



EL DORADO CITY COMMISSION - REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
October 7, 2024 - 5:30 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation** - Pastor Debbie McCluer, First Church of the Nazarene
- 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.

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.*)

- 5.** City Commission Work Session Minutes from September 11, 2024, and City Commission Meeting Minutes from September 16, 2024.

Old Business

- 6.** None.

New Business

- 7.** Set Public Hearing Date for the Purpose of Considering the Proposed Assessments for the Cost of Project No. 597 and further Direct Individual Mailings to Each Owner Liable for the Special Assessments.
- 8.** Consideration of a Resolution supporting the submission of a Moderate-Income Housing Grant Application and Submittals to the Housing Investor Tax Credit Program from the Kansas Housing Resources Corporation, the Kansas Historical Society Heritage Trust Fund and the Kansas Historic Rehabilitation Tax Credit for Frontier Development Group.
- 9.** Consideration of an Ordinance Relating to and Providing for the Partial Vacation of a Utility Easement in the Greens at Prairie Trails Subdivision of the City of El Dorado, Kansas.

Discussion Items

10. None

Reports

11. City Commission and Advisory Board Updates

12. City Manager

Adjournment

13. Consideration of a motion to adjourn

The El Dorado City Commission met in a work session on September 11, 2024, at 5:00 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Kelly Tetrick, Commissioner Syndee Scribner, Commissioner Kendra Wilkinson, and City Manager David Dillner. Absent: Commissioner Leon Leachman

VISITORS

Jason Patty	Public Utilities	El Dorado, KS
Chief Mike Holton	Police Department	El Dorado, KS
Scott Rickard	City Engineer	El Dorado, KS
Sam Cooper	Management Intern	El Dorado, KS
Tabitha Sharp	Assistant City Manager	El Dorado, KS
Kevin Wishart	Parks & recreation	El Dorado, KS
Emily Connell	El Dorado Main Street	El Dorado, KS
Linda Jolly	El Dorado Inc	El Dorado, KS
Sarah Hoefgen	El Dorado Inc	El Dorado, KS
Nicole Babb	Butler-Times Gazette	
Steve Fellers		El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the September 11, 2024, meeting to order.

WORK SESSION DISCUSSION ITEMS

ECONOMIC DEVELOPMENT DISCUSSION

City Manager David Dillner and the City Commission discussed Economic Development Policies.

INFRASTRUCTURE POLICIES

The Commission discussed Infrastructure Policies.

STREET SALES TAX

The City Commission discussed Street Sales Tax Policies.

REGULAR AGENDA PREVIEW

The City Commission reviewed the upcoming agenda for September 16, 2024.

COMMISSION REPORTS

Commission Kendra Wilkinson stated that the dead tree in the public right-of-way needs to go.

CITY MANAGER REPORTS

City Manager David Dillner stated that the masonic building on Haverhill was sold.

ADJOURNMENT

Mayor Bill Young moved to adjourn the meeting at 6:52 PM.

Commissioner Kelly Tetrick seconded the motion.

Motion carried 4 – 0.

City Clerk Emerald Ashlock

Mayor Bill Young

EL DORADO CITY COMMISSION MEETING

September 16, 2024

The El Dorado City Commission met in a regular session on September 16, 2024, at 5:30 p.m. in the Commission Room with the following present: Mayor Bill Young (via Teams), Commissioner Kelly Tetrick, Commissioner Syndee Scribner, Commissioner Leon Leachman, Commissioner Kendra Wilkinson, and City Manager David Dillner Absent: None

VISITORS

Mike Holton	Police Chief	El Dorado, KS
Tabitha Sharp	Assistant City Manager	El Dorado, KS
Scott Rickard	Director of Engineering	El Dorado, KS
Sam Cooper	Management Intern	El Dorado, KS
Ben Wheeler	Walnut River Brewing Co.	El Dorado, KS
Sharon Decker	Daughters of the American Revolution	El Dorado, KS
Patrick Todd		El Dorado, KS
Jeremy Sundgren		El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the September 16, 2024, meeting to order.

INVOCATION

Pastor Stan Martin, First Presbyterian Church, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PROCLAMATIONS AND RECOGNITION

Commissioner Leon Leachman read a proclamation recognizing October 9th, 2024, as Warbeard Day.

Ben Wheeler, with Walnut River Brewing Company, gave a quick explanation of the celebration of Warbeard Day.

Commissioner Kendra Wilkinson read a proclamation declaring September 17th through September 23rd as Constitution Week.

Sharon Decker, Daughters of the American Revolution invited the Commission to attend the Constitution Day Ceremony and explained why we celebrate Constitution Week.

PERSONAL APPEARANCE

Mayor Bill Young opened the floor for Personal Appearances.

There were no personal appearances.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

Jeremy Sundgren and Patrick Todd asked the Commission to start the process of creating an Aquatic Center.

The Commission discussed the different possibilities with Patrick and Jeremy.

Mayor Bill Young closed public comment.

PUBLIC HEARING

Mayor Bill Young opened the floor for the Public Hearing Concerning the City's Intent to Exceed the Revenue Neutral Rate.

Darren Schwindt addressed the Commission about the proposed Mill Levy increase. He stated that he owns several rental properties and will have to pass the increases on to his renters. He asked the Commission to have staff manage the expenses more closely.

Kara stated that she was confused regarding the continued increases in the valuation of her home.

Staff encouraged her to contact the Butler County Appraiser's office with her questions.

Mayor Bill Young closed the Public Hearing.

Mayor Bill Young opened the floor for the Public Hearing Regarding the Proposed 2025 Budget of the City of El Dorado, Kansas.

Mayor Bill Young closed the Public Hearing.

CONSENT AGENDA

City Commission Work Session Minutes from August 28, 2024, and City Commission Minutes from September 3, 2024.

Approval of Appropriation Ordinance No. 08-24 in the amount of \$3,016,762.00

Rotary Club of El Dorado Liquor Resolution.

Commissioner Leon Leachman moved to approve the consent agenda.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5-0.

OLD BUSINESS

There was no old business.

NEW BUSINESS

CONSIDERATION OF A RESOLUTION TO EXCEED THE REVENUE-NEUTRAL RATE

City Manager David Dillner stated Per state law, the Revenue Neutral Rate (RNR) is the mill levy that would generate the same amount of property tax revenue as the prior year when changes in assessed valuation are considered. For example, the City's Revenue Neutral Rate of 55 would generate approximately \$4.7 million, which is the same amount of property taxes generated for 2024. The City Commission indicated their Intent to Exceed the Revenue Neutral Rate on July 15, 2024, at a rate of 65.704 mills. However, staff have since worked through the budget and intend to remain at the current mill levy rate of 57.922.

Commissioner Kelly Tetrick moved to approve a Resolution of the City of El Dorado, Kansas to levy a property tax rate exceeding the revenue-neutral rate.

Commissioner Syndee Scribner seconded the motion

Roll Call Vote:

	Mayor Bill Young:	Yes
Position No. 1	Commissioner Kelly Tetrick:	Yes
Position No. 2	Commissioner Syndee Scribner:	Yes
Position No. 3	Commissioner Leon Leachman:	Yes
Position No. 4	Commissioner Kendra Wilkinson:	Yes

Motion carried 5-0.

CONSIDERATION OF THE PROPOSED 2025 BUDGET FOR THE CITY OF EL DORADO, KANSAS

City Manager David Dillner gave a quick overview of the 2025 Budget for the City of El Dorado, Kansas.

Commissioner Leon Leachman moves to approve the 2025 Budget for the City of El Dorado, Kansas, as presented by the City Manager.

Commissioner Kendra Wilkinson seconds the motion.

Motion carried 5-0.

CONSIDERATION OF AN ORDINANCE ZONING CERTAIN LAND IN THE CITY OF EL DORADO, KANSAS, R-2 RESIDENTIAL MEDIUM-DENSITY DISTRICT AND EMENDING THE ZONING MAP OF THE CITY.

City Engineer Scott Rickard stated that the Planning Commission held a public hearing on August 22, 2024, to review an application to rezone the lot located at 319 S Taylor from R-1 Residential Low-Density District to R-2 Residential Medium-Density District. The applicant, Engles Property Management, representing KJA Enterprises LLC, proposes to split the lot and build two duplexes. After reviewing the case, the Planning Commission unanimously approved the rezoning request.

