



EL DORADO CITY COMMISSION - REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
May 20, 2024 - 5:30 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation** - Father John Lanzrath, St. John Catholic Church
- 4. Pledge of Allegiance**

Proclamations and Recognition

Personal Appearances. Personal appearances are opportunities for organizations or citizens to make special presentations before the City Commission. Such appearances are scheduled in advance of the meeting by calling City Clerk Emerald Ashlock at (316) 321-9100 by 5:00 pm the Tuesday preceding the meeting. Presentations are limited to ten minutes. Any presentation is for information purposes only; no action will be taken.

- 5. Chamber Quarterly Update**

Public Comments. Persons who wish to address the City Commission regarding any matter that is under the jurisdiction of the City Commission may do so when called upon by the Mayor. Comments on personnel matters, matters pending in court, and land use matters are not permitted. Land use Public Hearings are held during Planning Commission meetings.

Consent Agenda (*Consent agenda items will be acted on by one motion unless a majority of the City Commission votes to remove an item for discussion and separate action.*)

- 6. City Commission Work Session Minutes from May 01, 2024, and City Commission Meeting Minutes from May 06, 2024**
- 7. Approval of Walnuts CMB license set to expire December 31, 2024.**
- 8. Planning Commission Appointment- James Barnaby set to expire December 31, 2027.**

Public Hearing

- 9. Condemnation Proceedings**

Old Business

- 10. None**

New Business

11. Consideration of Resolutions stating that 434 W Cave Springs, 1108 Shelden, 308 N Taylor, 724 N Topeka, 616 W Towanda, and 817 N Washington are unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.
12. Consideration of a Request to Rezone approximately 78.3 acres in the west half of the northeast quarter of Section 9, Township 26 South, Range 5 East in Butler County, Kansas, from A-R Agricultural Residential District to R-3 Residential Multiple Family Dwelling District.
13. Consideration of the Belly Acres Addition Plat.
14. Consideration of an Ordinance annexing certain real property generally located on the north side of W. Towanda Avenue into the corporate limits of the City of El Dorado, Kansas.
15. Consideration of a motion establishing the strategic priorities of the City Commission of the City of El Dorado, Kansas.

Discussion Items

16. None

Reports

17. City Commission and Advisory Board Updates
18. City Manager

Adjournment

19. Consideration of a motion to adjourn

The El Dorado City Commission met in a work session on May 01, 2024, at 5:00 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Syndee Scribner, Commissioner Leon Leachman, Commissioner Kendra Wilkinson, City Manager David Dillner, and Assistant City Manager Tabitha Sharp. Absent: City Attorney Ashlyn Lindskog Commissioner Kelly Tetrick

VISITORS

Kevin Wishart	Parks and Recreation	El Dorado, KS
Lt. John Stewart	Police Department	El Dorado, KS
Phil Benedict	Chamber of Commerce	El Dorado, KS
Kerri	Butler County Emergency Management	
Erica Davis	HumanKind Ministries	Wichita, KS
Emily Connell	El Dorado Main Street	El Dorado, KS
Scott Rickard	City Engineer	El Dorado, KS
Jason Patty	Public Utilities Director	El Dorado, KS
Sam Cooper	Management Intern	El Dorado, KS
Drew Wilson	BHI President	
Isaac McNary	BHI	
Tom Borago	Butler Community College	

CALL TO ORDER

Mayor Bill Young called the May 1, 2024, meeting to order.

SPECIAL SESSION DISCUSSION ITEMS

HUMANKIND MINISTRIES PRESENTATION

Erica David with Humankind Ministries spoke to the Commission about what Humankind Ministries do and gave the Commission an idea of different government funding opportunities that are available to help the homeless community.

BUTLER COUNTY EMERGENCY MANAGEMENT PRESENTATION

Kerri Korthals with Butler County Emergency Management gave a presentation on Butler County’s Emergency Action Plan and informed the Commission on the disaster plan updates that were made at the end of 2023.

COMMISSION STRATEGIC PRIORITIES

City Manager David Dillner stated that at the beginning of the year, the City Commission had a conversation about the priorities the governing body wanted to focus on over the next several years. He stated that the plan is divided into five categories: Housing, Quality of Life, Economic Development Prosperity, Safety and Connectedness, and Community Beautification.

BG STADIUM IMPROVEMENTS FINANCING STRUCTURE

City Manager David Dillner presented the different financing plan for BG Stadium improvements.

The City Commission discussed which of the three financing plans that they wanted to use.

ADJOURNMENT

Commissioner Syndee Scribner moved to adjourn the meeting at 7:30 PM.

Commissioner Leon seconded the motion.

Motion carried 4 – 0.

City Clerk Emerald Ashlock

Mayor Bill Young

EL DORADO CITY COMMISSION MEETING

May 06, 2024

The El Dorado City Commission met in a regular session on May 06, 2024, at 5:30 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Kelly Tetrick, Commissioner Syndee Scribner, Commissioner Leon Leachman, Commissioner Kendra Wilkinson, City Manager David Dillner, Assistant City Manager Tabitha Sharp and City Engineer Scott Rickard. Absent: City Attorney Ashlyn Lindskog.

VISITORS

Mike Holton	220 E 1 st Ave	El Dorado, KS
Kevin Wishart	220 E. 1 st Ave	El Dorado, KS
Craig Yaryan	El Dorado Main Street	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the May 06, 2024, meeting to order.

INVOCATION

Pastor David Crook, First Southern Baptist Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission leads the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITION

Mayor Bill Young read the proclamation declaring the first full week in May “Public Service Recognition Week.”

PERSONAL APPEARANCE

Mayor Bill Young opened the floor for Personal Appearances.

Craig Yaryan with El Dorado Main Street spoke to the Commission about the IWW Loan Program.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

There were no public comments.

CONSENT AGENDA

Approval of City Commission Work Session Minutes from April 10, 2024, and City Commission Meeting Minutes from April 15, 2024.

Library Board Appointment- Cecilia Housman term is set to expire December 31, 2027

Approval of Appropriation Ordinance No. 04-24 in the amount of \$1,878,391.67

Commissioner Leon Leachman moved to approve the consent agenda.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5-0.

PUBLIC HEARING

There were no public hearings scheduled.

OLD BUSINESS

There was no old business.

NEW BUSINESSs

CONSIDERATION OF A BID AND CONTRACT AWARD OF \$6,561,994.30 FROM NOWAK CONSTRUCTION FOR THE CENTRAL AVENUE IMPROVEMENT PROJECTS

City Engineer Scott Rickard stated that we have received bids for Project 605, which entails upgrades to Central Avenue, including paving, stormwater, and water distribution enhancements. This project includes the award of the B.A.S.E. grant funding from the Kansas Department of Commerce for the waterline and Cost-share funding from KDOT for the storm sewer system. He stated that the project scope encompasses the construction of a new Storm Sewer System along Central Ave. from the old Walnut River Channel at the Kansas Oil Museum west to Gordy St., Construction of a new 16" water transmission line on Central Ave. from Gordy St. to Denver St., Resurfacing/Replacement of Pavement on Central Ave from 400' East of Gordy St. to Denver St., Construction of intersection bulbs at 1st Ave./Main St. and Pine Ave. and Main St.

Commissioner Kelly Tetrick moved that since Nowak Construction has submitted the lowest and best bid of \$6,561,994.30 for project no. 605, the City Manager be directed to award the contract to said contractor providing that the company furnish the proper bonds.

Commissioner Syndee Scribner seconded the motion.

Motion carried 5-0.

CONSIDERATION OF A MUNICIPAL AGREEMENT BETWEEN THE EDUCATION FACILITIES AUTHORITY OF BUTLER COUNTY, BUTLER COMMUNITY COLLEGE, AND THE UNIFIED SCHOOL DISTRICT NO. 490 CONCERNING IMPROVEMENTS AT BG PRODUCTS VETERANS SPORTS COMPLEX

City Manager David Dillner stated that the Commission is a Municipal Agreement for the Stadium Track and Turf Project. He stated that the track and turf replacement is estimated to cost about \$1.34 million. The City plans to provide temporary financing for the project from its cash reserves. Once construction is completed, the City will finance the project with the issuance of G.O. bonds in the principal amount of about \$982,555. The remaining balance of \$357,445 will be funded from proceeds held by the Butler Community College Foundation. The proposed finance plan will allow the EFABC to retain \$350,000 of its long-term funding for future needs. He stated that the City developed three scenarios to fund the projected deficit. All three entities would contribute equally to any deficit in the annual debt service payment as shown in Scenario A, Butler Community College and USD 490 would contribute equally to any deficit in Scenario B. Finally, in Scenario C, all three entities would contribute to the debt service deficit based on each entity's use of the stadium.

Commissioner Leon Leachman moved to approve a Municipal Agreement between the Educational Facilities Authority of Butler County, Butler Community College, and the Unified School District No. 490 concerning Improvements at the BG Products Veterans Sports Complex.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5-0.

DISCUSSION ITEMS

There were no discussion items.

