identification of subdivision only. Not to be used for individual lot or home occupation identification.					
⁴	Limited to identification of institutions and organizations. Not to be used for home occupation identification.					

P = Permitted S = Special Use Permit Required X = Not Permitted

Section 8: All ordinances in conflict herewith are hereby repealed.

Section 9: In all other respects, the Zoning Regulations of the City of El Dorado, Kansas shall be and remain unchanged.

Section 10: This Ordinance shall take effect and be in full force from and after its publication once in the official city newspaper.

PASSED by the City Commission of the City of El Dorado, Kansas, and APPROVED by its Mayor this 20th November 2023.

Bill Young, Mayor

Tabitha Sharp, City Clerk

APPROVED AS TO FORM:

Ashlyn Lindskog, City Attorney