Commissioner Kelly Tetrick moved to approve an ordinance for Case No. 24-08 REZ requesting a rezoning of 319 S Taylor to R-2 Residential Medium-Density District.

Commissioner Syndee Scribner seconded the motion

Motion carried 5-0.

DISCUSSION ITEMS

POOL PROJECT

The Commission discussed how they want to proceed with the potential Aquatic Center project.

Commissioner Syndee Scribner moved to authorize Commissioner Kelly Tetrick to assist the group in moving forward with the planning process.

Commissioner Leon Leachman seconded the motion.

Motion carried 5-0.

REPORTS

CITY COMMISSION AND ADVISORY BOARD UPDATES

Commissioner Kelly Tetrick stated that Library has a few fundraisers coming up in October.

Commissioner Syndee Scribner stated that there is a job fair at the Civic Center tomorrow morning from 10 am- 2 pm.

Commissioner Leon Leachman stated that Gold Fest is next week. He stated that he has a parks and recreation meeting on Wednesday.

Commissioner Kendra Wilkinson stated that there was an EFABC meeting on Wednesday. She said there have been several comments that athletes and players are loving the new turf.

Mayor Bill Young stated that there is new scoreboard signage going up and there are still two scoreboard signage spots available.

CITY MANAGER REPORT

City Manager David Dillner stated that the city got three responses back for the Commercial Real Estate proposal. He stated they will be reviewing those and making a recommendation to the Commission soon.

City Manager Dillner stated that the US Army Core of Engineers has invited the Commission to attend a tour of the El Dorado Lake Gate Tour. That is scheduled for October 16th at 5 PM.

City Manager Dillner stated that he is considering creating a Housing Task Force to look at different strategies. He asked the Commission to let him know if they knew of anyone who would be interested in serving on this task force.

ADJOURNMENT

Commissioner moved Leon Leachman to adjourn the meeting at 6:50 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Emerald Ashlock

Mayor Bill Young

TO: City Commission
FROM: Scott Rickard
SUBJ: Set Public Hearing Date for the Purpose of Considering the Proposed Assessments for the Cost of Project No. 597 and further Direct Individual Mailings to Each Owner Liable for the Special Assessments.
DATE: October 7, 2024

Summary:

Project No. 597, which involved the extension of the sanitary sewer main to serve the Garcia Court area, is now complete. The property at 1351 Garcia Ct, originally part of the El Dorado Land Bank, was sold in accordance with an agreement made with JB Rentals LLC. This property has been earmarked for industrial development, specifically for the construction of a speculative industrial building intended to attract new industrial tenants and stimulate local economic activity. The sewer infrastructure supports the long-term development of this site and others in the vicinity. As part of the property's development, the sanitary sewer main extension was constructed to serve the future needs of the industrial tenants in this area. The project's total cost amounts to \$156,001.77. With the completion of the sewer infrastructure, it is now time to spread the associated costs to the improvement district through special assessments. The City Commission must set a hearing date to finalize the assessments.

Attachments:

1. 12-6a01 Assessments (Project 597 Sanitary Sewer)

Funding Source:

The total cost of the sewer project is \$156,001.77. The costs will be assessed entirely to the improvement district, with no costs allocated to the city at large. The entire project will be paid for out of the bond and interest fund. Property owners within the improvement district will have the opportunity to pay off the assessment over a twenty-year period.

Operation Impact:

This project will ensure proper sanitary sewer service to the industrial development at Garcia Ct, facilitating continued industrial growth in the area. This improvement will also enhance the city's ability to attract future businesses to the North Industrial Park. The sanitary sewer line is expected to support not only the current development but also potential future expansion.

Options/Alternatives:

1. **Do Nothing:** If the Commission opts not to set a hearing date, the City would be unable to spread the special assessments to the properties benefiting from the sewer main extension, which would leave the City responsible for covering the project's costs.
2. **Set a Public Hearing:** Proceed with the assessment process, allowing the improvement district to cover the costs over time as originally planned.

Staff Recommendation:

It is recommended that the City Commission set a public hearing for November 4, 2024, to consider the proposed assessments for the sanitary sewer project. Staff also recommends that direct mail notifications be sent to each property owner liable for the special assessments.

Commission Action:

Commissioner _____ moved to set the public hearing for 5:30 p.m. on November 4, 2024, to be held for the purpose of considering the proposed assessments for the cost of Project No. 597 and further direct individual mailings to each owner liable for the special assessments.

Commissioner _____ seconded the motion.

**CITY OF EL DORADO, KANSAS
GENERAL OBLIGATION BONDS**

**ASSESSMENT PROCEEDINGS
TIME SCHEDULE**

DATE	ACTION OR EVENT
	Preparation of Initial Assessment Proceedings
October 7, 2024	Governing Body Meeting Approve Statement of Final Costs, Assessment Roll and Notices of Public Hearing; Establish Date for Public Hearing
October 12, 2024	Publish Notice of Public Hearing in the Butler County Times-Gazette; Mail Notice of Public Hearing and Statement of Costs Proposed to be Assessed [10 days prior to November 4, 2024]
	Preparation of Final Assessment Proceedings
November 4, 2024	Governing Body Meeting Conduct Public Hearing; Pass Assessment Ordinance
November 9, 2024	Publish Assessment Ordinance or Summary in the Butler County Times-Gazette; Mail Notice of Assessment
December 9, 2024	Pay-in Period Ends [30 day Non-litigation Period After November 9, 2024]
Before August 25, 2025	Certify Assessment Spreads to Butler County Clerk

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**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON OCTOBER 7, 2024**

The City Commission met in regular session at the usual meeting place in the City at 5:30 p.m., the Mayor presided and the following members of the City Commission being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

There were presented certain documents relating to the following described improvements previously authorized by the governing body:

Project No. 597 - Sanitary Sewer Extension – Garcia Ct.

Resolution No. 2933

Extension of Sanitary Sewer

The documents presented are as follows:

Exhibit A – Statement of Final Costs

Exhibit B – Assessment Roll Certification

Exhibit C – Notice of Public Hearing

Exhibit D – Form of Notice of Hearing and Statement of Cost Proposed to be Assessed

After full consideration thereof, Commissioner _____ moved to take the following action:

1. Approve each of the documents;
2. Establish November 4, 2024 at 5:30 p.m., or as soon thereafter as may be heard, to meet for the purpose of hearing any and all written or oral objections to the respective assessments set forth therein;
3. Cause the City Clerk to publish the Notice of Public Hearing (***Exhibit C***) in the official City newspaper not less than 10 days prior to such public meeting date;
4. Mail the Form of Notice of Hearing and Statement of Cost Proposed to be Assessed (***Exhibit D***) to each and all owners of property affected by such assessments at their last known post office address on the same date as the publication of Notice of Public Hearing (***Exhibit C***); and
5. File each of the documents of record in the office of the City Clerk and make the same available for public inspection.

The motion was seconded by Commissioner _____, and approved by the following roll call vote:

Yea: _____

Nay: _____

* * * * *

(Other Proceedings)

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of El Dorado, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

City Clerk

EXHIBIT A

CITY OF EL DORADO, KANSAS

**SANITARY SEWER EXTENSION / PROJECT 597 – GARCIA CT.
RESOLUTION NO. 2933**

STATEMENT OF FINAL COSTS

CONSTRUCTION	\$130,365.00
ENGINEERING	16,018.25
COSTS OF ISSUANCE	492.97
INTEREST COST	<u>9,125.55</u>
<i>TOTAL</i>	<i>\$156,001.77</i>

EXHIBIT B

ASSESSMENT ROLL CERTIFICATION

The undersigned having been designated by the City of El Dorado, Kansas (the “City”), to determine the amounts of the respective assessments and to prepare the proposed Assessment Roll therefor in connection with certain internal improvements previously authorized by the governing body hereby reports that each and all of the respective assessments have been determined to be as shown on the Schedule(s) attached hereto and made a part hereof by reference as though fully set out herein.

Dated October 7, 2024.