REPORTS**CITY COMMISSION AND ADVISORY BOARD UPDATES**

Mayor Bill Young stated that last Thursday they had the Mural Plaza Ribbon Cutting was a fun event and there was good attendance. He stated that EFABC will meet on Wednesday morning to finalize a few things. He stated that Mammoth will get started as early as next week.

CITY MANAGER REPORT

City Manager David Dillner stated that there are two public shelters in case of a tornado warning. He stated that the basement of City Hall and the Senior Center are the two locations we have available.

City Manager Dillner stated that the Parks and Recreation Department is making the final preparations for the summer. He stated that the pool had been filled. He stated that the pool's opening day is May 25th. He stated that the cemetery staff is getting everything ready for Memorial weekend.

He stated that the Flock Camera System is working very well. He stated that officers responded to a stolen vehicle from Texas that was picked up on the Flock System.

He stated that Gold Fest was moved to the Stadium and it will be a great opportunity to partner with the College due to there being a Butler Football game that day.

ADJOURNMENT

Commissioner Kendra Wilkinson moved to adjourn the meeting at 6:04 p.m.

Commissioner Leon Leachman seconded the motion.

Motion carried 5 – 0.

City Clerk Emerald Ashlock

Mayor Bill Young

TO: City Commission
FROM: Scott Rickard
SUBJ: Consideration of Resolutions stating that 434 W Cave Springs, 1108 Sheldon, 308 N Taylor, 724 N Topeka, 616 W Towanda, and 817 N Washington are unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.
DATE: May 20, 2024

Background:

To address dangerous and unfit structures, staff have determined from 6 homes that an ultimate resolution needs to be addressed. The properties are 434 W Cave Springs, 1108 Sheldon, 308 N Taylor, 724 N Topeka, 616 W Towanda & 817 N Washington.

On April 25, 2024, the City Commission shall hear all evidence submitted by the owner, his or her agent, lienholders of record, and occupants having an interest in such a structure, as well as evidence submitted by the City, and shall make findings by resolution. If the City Commission, after the hearing, finds that these structures are unsafe and unfit, a resolution shall direct the structure to be repaired or removed, and the premises made safe and secure. Such resolution shall be published once in the official city paper and a copy mailed to the owners, agents, lienholders of record and occupants in the same manner provided for the notice of hearing. In the resolution, the Commission shall fix a reasonable time within which the repair or removal of such structure shall be commenced and a statement that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed.

Attachments:

1. 434 W Cave Springs Resolution of finding
2. 1108 Sheldon Resolution of finding
3. 308 N Taylor Resolution of finding
4. 724 N Topeka Resolution of finding
5. 616 W Towanda Resolution of finding

Policy Issue:

To enforce the Municipal Code for improved Public Safety & Community Image.

Fiscal Impact:

If the property owner cannot cause a structure to be razed, the City Commission is the ultimate entity responsible for demolition costs. A special assessment would be placed on the property in hopes of recovering the cost.

Trade-offs:

Allow the structure to continue to be a blight on the neighborhood until the City Staff can find a resolution.

Staff Recommendation:

Adopt the resolutions as presented and give the owners/lienholders 30 days to commence repairs or demolition.

Commission Action:

Commissioner _____ moved to approve a Resolution stating that the structure at

434 W Cave Springs is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

Commissioner _____ seconded the motion.

And

Commissioner _____ moved to approve a Resolution stating that the structure at 1108 Shelden is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

Commissioner _____ seconded the motion.

And

Commissioner _____ moved to approve a Resolution stating that the structure at 308 N Taylor is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

Commissioner _____ seconded the motion.

And

Commissioner _____ moved to approve a Resolution stating that the structure at 724 N Topeka is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

Commissioner _____ seconded the motion.

And

Commissioner _____ moved to approve a Resolution stating that the structure at 616 W Towanda is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

Commissioner _____ seconded the motion.

**RESOLUTION OF FINDINGS
RESOLUTION NO.**

A Resolution finding that a structure at 434 W Cave Springs Ave., El Dorado, Kansas, also known as

Legal Description Beginning at the Southwest Corner of Block 31, Original Town, now City of El Dorado, Butler County, Kansas, thence East 75 feet, thence North 132 feet, thence West 75 feet, thence South 132 feet to point of beginning is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

WHEREAS, the enforcing officer of the City of El Dorado, Kansas did on the 4th day of March 2024, file with the Governing Body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous, and

WHEREAS, the Governing Body did by Resolution No. 2976 fix the time and place of a hearing at which the owner, his agent, any lien holders of record, and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered vacated and secured, and provided for giving notice thereof as provided, by law, and

WHEREAS, on the 20th day of May 2024, the Governing Body heard all evidence submitted by the owners as well as evidence submitted by the enforcing officer of the City,

NOW THEREFORE, be it resolved by the Governing Body of the City of El Dorado: That said Governing Body hereby finds that the structure at 434 W Cave Springs Ave., El Dorado, Kansas, also known as

Legal Beginning at the Southwest Corner of Block 31, Original Town, now City of El Dorado, Butler County, Kansas, thence East 75 feet, thence North 132 feet, thence West 75 feet, thence South 132 feet to point of beginning is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

The owner of such structure is hereby given **30** days from the date of publication of this resolution within which to commence with the repair of the code and building violations and or the removal of such structure. If the owner fails to commence the repair or removal of the structure within the time stated or fails to diligently prosecute the same until the work is completed, said Governing Body will cause the structure to be razed and removed, and the costs of such be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

Be it further resolved that the City Clerk shall cause this Resolution to be published once in the official City paper and a copy mailed to the owner, agents, lien holders, and occupants as provided by law.

ADOPTED by the City Commission of the City of El Dorado, in Butler County, Kansas,
on the 20th day of May 2024.

Bill Young, Mayor

ATTEST:

Emerald Ashlock, City Clerk

**RESOLUTION OF FINDINGS
RESOLUTION NO.**

A Resolution finding that a structure at 1108 S Shelden, El Dorado, Kansas, also known as

Legal Description Lot 3, in Block 3 in Shelden's Addition to the City of El Dorado, Butler County, Kansas is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

WHEREAS, the enforcing officer of the City of El Dorado, Kansas did on the 4th day of March 2024, file with the Governing Body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous, and

WHEREAS, the Governing Body did by Resolution No. 2976 fix the time and place of a hearing at which the owner, his agent, any lien holders of record, and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered vacated and secured, and provided for giving notice thereof as provided, by law, and

WHEREAS, on the 20th day of May 2024, the Governing Body heard all evidence submitted by the owners as well as evidence submitted by the enforcing officer of the City,

NOW THEREFORE, be it resolved by the Governing Body of the City of El Dorado: That said Governing Body hereby finds that the structure at 1108 S Shelden, El Dorado, Kansas, also known as

Legal Description Lot 3, in Block 3 in Shelden's Addition to the City of El Dorado, Butler County, Kansas is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

The owner of such structure is hereby given **30** days from the date of publication of this resolution within which to commence with the repair of the code and building violations and or the removal of such structure. If the owner fails to commence the repair or removal of the structure within the time stated or fails to diligently prosecute the same until the work is completed, said Governing Body will cause the structure to be razed and removed, and the costs of such be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

Be it further resolved that the City Clerk shall cause this Resolution to be published once in the official City paper and a copy mailed to the owner, agents, lien holders, and occupants as provided by law.

ADOPTED by the City Commission of the City of El Dorado, in Butler County, Kansas,
on the 20th day of May 2024.

Bill Young, Mayor

ATTEST:

Emerald Ashlock, City Clerk

**RESOLUTION OF FINDINGS
RESOLUTION NO.**

A Resolution finding that a structure at 308 N Taylor, El Dorado, Kansas, also known as

Legal Description Lot 30 and the North Half of Lot 28 on Taylor Street in E.L. Lower's Addition to the Town now City of El Dorado, Butler County, Kansas is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

WHEREAS, the enforcing officer of the City of El Dorado, Kansas did on the 4th day of March 2024, file with the Governing Body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous, and

WHEREAS, the Governing Body did by Resolution No. 2976 fix the time and place of a hearing at which the owner, his agent, any lien holders of record, and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered vacated and secured, and provided for giving notice thereof as provided, by law, and

WHEREAS, on the 20th day of May 2024, the Governing Body heard all evidence submitted by the owners as well as evidence submitted by the enforcing officer of the City,

NOW THEREFORE, be it resolved by the Governing Body of the City of El Dorado: That said Governing Body hereby finds that the structure at 308 N Taylor, El Dorado, Kansas, also known as

Legal Description Lot 30 and the North Half of Lot 28 on Taylor Street in E.L. Lower's Addition to the Town now City of El Dorado, Butler County, Kansas is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

The owner of such structure is hereby given **30** days from the date of publication of this resolution within which to commence with the repair of the code and building violations and or the removal of such structure. If the owner fails to commence the repair or removal of the structure within the time stated or fails to diligently prosecute the same until the work is completed, said Governing Body will cause the structure to be razed and removed, and the costs of such be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

Be it further resolved that the City Clerk shall cause this Resolution to be published once in the official City paper and a copy mailed to the owner, agents, lien holders, and occupants as provided by law.

ADOPTED by the City Commission of the City of El Dorado, in Butler County, Kansas,
on the 20th day of May 2024.