CITY OF EL DORADO, KANSAS

By: _____
Scott Rickard, Engineering Department

SCHEDULE I

**SANITARY SEWER EXTENSION / PROJECT 597 – GARCIA CT.
RESOLUTION NO. 2933**

Description of Property	Amount of Proposed Assessment
Beginning at a point on the West line of the Southeast Quarter (SE4) of Section 33, Township 25 South, Range 5 East of the Sixth Principal Meridian in El Dorado, Butler County, Kansas, said point being 104.25 feet South of the Northwest corner of said Southeast Quarter (SE4); thence North along said West line, a distance of 104.25 feet to said Northwest corner; thence N00°55'33"W, along the West line of the Northeast Quarter (NE4) a distance of 99.24 feet; thence N42°33'23"E, (bearings taken from NAD83 Kansas South Zone), along the Southeasterly Right-of-way of the Kansas Turnpike, a distance of 1124.81 feet; thence S69°40'25"E, a distance of 242.87 feet to a point on the West line of Pioneer Court; thence S28°34'47"W, a distance of 910.26 feet to a point of curve, said curve having a radius of 336.46 feet and an arc distance of 104.76 feet to a point of tangency; thence S00°53'39"E, a distance of 37 feet to a point on the North Right-of-way of Pioneer Drive; thence S89°04'03"W, a distance of 524.23 feet to the Point of Beginning. Said tract contains 10.34 Acres.	\$156,001.77

EXHIBIT C

(Published in the *Butler County Times-Gazette* on October 12, 2024)

NOTICE OF PUBLIC HEARING

TO: RESIDENTS OF THE CITY OF EL DORADO, KANSAS

You and each of you are hereby notified that the governing body of the City of El Dorado, Kansas (the "City") will meet for the purpose of holding a public hearing, as provided by K.S.A. 12-6a01 *et seq.*, at 220 E. 1st Avenue, in the City, on November 4, 2024, or as soon thereafter as may be heard, at 5:30 p.m. The public hearing is for the purpose of hearing any and all oral or written objections to proposed assessments in connection with the following described improvements:

Project No. 597 - Sanitary Sewer Extension – Garcia Ct.

Resolution No. 2933

Extension of Sanitary Sewer.

Property Description:

Beginning at a point on the West line of the Southeast Quarter (SE4) of Section 33, Township 25 South, Range 5 East of the Sixth Principal Meridian in El Dorado, Butler County, Kansas, said point being 104.25 feet South of the Northwest corner of said Southeast Quarter (SE4); thence North along said West line, a distance of 104.25 feet to said Northwest corner; thence N00°55'33"W, along the West line of the Northeast Quarter (NE4) a distance of 99.24 feet; thence N42°33'23"E, (bearings taken from NAD83 Kansas South Zone), along the Southeasterly Right-of-way of the Kansas Turnpike, a distance of 1124.81 feet; thence S69°40'25"E, a distance of 242.87 feet to a point on the West line of Pioneer Court; thence S28°34'47"W, a distance of 910.26 feet to a point of curve, said curve having a radius of 336.46 feet and an arc distance of 104.76 feet to a point of tangency; thence S00°53'39"E, a distance of 37 feet to a point on the North Right-of-way of Pioneer Drive; thence S89°04'03"W, a distance of 524.23 feet to the Point of Beginning. Said tract contains 10.34 Acres.

Cost of Improvements:

\$156,001.77.

100% to be assessed against the Improvement District and 0% to be paid by the City-at-large

An Assessment Roll prepared in accordance with the referenced Resolution(s) approved by the governing body is on file in the Office of the City Clerk and may be examined by any interested party. At the conclusion of the public hearing, the governing body will consider an Ordinance levying such special assessments.

DATED October 7, 2024.

/s/ Emerald Ashlock, City Clerk

EXHIBIT D

**NOTICE OF HEARING
AND
STATEMENT OF COST PROPOSED TO BE ASSESSED**

October 12, 2024
El Dorado, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on ***Schedule I*** attached hereto, that there is proposed to be assessed against the property, certain amounts for the costs of certain internal improvements (the “Improvements”) previously authorized by the governing body of the City of El Dorado, Kansas (the “City”). The description of the Improvements, the resolution number authorizing the same and the proposed amount of assessment are set forth on ***Schedule I*** attached hereto.

You are hereby further notified that the governing body of the City will meet on November 4, 2024, at 5:30 p.m., at 220 E. 1st Avenue, for the purpose of considering the proposed assessments.

The proposed Assessment Roll is on file in my office for public inspection. ***WRITTEN OR ORAL OBJECTIONS TO THE PROPOSED ASSESSMENTS WILL BE CONSIDERED AT THE PUBLIC HEARING.***

At the conclusion of the public hearing, the governing body of the City will consider an ordinance levying such special assessments. A subsequent Notice of Assessment will be mailed to affected property owners at that time indicating that each property owner may pay the assessment in whole or in part within thirty (30) days from the date of such notice. Any amount not so paid within the time period prescribed will be collected in 20 annual installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 12-6a01 *et seq.*

Emerald Ashlock, City Clerk

SCHEDULE I

**SANITARY SEWER EXTENSION / PROJECT 597 – GARCIA CT.
RESOLUTION NO. 2933**

Description of Property	Amount of Proposed Assessment
Beginning at a point on the West line of the Southeast Quarter (SE4) of Section 33, Township 25 South, Range 5 East of the Sixth Principal Meridian in El Dorado, Butler County, Kansas, said point being 104.25 feet South of the Northwest corner of said Southeast Quarter (SE4); thence North along said West line, a distance of 104.25 feet to said Northwest corner; thence N00°55'33"W, along the West line of the Northeast Quarter (NE4) a distance of 99.24 feet; thence N42°33'23"E, (bearings taken from NAD83 Kansas South Zone), along the Southeasterly Right-of-way of the Kansas Turnpike, a distance of 1124.81 feet; thence S69°40'25"E, a distance of 242.87 feet to a point on the West line of Pioneer Court; thence S28°34'47"W, a distance of 910.26 feet to a point of curve, said curve having a radius of 336.46 feet and an arc distance of 104.76 feet to a point of tangency; thence S00°53'39"E, a distance of 37 feet to a point on the North Right-of-way of Pioneer Drive; thence S89°04'03"W, a distance of 524.23 feet to the Point of Beginning. Said tract contains 10.34 Acres.	\$156,001.77

CERTIFICATE OF MAILING

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

The undersigned, City Clerk of the City of El Dorado, Kansas (the “City”), does hereby certify that on October 12, 2024, I caused to be mailed to each and all of the owners of property affected thereby, at their last known post office address, a Notice of Public Hearing and Statement of the Cost Proposed to be Assessed in connection with certain improvements in the City.

A sample copy of the form of such Notice of Hearing and Statement of Cost Proposed to be Assessed is attached hereto.

WITNESS my hand and seal as of October 12, 2024.

(Seal)

Emerald Ashlock, City Clerk

[attach sample copy of form]

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON NOVEMBER 4, 2024**

The governing body met in regular session at the usual meeting place in the City at 5:30 p.m., the following members being present and participating, to-wit:

Absent:

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

The Mayor opened a public hearing for the purpose of receiving written or oral objections and considering proposed assessments for the costs of certain internal improvements previously authorized by the governing body of the City. It was determined by the governing body that notice of the public hearing was duly published and mailed in accordance with K.S.A. 12-6a01 *et seq.* Thereafter, the Mayor adjourned the public hearing.

An Ordinance was presented entitled:

**AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN
PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE
CITY OF EL DORADO, KANSAS, AS PREVIOUSLY AUTHORIZED BY
RESOLUTION NO. 2933 OF THE CITY; AND PROVIDING FOR THE
COLLECTION OF SUCH SPECIAL ASSESSMENTS.**

The Ordinance was considered and discussed, and on motion of Commissioner _____,
seconded by Commissioner _____, the Ordinance was passed by the following vote:

Yea: _____.

Nay: _____.

The Mayor declared the Ordinance duly passed and the Ordinance was then numbered Ordinance No. [____], was signed by the Mayor and attested by the City Clerk and the Ordinance or a summary thereof was directed to be published one time in the official newspaper of the City. The City Clerk was further directed to cause a Notice of Assessment to be mailed to each and all of the known property owners affected thereby on the same date that the Ordinance or a summary thereof is published.

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CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of El Dorado, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)

City Clerk

ORDINANCE NO. [____]

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NO. 2933 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

WHEREAS, the governing body of the City of El Dorado, Kansas (the “City”) has previously authorized certain internal improvements (the “Improvements”) to be constructed pursuant to K.S.A. 12-6a01 *et seq.* (the “Act”); and

WHEREAS, the governing body has conducted a public hearing in accordance with the Act and desires to levy assessments on certain property benefited by the construction of the Improvements.

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

Section 1. Levy of Assessments. For the purpose of paying the costs of the following described Improvements:

Project No. 597 - Sanitary Sewer Extension – Garcia Ct.

Resolution No. 2933
Extension of Sanitary Sewer

there are hereby levied and assessed the amounts (with such clerical or administrative amendments thereto as may be approved by the City Attorney) against the property described on ***Exhibit A*** attached hereto.

Section 2. Payment of Assessments. The amounts so levied and assessed in ***Section 1*** hereof shall be due and payable from and after the date of publication of this Ordinance. Such amounts may be paid in whole or in part within thirty (30) days from the date of publication of this Ordinance or a summary thereof.

Section 3. Notification. The City Clerk shall notify the owners of the properties described in ***Exhibit A*** attached hereto (insofar as known to the City Clerk) of the amounts of their respective assessments. The notice shall also state that unless such assessments are paid within thirty (30) days from the date of publication of this Ordinance or a summary thereof, bonds will be issued therefor, and the amount of such assessment will be collected in installments with interest.

Section 4. Certification. Any amount of special assessments not paid within the time prescribed in ***Section 2*** hereof shall be certified by the City Clerk to the Clerk of Butler County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in 20 annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by the Act. Interest on the assessed amount remaining unpaid between the effective date of this Ordinance and the date the first installment is payable, but not less than the amount of interest due during

the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Section 5. Effective Date. This Ordinance shall take effect and be in force from and after its passage, approval and publication of the Ordinance or a summary thereof once in the official City newspaper.

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PASSED by the governing body of the City on November 4, 2024 and signed by the Mayor.

(SEAL)

Mayor

ATTEST:

City Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of the original Ordinance; that the Ordinance was passed on November 4, 2024; that the record of the final vote on its passage is found on page ____ of journal ____; and that the Ordinance or a summary thereof was published in the ***Butler County Times-Gazette*** on November 9, 2024.

DATED: November 9, 2024.

City Clerk

EXHIBIT A

**SANITARY SEWER EXTENSION / PROJECT 597 – GARCIA CT.
RESOLUTION NO. 2933**

Description of Property	Amount of Proposed Assessment
Beginning at a point on the West line of the Southeast Quarter (SE4) of Section 33, Township 25 South, Range 5 East of the Sixth Principal Meridian in El Dorado, Butler County, Kansas, said point being 104.25 feet South of the Northwest corner of said Southeast Quarter (SE4); thence North along said West line, a distance of 104.25 feet to said Northwest corner; thence N00°55'33"W, along the West line of the Northeast Quarter (NE4) a distance of 99.24 feet; thence N42°33'23"E, (bearings taken from NAD83 Kansas South Zone), along the Southeasterly Right-of-way of the Kansas Turnpike, a distance of 1124.81 feet; thence S69°40'25"E, a distance of 242.87 feet to a point on the West line of Pioneer Court; thence S28°34'47"W, a distance of 910.26 feet to a point of curve, said curve having a radius of 336.46 feet and an arc distance of 104.76 feet to a point of tangency; thence S00°53'39"E, a distance of 37 feet to a point on the North Right-of-way of Pioneer Drive; thence S89°04'03"W, a distance of 524.23 feet to the Point of Beginning. Said tract contains 10.34 Acres.	\$156,001.77

NOTICE OF ASSESSMENT

November 9, 2024
City of El Dorado, Kansas

Property Owner:

You are hereby notified, as owner of record of the property described on ***Schedule I*** attached hereto, that pursuant to Ordinance No. [] (the “Ordinance”) of the City of El Dorado, Kansas (the “City”) there has been assessed against the property the costs of certain internal improvements previously authorized by the governing body of the City (the “Improvements”). The description of the Improvements, the resolution number authorizing the same and the amount of assessment are set forth on ***Schedule I*** attached hereto.

You may pay this assessment in whole or in part to the City Clerk of the City within thirty (30) days from the date hereof; and if the amount is not paid within the time period, bonds will be issued therefor, and the balance of such assessment will be collected in 20 annual installments, together with interest on such amounts remaining unpaid at a rate not exceeding the maximum rate therefor as prescribed by K.S.A. 12-6a01 *et seq.* Interest accruing between the date set forth above and the date the first installment is payable, but not less than the amount of interest due during the coming year on any outstanding bonds issued to finance the Improvements, shall be added to the first installment. The interest for one year on all unpaid installments shall be added to each subsequent installment until paid.

Emerald Ashlock, City Clerk

SCHEDULE I

**SANITARY SEWER EXTENSION / PROJECT 597 – GARCIA CT.
RESOLUTION NO. 2933**

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CERTIFICATE OF MAILING

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

The undersigned, City Clerk of the City of El Dorado, Kansas, does hereby certify that on November 9, 2024, the date on which Ordinance No. [_____] (the “Ordinance”) of the City was published, I caused to be mailed to the owners of the properties liable for the assessments set out in the Ordinance, at their last known post office addresses, a Notice of Assessment showing the respective assessments levied against their properties and stating the manner in which the assessments will be collected.

A sample copy of the form of such Notice of Assessment is attached hereto.

WITNESS my hand and seal as of November 9, 2024.

(Seal)

Emerald Ashlock, City Clerk

[attach sample copy of form]

CERTIFICATE OF CITY CLERK

STATE OF KANSAS)
) ss:
COUNTY OF BUTLER)

The undersigned, City Clerk of the City of El Dorado, Kansas (the “City”), does hereby certify that within the time allowed by Ordinance No. [_____] of the City for the payment of special assessments in cash, property owners specially assessed for the costs of certain internal improvements previously authorized by the governing body of the City, paid in cash the amounts set forth below:

Resolution No.	Amount
2933	
<i>TOTAL</i>	\$ _____

WITNESS my hand on _____.

City Clerk

(Published in the *Butler County Times-Gazette* on November 9, 2024)

SUMMARY OF ORDINANCE NO. [____]

On November 4, 2024, the governing body of the City of El Dorado, Kansas, passed an ordinance entitled:

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS ON CERTAIN PROPERTY TO PAY THE COSTS OF INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS, AS PREVIOUSLY AUTHORIZED BY RESOLUTION NO. 2933 OF THE CITY; AND PROVIDING FOR THE COLLECTION OF SUCH SPECIAL ASSESSMENTS.

The Ordinance levies special assessments on certain property located in the City of El Dorado, which have been benefitted from certain internal improvements constructed pursuant to K.S.A. 12-6a01 *et seq.* and provides an opportunity for prepayment, in whole or in part, of the special assessments. A schedule of the amounts of the special assessments and the property benefitted are attached to the Ordinance. Any amount of special assessments not paid within the time prescribed in the Ordinance shall be certified by the City Clerk to the Clerk of Butler County, Kansas, in the same manner and at the same time as other taxes are certified and will be collected in annual installments, together with interest on such amounts at a rate not exceeding the maximum rate therefor as prescribed by law. A complete text of the Ordinance may be obtained or viewed free of charge at the office of the City Clerk, 220 E. 1st Avenue. A reproduction of the Ordinance is available for not less than 7 days following the publication date of this Summary at <https://www.eldoks.com/>.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: November 4, 2024.