Bill Young, Mayor

ATTEST:

Emerald Ashlock, City Clerk

**RESOLUTION OF FINDINGS
RESOLUTION NO.**

A Resolution finding that a structure at 724 N Topeka, El Dorado, Kansas, also known as

Legal Description the North 10 feet of Lot 142 and all of Lot 143, Hulls Addition to the City of El Dorado, Butler County, Kansas is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

WHEREAS, the enforcing officer of the City of El Dorado, Kansas did on the 4th day of March 2024, file with the Governing Body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous, and

WHEREAS, the Governing Body did by Resolution No. 2976 fix the time and place of a hearing at which the owner, his agent, any lien holders of record, and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered vacated and secured, and provided for giving notice thereof as provided, by law, and

WHEREAS, on the 20th day of May 2024, the Governing Body heard all evidence submitted by the owners as well as evidence submitted by the enforcing officer of the City,

NOW THEREFORE, be it resolved by the Governing Body of the City of El Dorado: That said Governing Body hereby finds that the structure at 724 N Topeka, El Dorado, Kansas, also known as

Legal Description: The North 10 feet of Lot 142 and all of Lot 143, Hulls Addition to the City of El Dorado, Butler County, Kansas, is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

The owner of such structure is hereby given **30** days from the date of publication of this resolution within which to commence with the repair of the code and building violations and/or the removal of such structure. If the owner fails to commence the repair or removal of the structure within the time stated or fails to diligently prosecute the same until the work is completed, said Governing Body will cause the structure to be razed and removed, and the costs of such be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

Be it further resolved that the City Clerk shall cause this Resolution to be published once in the official City paper and a copy mailed to the owner, agents, lien holders, and occupants as provided by law.

ADOPTED by the City Commission of the City of El Dorado, in Butler County, Kansas,
on the 20th day of May 2024.

Bill Young, Mayor

ATTEST:

Emerald Ashlock, City Clerk

**RESOLUTION OF FINDINGS
RESOLUTION NO.**

A Resolution finding that a structure at 616 W Towanda Ave., El Dorado, Kansas, also known as

Legal Description Beginning at the Southwest Corner of Block 44 in the Original Town, now City of El Dorado; thence North 141.5 feet, more or less, to a point that is 132 feet South of the Northwest Corner of said Block 44; thence East 65 feet, more or less, to a point that is 150 feet West of the East line of said Block 44; thence South 141.5 feet, more or less to the South line of said Block 44; thence West 65 feet, more or less to the Point of Beginning, in Butler County, Kansas is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

WHEREAS, the enforcing officer of the City of El Dorado, Kansas did on the 4th day of March 2024, file with the Governing Body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous, and

WHEREAS, the Governing Body did by Resolution No. 2976 fix the time and place of a hearing at which the owner, his agent, any lien holders of record, and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered vacated and secured, and provided for giving notice thereof as provided, by law, and

WHEREAS, on the 20th day of May 2024, the Governing Body heard all evidence submitted by the owners as well as evidence submitted by the enforcing officer of the City,

NOW THEREFORE, Be it resolved by the Governing Body of the City of El Dorado: That said Governing Body hereby finds that the structure at 616 W Towanda Ave., El Dorado, Kansas, also known as

Legal Description Beginning at the Southwest Corner of Block 44 in the Original Town, now City of El Dorado; thence North 141.5 feet, more or less, to a point that is 132 feet South of the Northwest Corner of said Block 44; thence East 65 feet, more or less, to a point that is 150 feet West of the East line of said Block 44; thence South 141.5 feet, more or less to the South line of said Block 44; thence West 65 feet, more or less to the Point of Beginning, in Butler County, Kansas is unsafe or dangerous and directing the structure to be repaired or removed and the premises made safe and secure.

The owner of such structure is hereby given **30** days from the date of publication of this resolution within which to commence with the repair of the code and building violations and or the removal of such structure. If the owner fails to commence the repair or removal of the structure within the time stated or fails to diligently prosecute the same until the work is completed, said Governing Body will cause the structure to be razed and removed, and the costs of such be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

Be it further resolved that the City Clerk shall cause this Resolution to be published once in the official City paper and a copy mailed to the owner, agents, lien holders, and occupants as provided by law.

ADOPTED by the City Commission of the City of El Dorado, in Butler County, Kansas, on the 20th day of May, 2024.

Bill Young, Mayor

ATTEST:

Emerald Ashlock, City Clerk

TO: City Commission
FROM: Scott Rickard
SUBJ: Consideration of a Request to Rezone approximately 78.3 acres in the west half of the northeast quarter of Section 9, Township 26 South, Range 5 East in Butler County, Kansas, from A-R Agricultural Residential District to R-3 Residential Multiple Family Dwelling District.
DATE: May 20, 2024

Background:

The Planning Commission held a public hearing on April 25, 2024, to review the application to rezone approximately 78.3 acres in the west half of the northeast quarter of Section 9, Township 26 South, Range 5 East in Butler County, Kansas, from A-R Agricultural Residential District to R-3 Residential Multiple Family Dwelling District.

Attachments:

1. W Towanda Memo Rezone
2. 4-25-24 Minutes
3. 1000' Buffer Map
4. Site Concept with Rezone Area
5. W Towanda Rezone Ord

Policy Issue:

Zoning districts restrict properties to a specific set of land uses. Most rezoning applications, such as this one, request a zoning district that is less restrictive and allows an increase in land use intensity.

Fiscal Impact:

Approval of the zoning map amendment will create little to no fiscal impact on the City of El Dorado at this time.

Trade-offs:

N/A

Staff Recommendation:

Staff recommends approval of the proposed rezoning request.

Commission Action:

Commissioner _____ moved to approve an Ordinance zoning certain land in the City of El Dorado, Kansas, R-1 Residential Low-Density District and amending the zoning map of the city.

Commissioner _____ seconded the motion.

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission
FROM: Scott Rickard, Engineering Director
RE: Zone Change Application – W Towanda Ave

Wes Struthers and Dean Construction have submitted a rezoning application to rezone approximately 78.3 acres in the west half of the northeast quarter of Section 9, Township 26South, Range 5East in Butler County, Kansas, from A-R Agricultural Residential District to R-3 Residential Multiple Family Dwelling District.

R-3 is intended for the purpose of allowing high residential density land use with the comingling of compatible single-family and two-family dwellings, apartments, home occupations, community facilities and certain uses, yet retain the basic residential quality.

The City Commission will review the annexation request at their meeting on February 19, 2024.

The regulations state the Planning Commission shall make findings of fact to determine whether the application is found to be compatible with the following:

Character of the neighborhood.

The character of the neighborhood surrounding the proposed rezoning is vacant land and is zoned A-R (Agricultural-Residential) to the north and south. To the west, the zoning consists of A-R and R-1 (Residential Low Density). The east is BCC's campus and is zoned O-I (Office Institutional).

Consistency with the Comprehensive Plan and ordinances of the City of El Dorado.

The Future Land Use Map (FLUM) designates the subject property as Neighborhood Mixed Use, defined as a mix of residential types and small-scale commercial and institutional uses that are typically meant to serve the needs of the surrounding neighborhood. This serves as a transition between residential land uses and more intense land uses.

Adequacy of public utilities and other needed public services.

The city will work with the developer to provide utilities for the development. Road access to these lots would be provided via Towanda Ave.

Suitability of the uses to which the property has been restricted under its existing zoning.

The current zoning, A-R, is restricted to agricultural and low-density residential uses.

Length of time property has remained vacant as zoned.

The property has been vacant and used for agricultural purposes.

Compatibility of the proposed district classification with nearby properties.

A few single-family residential properties are located to the west of the proposed rezoning area. The compatibility of the proposed R-3 Medium Density Dwelling District with these existing residential properties needs to be carefully considered. Best practices in zoning encourage compatibility between land uses to maintain a harmonious neighborhood environment.

The extent to which the zoning amendment may detrimentally affect nearby properties.

Residential development is not expected to affect neighboring properties detrimentally. Zoning decisions should aim to minimize negative impacts on nearby properties, and in this case, best practices suggest that the rezoning may not have a detrimental effect.

Whether the proposed amendment provides a disproportionately great loss to the individual land owners nearby relative to the public gain.

Staff does not anticipate a disproportionately great loss to nearby landowners due to the proposed rezoning.

Adopting this amendment requires a majority vote of the Planning Commission members present and voting.

Motions:

To approve:

I move to recommend approval of Case No. 24-03-REZ, an application by Wes Struthers and Dean Construction to rezone approximately 78.3 acres in the west half of the northeast quarter of Section 9, Township 26 South, Range 5 East in Butler County, Kansas, from A-R Agricultural Residential District to R-3 Residential Multiple Family Dwelling District.

EL DORADO

K A N S A S

PLANNING COMMISSION MINUTES - **DRAFT**

April 25, 2024

5:30 p.m.

1. CALL TO ORDER & ROLL CALL

Chairman Hackler called the meeting to order at 5:30 pm.