City Attorney

TO: City Commission
FROM: Scott Rickard
SUBJ: Consideration of a Resolution supporting the submission of a Moderate-Income Housing Grant Application and Submittals to the Housing Investor Tax Credit Program from the Kansas Housing Resources Corporation, the Kansas Historical Society Heritage Trust Fund and the Kansas Historic Rehabilitation Tax Credit for Frontier Development Group.
DATE: October 7, 2024

Summary:

The City issued a Request for Proposals (RFP) on August 7, 2024, seeking quality applications for moderate-income housing developments to be sponsored under the Kansas Housing Resources Corporation's (KHRC) Moderate Income Housing program. This proactive approach aligns with the upcoming funding cycle from KHRC, which historically offers approximately \$3.9 million in loans or grants for such initiatives. The city received an application from Frontier Development Group proposing the redevelopment of the historic Masonic Hall at 124 S Main into multifamily residential units with an estimated project cost of \$3.5 million. This proposal includes a comprehensive plan to leverage multiple funding sources including Kansas Housing Investor Tax Credits, State Historic Tax Credits, and potentially MIH funds from KHRC. The project aims to transform the downtown district by reintroducing viable commercial and residential spaces, thus supporting the city's strategic goals of enhancing the tax base and increasing housing availability.

Attachments:

1. Frontier Development Group
2. Resolution for Frontier Development Group MIH-KHITC Application

Funding Source:

The project anticipates funding from multiple sources, including Kansas Housing Investor Tax Credits, State Historic Tax Credits, and potential MIH funds from KHRC. The City itself is not expected to provide direct financial contributions for this application.

Operation Impact:

The redevelopment project will bolster the city's strategic plan by revitalizing the downtown district with commercial and residential spaces, increasing the tax base, and improving housing availability for moderate-income families.

Options/Alternatives:

Not pursuing the resolution or KHRC funding could hinder the project's feasibility, delaying critical housing and commercial developments in the downtown area, and forcing reliance solely on private investments.

Staff Recommendation:

City staff recommends that the City Commission pass a resolution of support for the proposal submitted by Frontier Development Group.

Commission Action:

Commissioner _____ moved to accept the application from Frontier Development Group as the City of El Dorado's application to the Moderate-Income Housing Program and authorized the City Manager to submit a Resolution on behalf of the city.

Commissioner _____ seconded the motion.



EL DORADO MIH APPLICATION RFP

SEPTEMBER 2, 2024

FRONTIER DEVELOPMENT GROUP



August 23, 2024

City of El Dorado
220 E 1st Ave
El Dorado, KS 67042

Dear City of El Dorado,

We are pleased to present to you our proposal for an MIH project within El Dorado's downtown district. Our team is composed of individuals who have collaborated together on many successful projects across the state. We are based in Manhattan Kansas, but have completed historic development projects in communities across Kansas. We have extensive experience with historic tax credits, RHID's, and the KHRC's Moderate Income Housing program.

We believe we are uniquely positioned as the most qualified firm to lead the effort to redevelop the prominent Masonic Hall in downtown El Dorado, located at 124 S Main. Our team has spent numerous hours analyzing this building, researching funding opportunities, and developing renovation plans. We pride ourselves on being a community-oriented development organization and we have already begun collaborating with local stakeholders and area leaders.

One of the most pivotal funding sources for this project is MIH funds from KHRC. Without an MIH award, this project is not financially feasible. We hope that you will see the need and benefit of sponsoring an MIH application on our behalf.

If approved, we will work diligently to put together a competitive MIH application. These applications take a lot of time, so we're eager to get started. If you have any questions or would like to discuss this project in further detail, please do not hesitate to reach out to us at any time!

Respectfully,

Tyler Holloman



TYLER HOLLOMAN | LEAD DEVELOPER

As founder and president of Frontier Development Group, Tyler is responsible for all day-to-day operations of the firm. He is a licensed agent in Kansas and oversees all pre-development, entitlement, and land acquisition efforts. In addition to Frontier Development Group, Tyler is actively involved in several real estate investment groups and holding companies.

He has experience with a variety of asset types ranging from subsidized, market rate, student housing, commercial, and self-storage. Tyler is most passionate about historic renovations and has been the lead developer for several historic property conversions. He is an active member of the Manhattan Chamber of Commerce, a past member of the Manhattan Historic Resources Board, a graduate of Leadership Manhattan, Vice President of Friends of Historic Preservation, and a past member of the Manhattan Workforce Housing Steering Committee.



NATE HOLLOMAN | GENERAL CONTRACTOR

Nate is a licensed residential and commercial general contractor in the state of Kansas. Nate has grown the company from overseeing small renovation projects to multi-million dollar commercial projects. He manages a custom home division that is responsible for the supervision of new construction home building across the Flint Hills Region. His team has completed work

on several award winning multi family historic rehabilitation projects. In addition to his career with Frontier Construction, Nate is an active real estate investor in both residential and commercial properties. His role at Frontier Construction is to oversee all employees, vendor relations and ensure each project is completed in a timely manner. He serves on the board of directors for the Flint Hills Area Builders Association and is an active member of the Manhattan Chamber of Commerce and is on the steering committee for Young Professionals of Manhattan.

**BRENDA SPENCER | HISTORIC CONSULTANT**

Brenda Spencer has been a Historic Preservation professional for nearly 30 years. She provides preservation planning, consulting, and design services for buildings across Kansas and surrounding states. In 1994 she founded her own firm, Spencer Preservation. She specializes in comprehensive historic preservation consulting services including federal and state rehabilitation tax credit applications, national register nominations, and historic resource inventory surveys. Spencer Preservation has assisted in more than 180 historic rehabilitation projects, listed over 80 buildings and districts on state and/or national historic registers, and worked with over 25 communities to enhance their historic business districts and neighborhoods.

SPENCER PRESERVATION



Spencer Preservation has successfully listed more than one hundred Kansas buildings on the National Register of Historic Places, often as part of historic rehabilitation projects. Clients include private property owners, developers, local municipalities, state government, federal entities, and architects. Spencer Preservation typically works as a member of design or development teams. Brenda Spencer has extensive experience with the US Secretary of Interior's Standards for Rehabilitation. Spencer's vast hands-on experience in public and private historic rehabilitation projects distinguishes them as an indispensable resource for historic preservation projects. Her skills and knowledge provide an unparalleled foundation for addressing client needs, regardless of the project size or scope. Spencer Preservation brings a unique understanding of what makes cities, downtowns, and rehabilitation projects successful.



FRONTIER DEVELOPMENT GROUP

OUR STORY

Frontier Development Group began from a property management company with a commitment to fair service for clients and owners. Our expertise in construction, maintenance, management and development positions us to make the most of each project. Our team of experts excel in all aspects of development, with a special interest in tax credit projects. We analyze deal structures from day one, handling all aspects of development from deal analysis to lease up. We identify financing opportunities, structure capital stacks, source funds, oversee construction, and handle the marketing and ongoing management of all our investments. We actively seek adaptive re-use of historic projects utilizing federal and state tax credits. Our vertical integration allows us to engage for the long-term success of each project.



VERTICAL INTEGRATION: DEVELOPMENT, CONSTRUCTION, MANAGEMENT

Frontier Development Group is a full-service, vertically integrated development company. Our expertise is in the experience; from realty and management to construction. We have operations throughout the midwest, serving investors, owners, and tenants. Our mission is simple: develop real estate responsibly to deliver affordable housing and climate conscious developments. We believe that complex problems require individual solutions rather than a one size fits all approach. We accomplish this mission through two subsidiary companies: Frontier Construction and Frontier Management.

FRONTIER MANAGEMENT

Frontier Property Management is a multi-faceted organization serving over 100 clients. We have a portfolio approaching 1,000 units, serving over 2,000 tenants and homeowners monthly. Areas of service include residential and commercial property management, brokerage services, association management, full-service accounting management, property maintenance and renovations, capex management, and property development. Our broad range of services has helped us develop extensive experience working with multiple different housing agencies and area service providers. With operations in multiple states, we're familiar with several different housing jurisdictions and pride ourselves on establishing local relationships in all our service areas.

FRONTIER CONSTRUCTION

Frontier Construction is a fully licensed residential and commercial general contractor. We have experience in several different construction types including new single-family homes, apartment construction, apartment renovations, and commercial renovations. Founded originally as remodeling company, we quickly evolved into a full-service construction company. With over \$10 million in commercial construction completed in the past 24 months, we employ several different project managers to help ensure top quality on each job site. Our origins as a remodeling company means we are uniquely suited to manage multifamily renovation projects. Our experience with historic renovations helps us stand out as a premier developer of historic rehabilitation jobs.

Proposed Project Type

We propose an adaptive rehabilitation project of the former Masonic Lodge building located at 124 S Main in downtown El Dorado. This project would be an historic tax credit project compliant with SHPO and NPS standards. The final product will be a mixed-use building consisting of renovated first floor commercial spaces, with the upper floors being multifamily residential.

Total Development Cost

We anticipate a total development cost of \$3,500,000 for this project. This includes acquisition, residential renovation, commercial renovation, site work, and soft costs. A further breakdown is below:

TYPE	COST
ACQUISITION	\$ 250,000
SITE IMPROVEMENTS	\$ 50,000
INFRASTRUCTURE	\$ 30,000
RENOVATION	\$ 3,020,000
SOFT COST	\$ 150,000
TOTAL	\$ 3,500,000

Source Of Funds

Consistent with all of our developments, we anticipate this project will consist of a complex capital stack. Currently we anticipate utilizing funds from the Developer, Construction Financing from a commercial lender, Heritage Trust Fund or other regional grant sources, Moderate Income Housing Funds, Kansas Housing Investor Tax Credit Equity, and State Historic Tax Credit Equity. Our firm has extensive experience with each of the proposed sources of funds and is confident in our ability to properly monetize each source.

How Will Grant Funds Be Used?

A significant portion of our funding stack will be the Moderate-Income Housing Grant administered through Kansas Housing Resources Corporation (KHRC). As a development organization, Frontier Development Group has extensive experience utilizing the Moderate-Income Housing program and other KHRC programs. Consistent with program requirements, we plan to prioritize funds for vertical construction costs related to the residential renovation of the building.

Explanation Of Need for Gap Funding

Our proposed project at 124 S Main is an ambitious redevelopment project of a prominent downtown building in El Dorado's re-emerging downtown district. After speaking with many local leaders and stakeholders, we understand the importance of preserving and reactivating this building for the downtown district. We also understand the need and demand for quality, attainable, housing units in the downtown district. However, projects of this size and complexity are never easy. Construction costs, availability of labor, rising borrowing costs, and other economic conditions are all directly contributing to an increased need for incentives and funding sources to make rehabilitation projects feasible. Further demonstrating the need for incentives, this building

has been vacant for many years despite attempts to redevelop from the former owner, as well as attempts to sell the building to other developers. We firmly believe Frontier is the best equipped developer to lead the effort to rehabilitate this building, but it will require incentives such as the Moderate-Income Housing grant.

Timeline For Completion

If selected by the City of El Dorado, we intend to apply to KHRC when they call for RFP's. We anticipate that to happen sometime this fall, with awards made by early 2025. If awarded, we would immediately begin working on securing additional funding sources and obtaining SHPO and NPS approval. We have already started SHPO and NPS preliminary reviews. Based on similar projects our firm has participated in, we would anticipate starting construction within 6-12 months after an MIH award is obtained. Once construction begins, we anticipate a 12-month construction timeline, with lease up beginning immediately upon completion.

Narrative Of Community Housing Needs

In communities across the State, we see the need for housing and downtown revitalization. No where is that need more prevalent than in El Dorado. Our team has spent significant time researching the local El Dorado housing market and talking with local stakeholders and business leaders. What we have discovered is that the strong enrollment at the College, the quality of the local school district, the presence of both city and county government offices, and the recent area investments in downtown have all contributed to a rising demand for downtown housing. We are confident that our project will reactivate an entire block of downtown, preserve a prominent building, remove blight and unsafe building conditions, and add to the downtown housing stock of El Dorado.

RENOVATION

906 OSAGE ST. MANHATTANKS

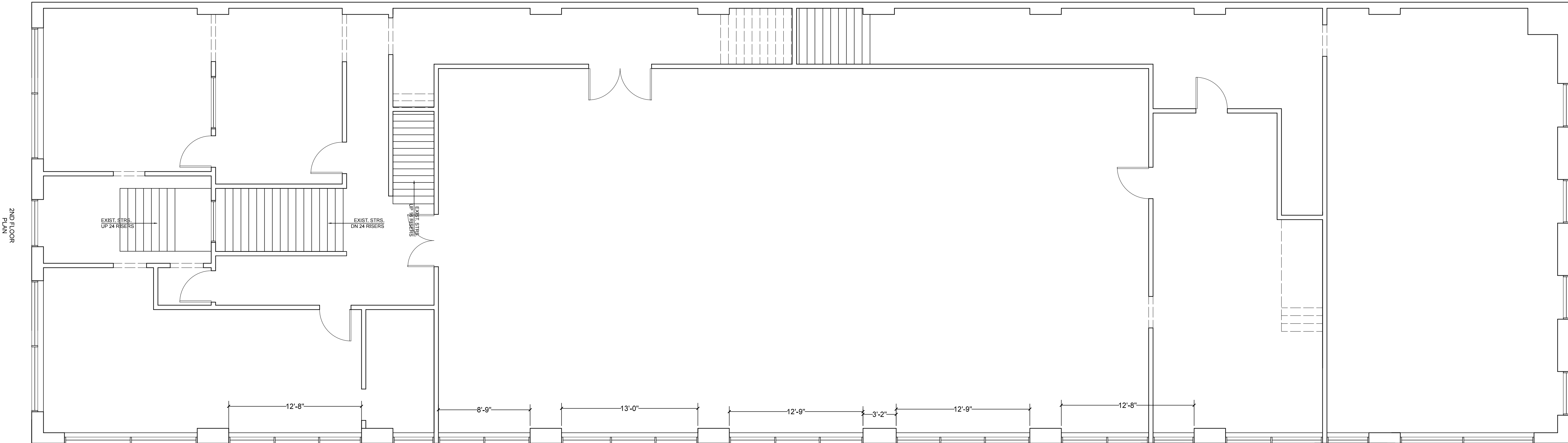
DATE:

03.27.2024

REVISIONS:	