Members Present

Steve Fellers
Scott Hackler (late)
Lawrence Fischetti
Scott Leason
Austin Letts
Brad Long

Others Present

Joyce Horsch	3505 W Towanda
Clint Rogers	3425 W Towanda
Suzette Moore	3625 SW 10 th
Terrysa Carleton	3495 SW 10 th
Tracy Morgan	1717 SW Boyer Rd
Carol Renfro	1312 SW Boyer Rd
Michele Tucker	3345 W Towanda
James Hatfield	3205 W Towanda
Darren Schwindt	3515 W Towanda
Sarah & Richard Hagins	3435 W Towanda
Kimberly Blake	3625 W Towanda
Callie & Mason Johnson	3525 W Towanda
Greg Hiebert	3235 W Towanda
Eddie Dean Jr	
Wes Struthers	
Samantha Ghareeb with SEH, Inc	
Jake Vasa with SHE, Inc	

2. APPROVAL OF MINUTES

Commissioner Fellers moved to approve the minutes with corrections as noted for March 28, 2024, seconded by Commissioner Letts. The motion passed (5-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 24-03-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE APPROXIMATELY 78 ACRES ALONG W TOWANDA AVE. FROM A-R (AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 (RESIDENTIAL MULTIPLE FAMILY DWELLING DISTRICT)).

A. Presentation of Request

Mr. Rickard provided an overview of the previously approved rezoning request of approximately 78.3 acres on the west side of Butler Community College from A-R Agricultural Residential to R-3 Multiple Family Dwelling District. The City Commission requested an additional public hearing since the previous meeting was rescheduled due to a lack of quorum. Mr. Rickard stated the property has been annexed into the city limits and needs to be assigned a zoning classification.

Jake Vasa with SEH, Inc., the engineer on the project stated the development will be mostly single-family, with the east side being multi-family and everything presented is preliminary until final platting and the request is to rezone approximately 100 lots.

Commissioner Long inquired if the homes would be single-family. Mr. Vasa indicated the lots on the east side will be multi-family townhomes.

Commissioner Long inquired if a buffer zone would be added. Mr. Vasa stated a buffer is not required and doesn't intend to have one.

Commissioner Long inquired if the property could be accessed from the college. Mr. Vasa said he hoped there would be, but that information would be developed during the plat, and this is just a request to rezone the property.

Mr. Rickard stated buffers are required in commercial/industrial areas. Commissioner Fellers inquired if BCC received a letter and if they responded. Mr. Rickard stated they did receive notification but did not reach out.

Mr. Rickard stated there is a natural buffer which is the flood plain and there are restrictions that will be met. Mr. Vasa noted that the drainage area is in the 100-year flood, it will be maintained as green space along with other features to preserve green space like pedestrian trails.

Commissioner Fellers inquired if trees would be cut trees in that area. Mr. Vasa indicated that some might be cut, but a lot can't be disrupted since it is a wetland area, and the Corp of Engineers has restrictions.

Mr. Rickard noted there are pipelines right of way to the south that will need to be avoided. Commissioner Fellers inquired if the pipelines restrict basements to be installed.

B. Public Hearing

Commissioner Leason opened the public hearing.

Greg Hiebert is concerned about the traffic on Towanda and how it is not built for 100 more homes. He also stated the road already receives traffic from the college and refinery. He has spoken with a trustee with BCC and the college or himself doesn't want to pay for the development of Towanda and believes that should be the responsibility of the developer.

Mr. Rickard informed the commission that the impact on traffic is part of their decision-making process. Mr. Rickard stated that the improvement of Towanda Ave and Boyer Rd are in the city's capital improvement plan. Towanda Ave/10th Street is an important byway in the city's long-range plan and are aware that it will continue to receive more traffic if the development proceeds.

Commissioner Long inquired who was responsible for the maintenance of the road today. Mr. Rickard stated that the El Dorado Township and City are both responsible for upkeep since the city limits cross in different locations.

Richard Horsch stated he, along with most of the other owners, don't want the burden of the project and they don't want any of the cost for improvements. He also said he doesn't want the road any bigger. He remarked that the property to be developed is an abandoned oil field and he wonders what is underneath the soil and doesn't want to pay for remediation.

Commissioner Leason stated they are only discussing the rezone and all studies will be done later.

Commissioner Fellers remarked that Mr. Horsch had fair questions, but the Planning Commission does not address remediation concerns.

Richard Hagins stated he is also concerned about the traffic on Towanda, an environmental study, and stated the developer needs to pay for Towanda & Boyer upgrades, not the citizens. He also inquired about the weight limit of the road and the need for trucks to follow the truck routes. Mr. Rickard explained that a lot of projects and developments have happened in El Dorado with oil production in the backyard which is the developers' and future owner's responsibility.

Mr. Hagins inquired how the development would be built out. Mr. Vara stated that the northeast corner will be completed first and then they would need a structure that crosses the channel into the next phase. Eddie Dean, Jr. stated they once they were near completion of the first 49 lots, they would then move to the next phase of the 80 acres.

Darren Schwindt stated he counted 98 lots which will be approximately 150 vehicles trying to leave every morning then with the multi-family area there is a potential for an additional 150 cars that would make the traffic on Towanda would make Central and Haverhill crazy and thinks it looks like chaos. Mr. Schwindt said his other concern is how his property value will go down if tries to sell his house. He reiterated that he would like to keep his view, the property value will go down, but taxes will go up someone will have to pay for the road, and it will need to be a four-lane road. Mr. Schwindt also questioned if a decision had already been made on the case.

Commissioner Hackler stated that they had been approved once and the City Commission sent it back. Commissioner Fellers noted that the Planning Commission is a volunteer advisory board, and the recommendations are sent to the City Commission where they have the final vote.

Mr. Rickard stated that today Towanda Ave from Boyer to Haverhill carries an average daily traffic of 2,590 vehicles and Boyer has an average of 2,115 daily traffic. Commissioner Letts inquired on how many vehicles need to travel the roads before the city improves Towanda.

Mr. Rickard noted that the vehicle traffic, financial aspect, safety, and the completion of the traffic master plan all play roles in the decision to make the improvements.

Kimberly Blake lives on the corner of Towanda and Boyer and can attest to the traffic. Ms. Blake said it takes minutes to get out of her driveway and she has complained about the intersection and the traffic in the past and how there is no defined authorization since half is in City and half is in the County. Ms. Blake also stated that she would like the lots to be compatible to the 2-3 acre lots that they have now and if development happens on the lots south of the pond that they are not little bitty lots and asked the Planning Commission to look to see if that is more feasible of an option.

Commissioner Fellers inquired if the next phase of development would have a public hearing. Mr. Rickard acknowledged a rezone would have a hearing, but the plat approval would not. Commissioner Fellers when & if development progresses to the next phase would the public be able to discuss lot sizes.

Mr. Rickard stated the Planning Commission has guidelines on plat review and approval. The hearing is for zoning and platting is what it is. Mr. Rickard also stated there are minimum size requirements the builder must follow.

Suzette Moore voiced objection to moving the land from agriculture. She stated as a cattle farmer it concerns her the loss of ag land that will be encroached on and losing space for cattle.

Commissioner Fellers inquired if she uses any pastureland in the area.

Ms. Moore stated she is leasing land south of the property in question for her cattle.

Mason Johnson stated that it is ridiculous how much traffic the area has, and he believes the wildlife population will no longer be seen. He also commented that their property taxes will go up and their values will go down.

James Hatfield is concerned about who will pay for the infrastructure in the area and if the development will use the sewer line that currently serves their houses.

Mr. Rickard indicated that the current sewer line will not be used for the development and a water line would need to be connected and tied in. Mr. Rickard also commented that the utilities will be placed wherever the right of way is located.

Commissioner Letts inquired if city water and sewer are served to the current homes in the area.

Mr. Rickard stated that they are, and their level of service won't change. The City Commission has a policy on how streets will be built, and the state legislation controls how roads will be assessed. The developer will have street cost that leads into Towanda Ave. and the Commission has the authority to proceed with the project.

Commissioner Letts inquired if the city could upgrade the street anytime.

Mr. Rickard stated they could with an improvement district to share the cost.

Commissioner Letts questioned who pays the cost to improve in the new development.

Mr. Rickard stated that the landowners can request improvements per policy. The developer will pay for improvements inside the development.

Mr. Hatfield inquired if the current owners would pay to improve Towanda Ave.

Mr. Rickard stated that anything outside a residential street size will be paid for by the City and Towanda Ave. is separate from the development. The streets, water, and sewer in the development are part of City policies.

Commissioner Leason reiterated that they were here to discuss zoning only.

Eddie Dean, Jr. remarked that there will not be any Section 8 or low-income housing. They plan to build another Vintage Place which has 150 homes with 2 exits. The goal price point is as reasonable as possible in the low \$200,000 and up. Mr. Dean also stated they plan to increase the size of homes on the south side and no apartment complexes will be built, it is all single-family and twin homes.

Commissioner Long inquired how many phases the development would be.

Mr. Dean stated it depends on funding, expenses, and specials, and also depends on grant build-out requirements. The development is supply in demand and would like to hold costs down to be more desirable and they plan to build custom homes.

Commissioner Hackler inquired if they had any thought process to build a road out to Boyer.

Mr. Dean stated a bridge will be expensive and they can't build a road for access without the expense.

Commissioner Hackler commented that the development of the proposed rezoning could take 10-15 years. Mr. Dean stated that they would like it to be a speedy development. Commissioner Long inquired if the homes would be cheap rentals. Mr. Dean said no, not at all. Mr. Rickard read a letter that was received and discussed the meeting with Mr. Rush who owns land to the south and notified the Commission of two phone calls from adjacent property owners that are against the project. Commissioner Leason closed the public hearing.

C. Discussion by Planning Commission

Commissioner Fischetti stated that R-3 is too loose of a zoning and he would be voting no. Commissioner Fellers commented on all the concerns of Towanda Ave and hopes the City Commission will come up with a plan to address those concerns. Commissioner Long believes development is headed this way and feels for the owners but it could increase their property values and he also has concerns over Towanda Ave. Commissioner Leason asked Mr. Rickard if the annexation to the north of Towanda would have curb and guttering. Mr. Rickard stated that yes it would, and annexation laws have changed where they can no longer go down the center of a road right of way. The future rezone and annexation would be Towanda Ave. and Boyer Rd.

D. Motion

Commissioner Fellers moved to recommend approval of Case No. 24-03-REZ, an application by Wes Struthers and Dean Construction to rezone approximately 78.3 acres in the west half of the northeast quarter of Section 9, Township 26 South, Range 5 East from A-R Agricultural Residential to R-3 Multiple Family Dwelling District, seconded by Commissioner Long.

Roll Call Vote:

Steve Fellers	Y
Scott Hackler	Y
Lawrence Fischetti	N
Scott Leason	Y
Austin Letts	Y
Brad Long	Y

The motion passed (5-1).

ITEM NO. 2 – CASE NO. 24-01-PLAT: CONSIDERATION OF BELLY ACRES WEST PLAT.

A. Presentation of Request

Scott Rickard provided an overview of the plat for Belly Acres West, owned by Wade Wilkinson. The property is in Butler County in the City's ETJ. The plat creates five lots, four 3-acre lots, and one 17-acre lot. The property was previously rezoned. The plat does conform to Butler County regulations.

B. Public Hearing

Commissioner Leason opened the public hearing. There being no one to speak, the public hearing was closed.

- C. Commissioner Letts made a motion to approve the plat for Belly Acres West, seconded by Commissioner Fischetti.

Roll Call Vote:

Steve Fellers	Y
Scott Hackler	Y
Lawrence Fischetti	Y
Scott Leason	Y
Austin Letts	Y
Brad Long	Y

The motion to approve the plat passed 6-0.

4. OLD BUSINESS

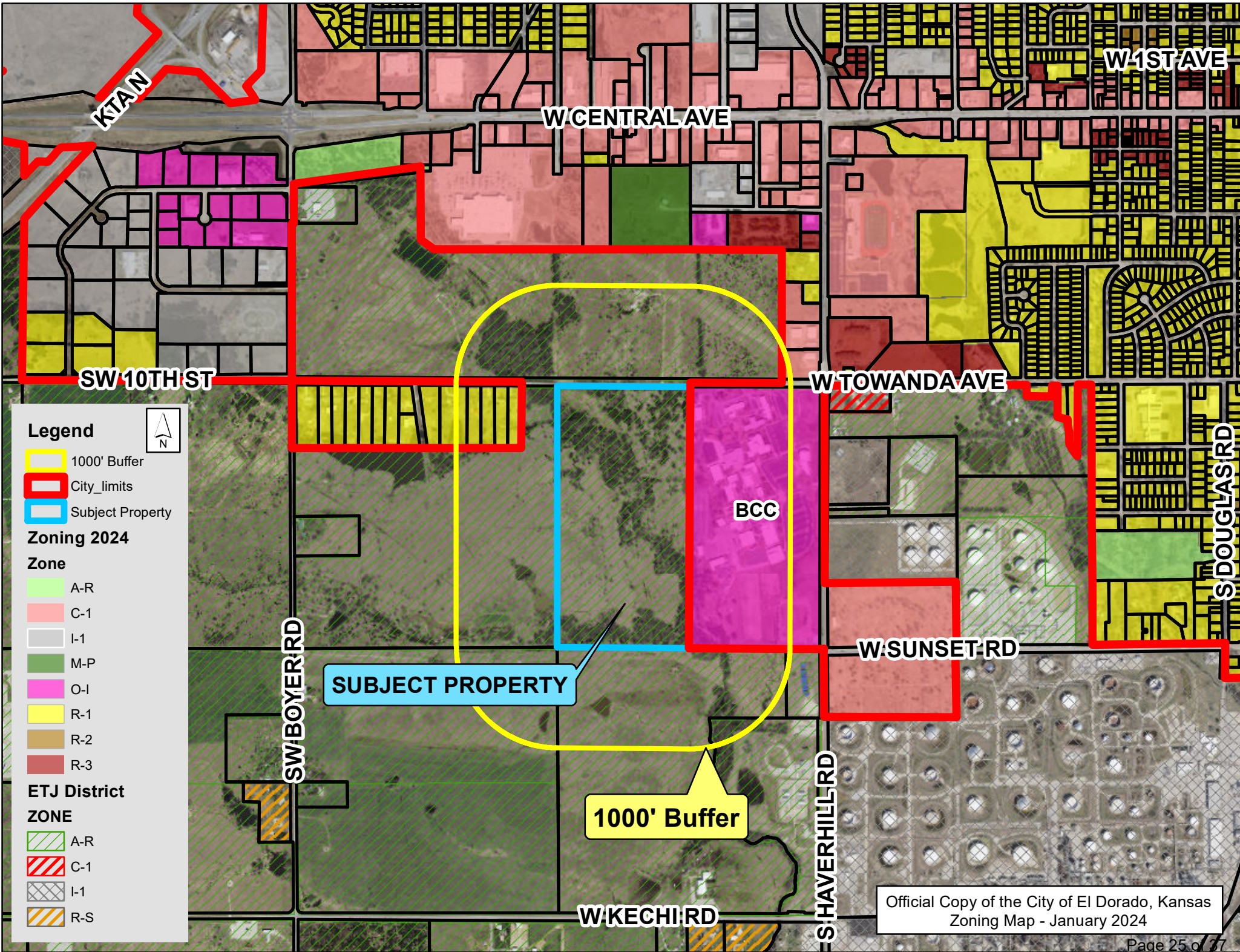
5. STAFF ITEMS

Mr. Rickard stated the next meeting will be on May 23rd. Public hearing to rezone approximately 38 acres at SE 20th St. & SE Bluestem Rd. from A-R to R-S and the plat for Rocky Creek Meadows at the same location.

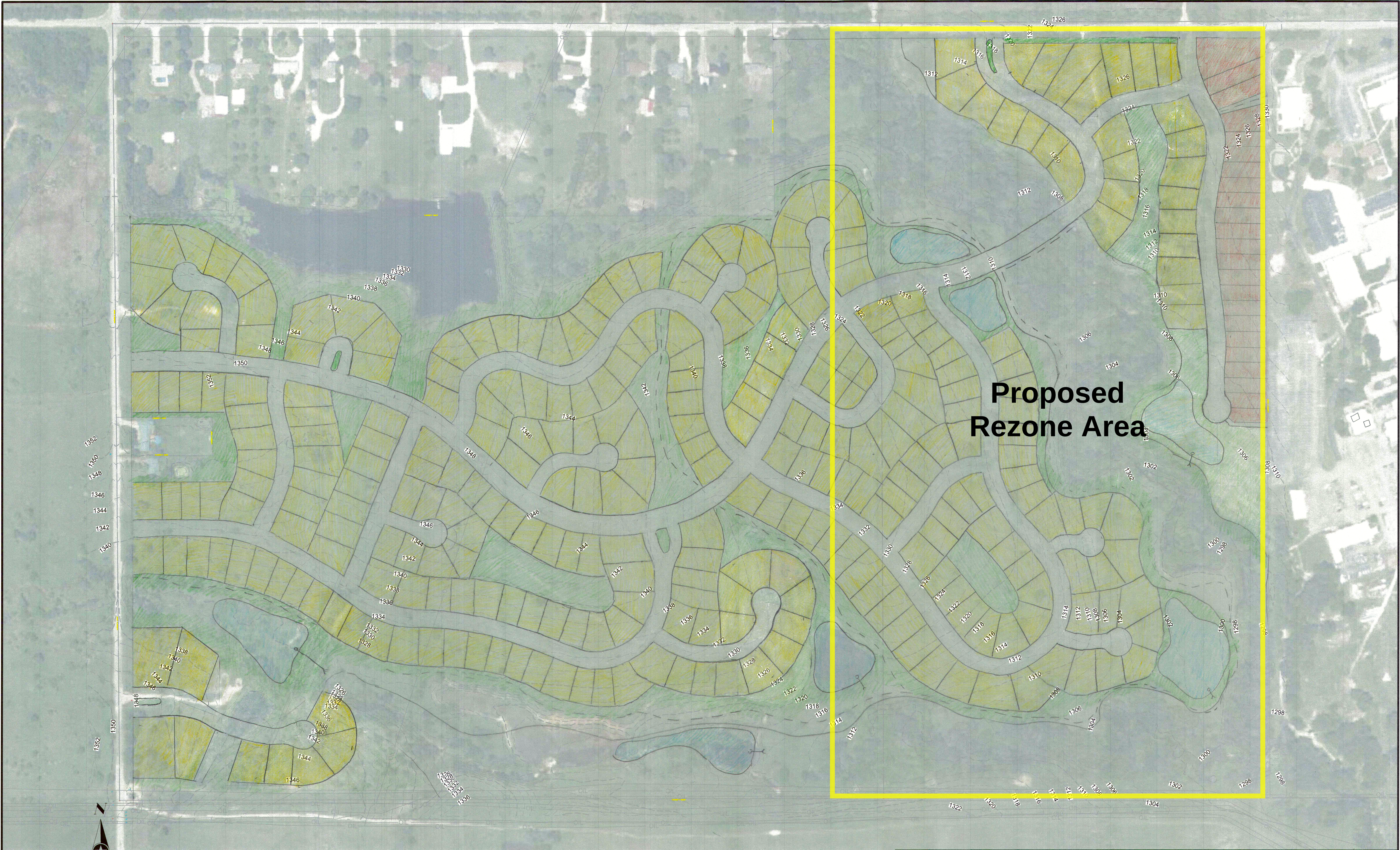
The Commission will also have its annual election of chair & vice chair.