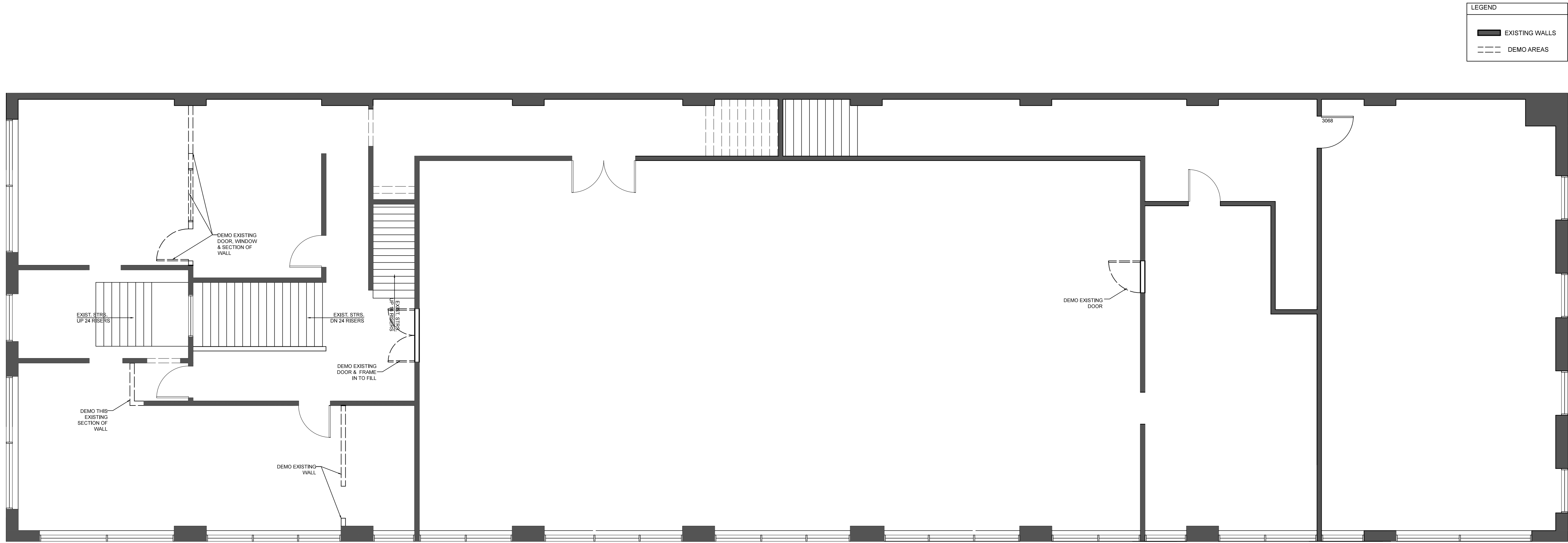
A3

SECOND FLOOR
EXISTING PLAN

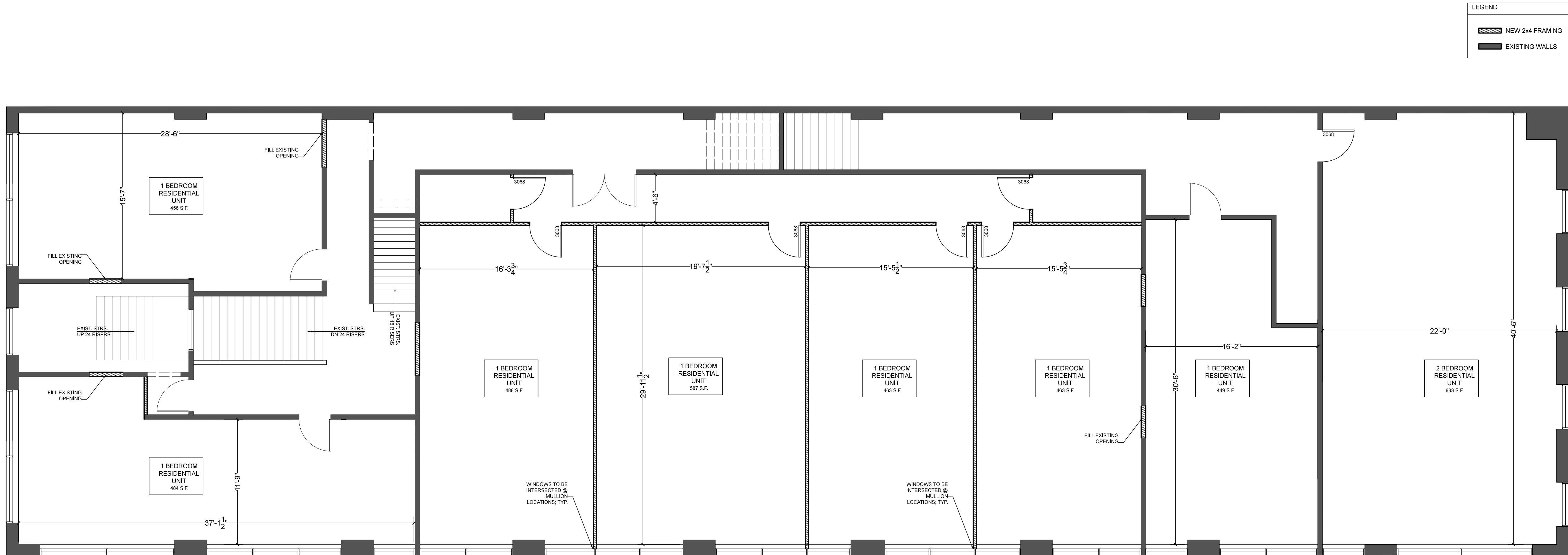


EXISTING 2ND FLOOR PLAN

SCALE: $\frac{1}{4}" = 1'-0"$



2ND FLOOR DEMO PLAN
SCALE: $\frac{1}{4}" = 1'-0"$



2ND FLOOR PROPOSED PLAN
SCALE: $\frac{1}{4}" = 1'-0"$

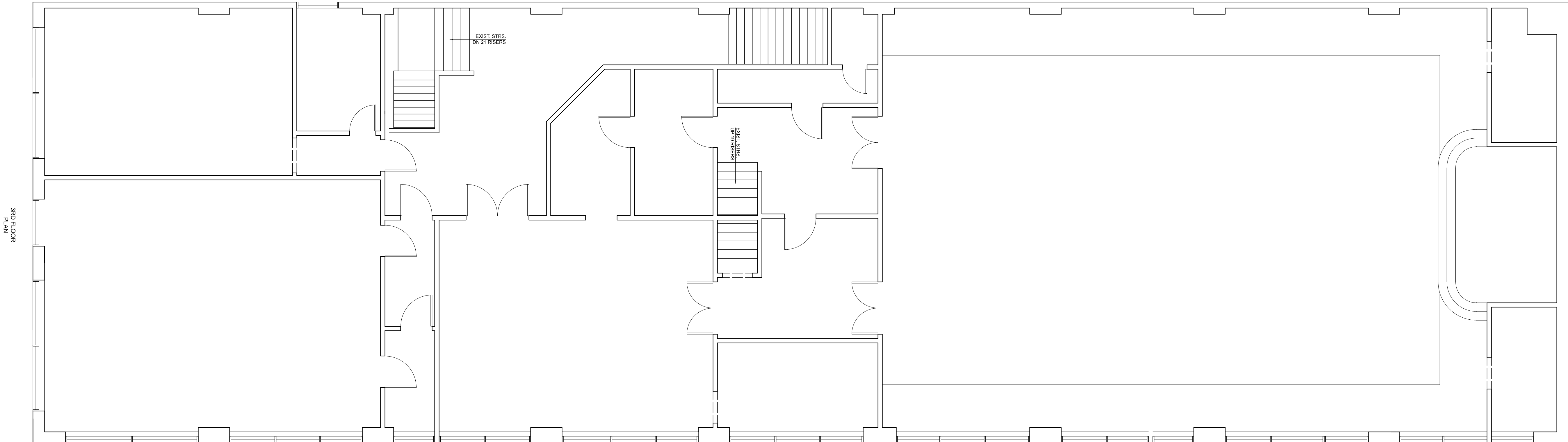
REVISIONS:

RENOVATION
906 OSAGE ST. MANHATTANKS

DATE: 04.11.2024

REVISIONS:	

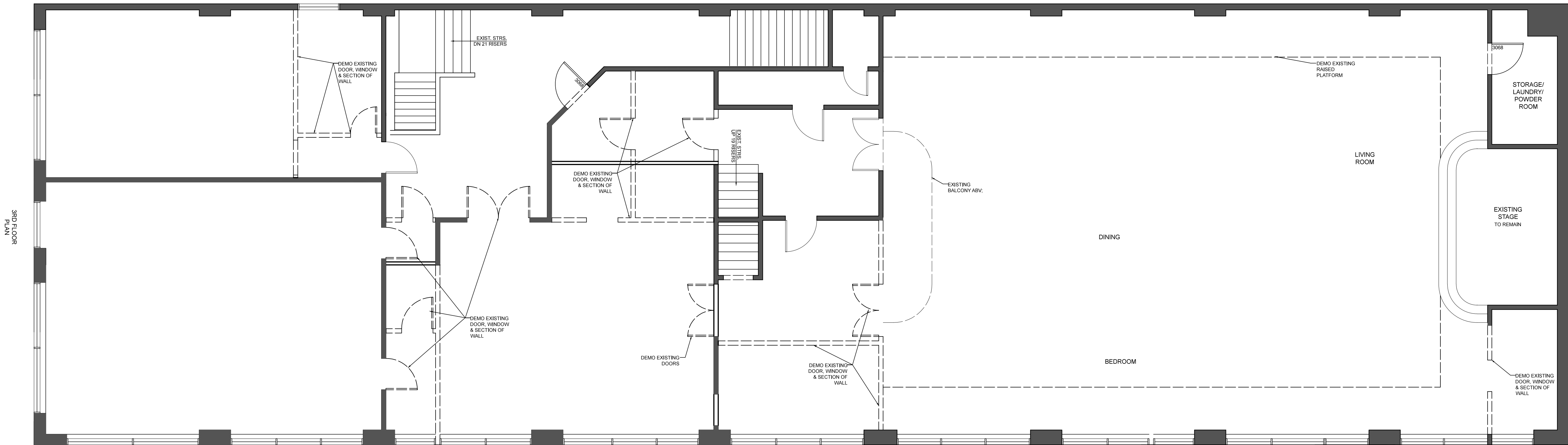
A5
THIRD FLOOR
EXISTING PLAN



EXISTING 3RD FLOOR PLAN
SCALE: 1/4" = 1'-0"