6. ADJOURNMENT

The meeting was adjourned at 6:47 pm.



Save: 10/3/2023 10:19 AM dburns Plot: 10/3/2023 10:20 AM X:\PT\SSA\FAH\174758\5-final-dsgn\51-drawings\10-Civil\lead\dwg\SA_174758_Concept EX.dwg



20 LOTS
80' x 120' SF LOTS
(10,000)



PROJECT NO.

DATE:
10/3/2023

SITE CONCEPT
TOWANDA DEVELOPMENT
EL DORADO, KANSAS

EXHIBIT
NO. 1

ORDINANCE NO.

AN ORDINANCE ZONING CERTAIN LAND IN THE CITY OF EL DORADO, KANSAS, R-1 RESIDENTIAL LOW-DENSITY DISTRICT AND AMENDING THE ZONING MAP OF THE CITY

WHEREAS an application has been filed with the El Dorado Planning Commission requesting the rezoning of certain land from A-R Agricultural Residential District to R-3 Residential Multiple Family Dwelling District.

WHEREAS, on the 25th day of April 2024 at a Planning Commission meeting duly convened, the Planning Commission held a public hearing and voted to recommend and does hereby recommend that the Governing Body approve the rezoning.

WHEREAS, the Governing Body of the City of El Dorado, Kansas, has determined that certain property within the City of El Dorado should be zoned.

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

Section 1: The following described real estate should be and is an R-3 Residential Multiple Family Dwelling District

The West half of the Northeast Quarter of Section 9, Township 26 South, Range 5 East in Butler County, Kansas. Said tract contains approximately 78 acres more or less.

Section 2: The Governing Body hereby directs that the City Zoning map be amended to conform herewith.

Section 3: This Ordinance shall take effect and be in full force from and after its publication once in the official city newspaper.

PASSED by the Governing Body of the City of El Dorado, Kansas, and

APPROVED by its Mayor, this 20th day of May 2024.

Bill Young, Mayor

ATTEST:

Emeral Ashlock, City Clerk

APPROVED AS TO FORM

Ashlyn Lindskog, City Attorney

TO: City Commission
FROM: Scott Rickard
SUBJ: Consideration of the Belly Acres Addition Plat.
DATE: May 20, 2024

Background:

The Planning Commission reviewed the plat for Belly Acres West on April 25, 2024. This property is located outside the city limits but within the El Dorado Extraterritorial Jurisdiction (ETJ) The Planning Commission voted unanimously to approve the plat. This property was previously rezoned to R-S Residential Suburban.

Attachments:

1. Final Belly Acres West Addition

Policy Issue:

Plats are required by the Subdivision Regulations to subdivide property and create new lots of record, easements, and right-of-way. The Planning Commission reviews plats to ensure conformance with the Zoning Ordinance and Subdivision Regulations and approves the plat. The role of the City Commission is to accept easements and right-of-way dedications.

Fiscal Impact:

The subdivision itself will not have a fiscal impact on the City of El Dorado.

Trade-offs:

N/A

Staff Recommendation:

Approve the plat

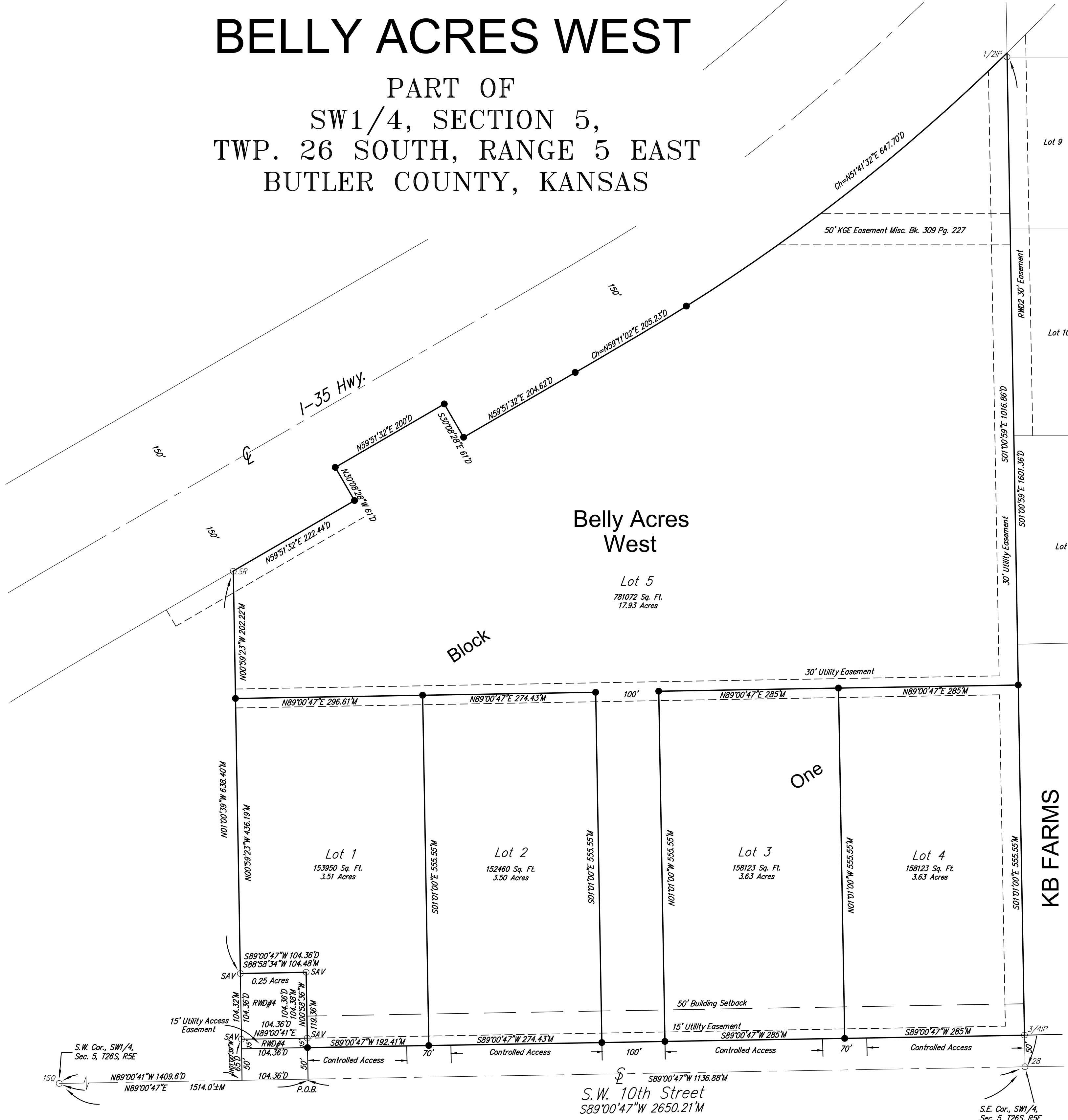
Commission Action:

Commissioner _____ moved to accept the Belly Acres Addition Plat.

Commissioner _____ seconded the motion.

BELLY ACRES WEST

PART OF
SW1/4, SECTION 5,
TWP. 26 SOUTH, RANGE 5 EAST
BUTLER COUNTY, KANSAS



El Dorado
Business Park

BUTLER COUNTY COMMISSIONERS CERTIFICATE

State of Kansas) SS
County of Butler)

This Plat if approved and all dedications shown hereon,
if any, are hereby accepted by the Board of County
Commissioners on this _____ day of _____,
2024.

Dan Woydziak Chairman

Tatum Stafford, Butler County Clerk

~ BUTLER COUNTY REGISTER OF DEEDS ~

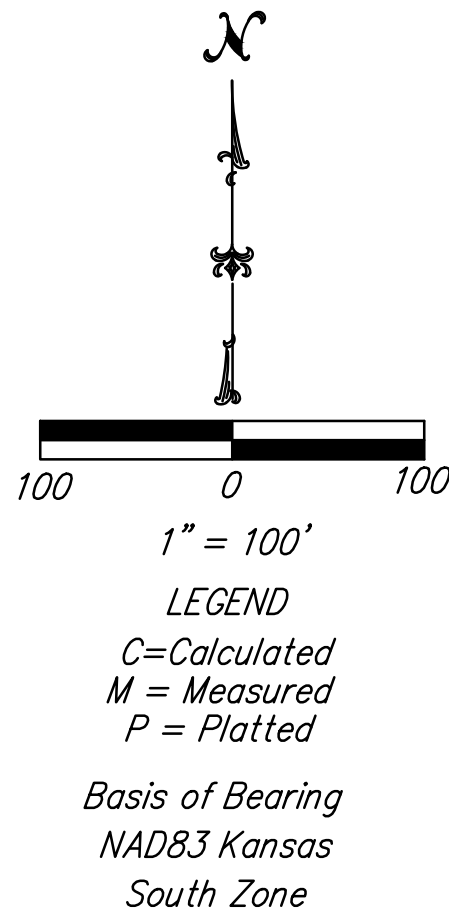
STATE OF KANSAS)
COUNTY OF BUTLER) SS

This is to certify that this instrument was filed for record in the Register
of Deeds office at _____ M. on the _____ day of _____, 2024
and was duly recorded in Book ____ at Page _____.

Jacque Roberts, Register of Deeds

Entered on transfer record this _____ day of _____, 2024

Tatum Stafford, Butler County Clerk



CERTIFICATE OF SURVEY

Commencing at the Southwest Corner of the Southwest Quarter of Section
5, Township 26 South, Range 5 East of the 6th Principal Meridian, Butler
County, Kansas; thence N89°00'41"E along the South Line of the Southwest
Quarter, a distance of 1514 feet, more or less, to the Point of Beginning;
thence N01°00'39"W, a distance of 50 feet; thence N89°00'41"E, a distance of
119.36 feet; thence N01°00'39"W, a distance of 104.36 feet; thence N01°0'39"W,
638.40 feet to a point on the South Right-of-way Line of the Kansas
Turnpike Authority, said point being 150 feet Southeasterly at right angles
to the Kansas Turnpike Authority Centerline Station 6140+77.56; thence
N59°51'32"E along said Right-of-way Line, a distance of 222.44 feet;
thence N30°08'28"W, a distance of 61.00 feet; thence N59°51'32"E, a
distance of 200.00 feet; thence S30°08'28"E, a distance of 61.00 feet;
thence N59°51'32"E, a distance of 204.62 feet; thence along a spiral curve
to the left with a central angle of 2 degrees, having a chord bearing of
N59°11'02"E, a chord distance of 205.23 feet; thence along a circular curve
to the left with a radius of 3014.97 feet, having a chord bearing of
N51°41'32"E, a chord distance of 647.70 feet to the most Westerly Corner
of Lot 9 Block 1, El Dorado Business Park Addition; thence S01°00'59"E
along the West Line of said Addition, a distance of 1601.36 feet to the
South Line of the Southwest Quarter; thence S89°00'41"W, a distance of
1136.88 feet to the Point of Beginning. Said tract contains 33 acres more
or less.

Date Signed: _____

Roger L. Cutsinger P.S. #805

LAND SURVEYORS REVIEW

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of
_____, 2024.

Michael A. Work PS#1160

Butler County Surveyor, Butler Co., Kansas

OWNER'S CERTIFICATE

State of Kansas)
County of Butler) SS

This is to certify that the undersigned owner(s) of the land described in the
Surveyor's Certificate; have caused the same to be surveyed and subdivided on
the accompanying plat into lots, blocks, streets and other public ways under the
name of Belly Acres West; that all highways, streets, alleys, easements and public
grounds as denoted on the plat are hereby dedicated to and for the use of the
public for the purposes of constructing, operating, maintaining and repairing
public improvements. The land contained herein is held and shall be conveyed
subject to any restrictions, reservations, and covenants on file or hereafter filed
in the Office of the Register of Deeds of Butler County, Kansas.

Date Signed: _____

Owner

NOTARY CERTIFICATE

State of Kansas)
County of Butler) SS

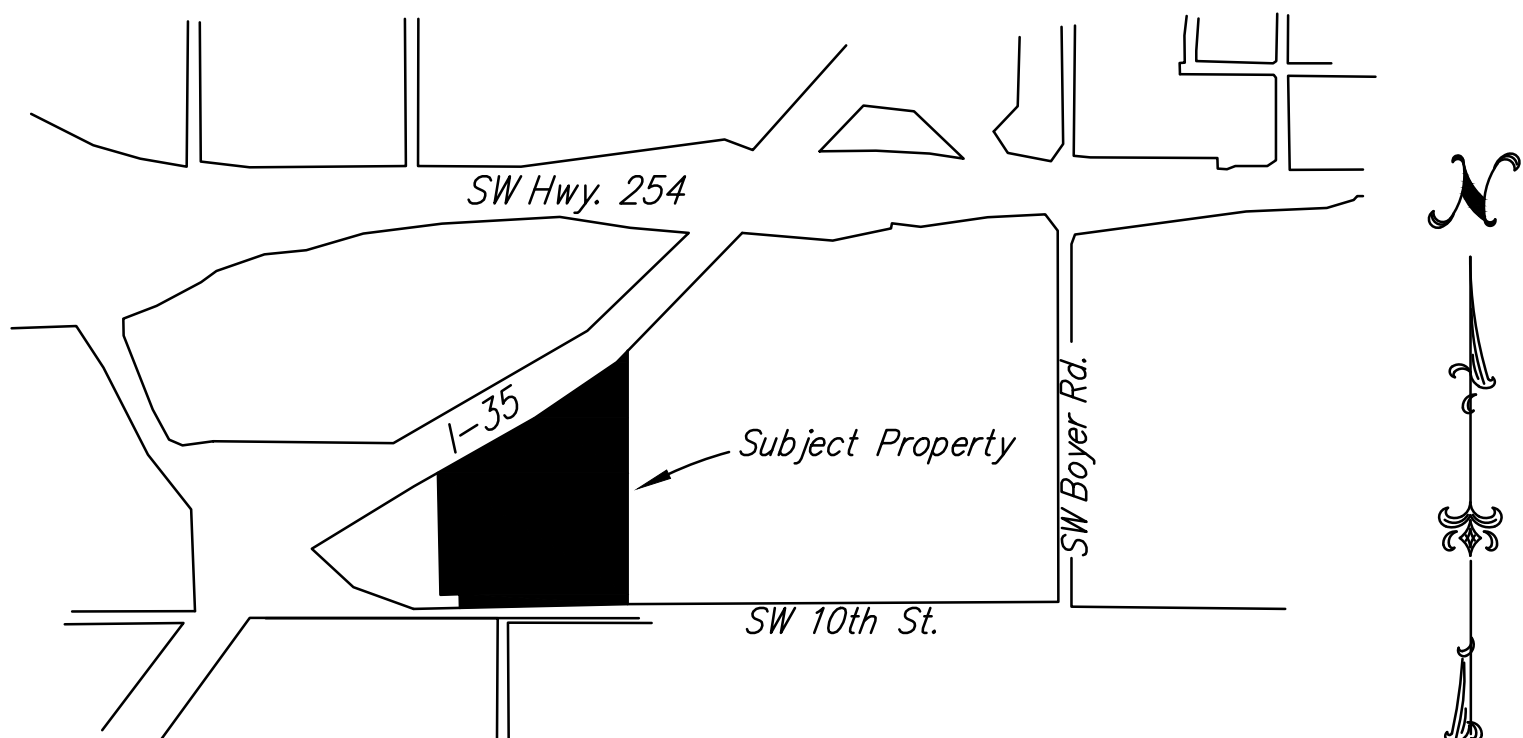
The foregoing instrument was acknowledged before me this _____ day of
_____ 2024, by _____
Owner

_____, Notary Public

My appointment expires: _____

LEGEND

- SR SUCKER ROD (Found)
- 28 1/2" Bar w/LS 28 Cap (Found)
- SAV 1/2" Bar w/Savoy Cap (Found)
- 1/2R 1/2" Rebar (Found)
- 1/2IP 1/2" Iron Pipe (Found)
- 3/4IP 3/4" Iron Pipe (Found)
- 1SQ 1" Square Bar (Found)
- 1/2"x24"Bar w/BHC Cap (Set)



Vicinity Map N.T.S.

PROJECT NO. 040900.00.01

BHC
CIVIL ENGINEERING / SURVEYING / UTILITIES
120 N. Main, Suite 3, El dorado, KS 67042
Phone: (316) 452-5552

TO: City Commission
FROM: Scott Rickard
SUBJ: Consideration of an Ordinance annexing certain real property generally located on the north side of W. Towanda Avenue into the corporate limits of the City of El Dorado, Kansas.
DATE: May 20, 2024

Background:

A petition has been submitted requesting the annexation of vacant land on the north side of W Towanda Ave. The current zoning designation for the property is Agricultural Residential and the petitioner aims to have mixed zoning of C-1, I-1, and R-3. In alignment with the City of El Dorado Sub-Division Regulations, the property owner will also petition for infrastructure improvements to support anticipated growth when development is ready.

Attachments:

1. Dickens plat
2. Dickens W Towanda Annex Ord

Policy Issue:

The primary policy issue pertains to the annexation petition's approval and subsequent property rezoning. Implications for the City's land use planning, future development strategy, and the overall character of the specified area should be considered. Compliance with KSA 12-521, which outlines the statutory framework for annexation in Kansas, requires an ordinance to be passed by the Governing Body.

Fiscal Impact:

The development will incur associated infrastructure improvement costs as well as the impact on various City services such as trash collection, fire, and police. As per the City of El Dorado Sub-Division Regulations, the City at Large would be responsible for costs related to waterlines serving future dwellings, stormwater improvements for new streets, direct costs of constructing street intersections, and extending sanitary sewer service to the property boundaries. Property owners will be responsible for street costs outside of intersections and the sanitary sewer laterals for the development. Consideration should be given to economic benefits, tax implications, and any financial commitments required by the City.

Trade-offs:

The Commission should consider both the advantages and potential challenges stemming from the annexation and anticipated development.

Staff Recommendation:

Approve the annexation and execute the ordinance.

Commission Action:

Commissioner _____ moved to approve an Ordinance annexing land to the city of El Dorado, Kansas.

Commissioner _____ seconded the motion.

ORDINANCE NO. _____

**AN ORDINANCE ANNEXING LAND TO THE CITY OF
EL DORADO, KANSAS**

WHEREAS the following described land adjoins the City of El Dorado, Kansas,
and;

WHEREAS a written petition for annexation of the following described land,
signed by all owners thereof, has been filed with the City of El Dorado, Kansas pursuant
to K.S. A 12-520, as amended; and

WHEREAS the City of El Dorado, Kansas, the governing body finds it advisable
to annex such land.

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

SECTION 1. The following described land is hereby annexed and made a part of
the City of El Dorado, Kansas:

A portion of the South Half of Section 4, Township 26 South, Range 5 East
of the 6th Principal Meridian, Butler County, Kansas, more particularly described by
Daniel E. Garber, Professional Surveyor #683, on January 22, 2024 as follows:

Beginning at the Southwest corner of the Southwest Quarter of Section 4,
Township 26 South, Range 5 East of the 6th Principal Meridian; Thence North 01°07'32"
West (basis of bearings is NAD 83 Kansas South Zone) along the West line of said
Southwest Quarter a distance of 1,325.66 feet to the Northwest corner of the Southwest
Quarter of said Southwest Quarter; Thence North 01°08'47" West along the West line of
said Southwest Quarter a distance of 236.53 feet; Thence North 88°52'23" East a distance
of 660.00 feet; thence North 01°08'47" West parallel with the West line of said Southwest
Quarter a distance of 363.11 feet; Thence South 88°52'23" West a distance of 660.00 feet
to the West line of said Southwest Quarter; Thence North 01°08'47" West along the West
line of said Southwest Quarter a distance of 725.86 feet to the Northwest corner of said
Southwest Quarter; Thence North 89°11'42" East along the North line of said Southwest
Quarter a distance of 1,105.97 feet; Thence South 00°57'53" East a distance of 498.98
feet; Thence North 89°13'08" East a distance of 187.12 feet to the West line of Wal-Mart
Addition Section 1, El Dorado, Kansas; Thence South 00°59'20" East along the West line
of said Wal-Mart Addition a distance of 730.51 feet; Thence South 53°57'20" East along
the South line of said Wal-Mart Addition a distance of 170.77 feet; Thence North
89°06'35" East along the South line of said Wal-Mart Addition a distance of 1,214.93 feet
to the Northeast corner of the Southeast Quarter of said Southwest Quarter; Thence North
89°41'57" East along the North line of the Southwest Quarter of the Southeast Quarter of
said Section 4 a distance of 1,322.06 feet to the Northeast corner of the Southwest
Quarter of said Southeast Quarter; Thence North 88°39'00" East along the South line of
Ziegler First Addition to the City of El Dorado, Kansas (also the North line of the
Southeast Quarter of said Southeast Quarter) a distance of 902.83 feet (to a point being
416.96 feet West of the Northeast corner of the Southeast Quarter of said Southeast
Quarter); Thence South 00°51'57" East a distance of 1,328.92 to the South line of said
Southeast Quarter; Thence South 88°45'16" West along the South line of said Southeast
Quarter a distance of 907.33 feet to the Southeast corner of the Southwest Quarter of said
Southeast Quarter; Thence South 89°34'51" West along the South line of the Southwest
Quarter of said Southeast Quarter a distance of 1,314.96 feet to the Southeast corner of
said Southwest Quarter; Thence South 89°23'36" West along the South line of said
Southwest Quarter a distance of 2,637.07 feet to the point of beginning, containing
164.278 Acres, and subject to any easements, rights-of-way, and restrictions of record.

SECTION 2. This ordinance shall take effect and be in force from and after its
publication in the official city newspaper.

PASSED AND APPROVED by the Governing Body of the City of El Dorado,
Kansas, on the 20th day of May 2024.

Bill Young, Mayor

ATTEST:

Emerald Ashlock, City Clerk

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Consideration of a motion establishing the strategic priorities of the City Commission of the City of El Dorado, Kansas.
DATE: May 20, 2024

Background:

The City Commission discussed its priorities as a governing body to define them as a means to guide municipal resource allocations for the next few years. The priorities focus on the areas of **Housing, Quality of Life, Economic Prosperity, Safety and Connectedness, and Community Beautification**. These priorities do not replace municipal operations but rather act as a guide for the municipal government on what areas need special attention or focus. Progress in these areas cannot be realized without allocating budgetary and personnel resources toward these ends. As exhibited in the attached "Strategic Cycle" document, the priorities provide a means of directing the work of the municipal government from the highest level down to the front-line employee.

Attachments:

1. 2024 Commission Strategic Priorities
2. Strategic Cycle

Policy Issue:

What are the strategic priorities of the City Commission? The strategic priorities of the governing body guide the direction of the municipal organization and help with the allocation of scarce municipal resources. Defining these priorities provides clarity for management and staff and allows the organization to make decisions that effect progress on these priorities.

Fiscal Impact:

At this time, the strategic priorities do not have a specific fiscal impact for analysis. City staff will bring a fiscal analysis forward on items included in the strategic priorities as they are ready for consideration by the governing body.

Trade-offs:

Defining strategic priorities enables management and staff to assist the City Commission in making progress on its goals by allocating municipal resources towards these ends. Without a clear definition of strategic priorities, it is easy for an organization to have "mission creep" where everything becomes a priority and nothing gets accomplished. In an environment of limited resources, an organization must define its priorities to assist in decision-making as it relates to the allocation of scarce resources.

Staff Recommendation:

The City Manager recommends approval of the document outlining the City Commission's priorities to help guide the allocation of municipal resources.

Commission Action:

Commissioner _____ moved to approve the City Commission's priorities as presented.

Commissioner _____ seconded the motion.

EL DORADO

KANSAS

Vision Statement

The City of El Dorado strives to create a desirable place to call home.

Mission Statement

Enhancing Quality of Life by Embracing Service Excellence

COMMISSION STRATEGIC PRIORITIES

Housing

- Identify available land for residential growth and determine infrastructure needs to support growth in these areas.
- Update codes and policies to facilitate additional residential development.
- Collaborate with developers and builders to increase middle-income housing opportunities.
- Diversify the housing stock to match local demographics and employee needs.
- Increase reinvestment in older housing stock, including vacant units.

Quality of Life

- Continue to invest in the existing park system.
- Expand the Bike and Pedestrian Trail.
- Develop stronger partnerships with organizations that coordinate recreation opportunities and community activities.
- Develop a plan for the Legion Park and R.I.O. Park.
- Invest in a new park space to serve west El Dorado.
- Create, maintain, and promote community events.

Economic Prosperity

- Market El Dorado's water capacity to industrial prospects requiring high volumes of water.
- Promote the available lots in the Business Park for commercial opportunities.
- Encourage development of West and North Industrial Parks.
- Work with downtown stakeholders to facilitate an environment conducive to business in the downtown district.
- Identify opportunities to assist with redevelopment opportunities along or adjacent to primary commercial corridors (Central Avenue, Main Street, 6th Street, etc.).

Safety and Connectedness

- Identify opportunities to strengthen the community and leverage community assets and resources.
- Outfit the Police and Fire Departments with the tools and training necessary to provide adequate services to protect life and preserve property.
- Implement municipal department programming to improve community outreach.

- Create a community information and engagement plan to promote consistent dialogue with residents.

Community Beautification

- Continue to invest in beautification efforts and enhanced/shared signage along major corridors and in the downtown.
- Improve the visual appeal of the downtown through art murals and a banner program.
- Initiate strategies to reduce blight along primary corridors and in residential neighborhoods.