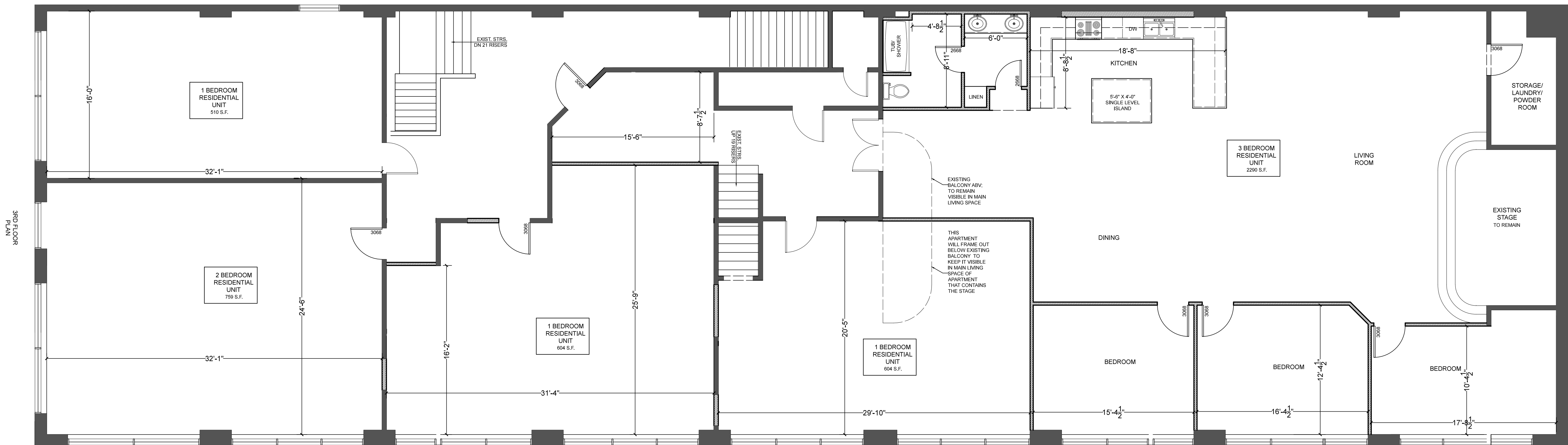
REVISIONS:	

LEGEND
EXISTING WALLS
DEMO AREAS



3RD FLOOR DEMO PLAN
SCALE: $\frac{3}{4}" = 1'-0"$

LEGEND
NEW 2x4 FRAMING
EXISTING WALLS
DEMO AREAS



3RD FLOOR PROPOSED PLAN
SCALE: $\frac{3}{4}" = 1'-0"$

RENOVATION

906 OSAGE ST. MANHATTANKS

DATE:

04.11.2024

REVISIONS:	

A7

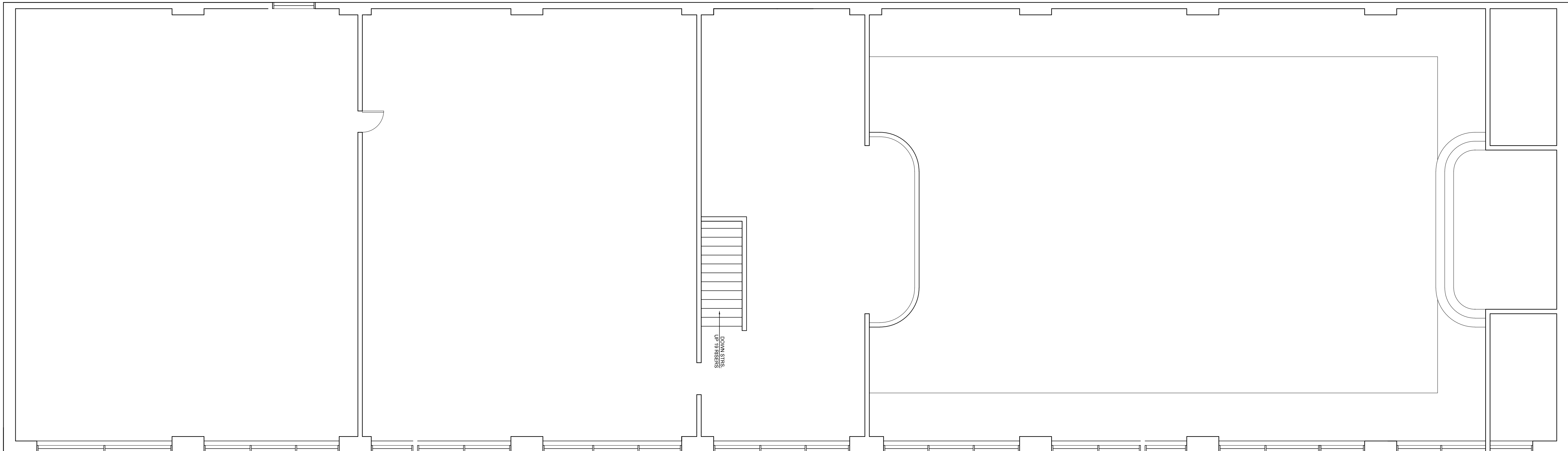
FOURTH FLOOR
EXISTING PLAN

LEGEND

NEW 2x4 FRAMING

EXISTING WALLS

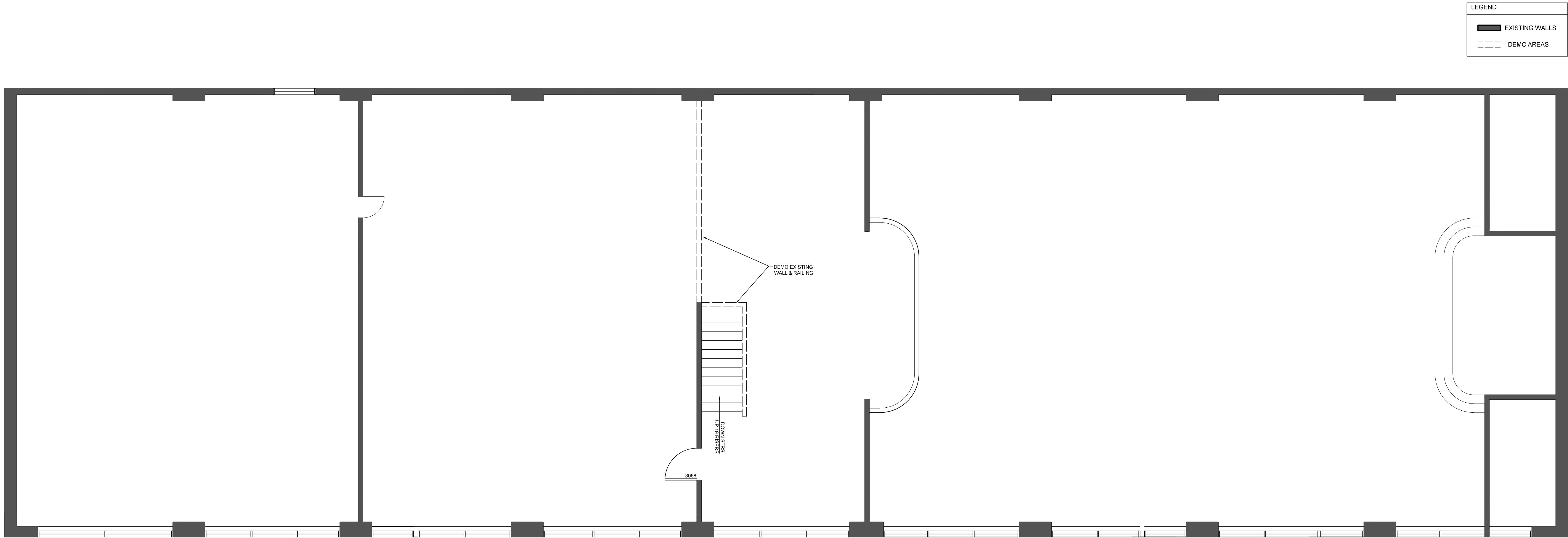
DEMO AREAS



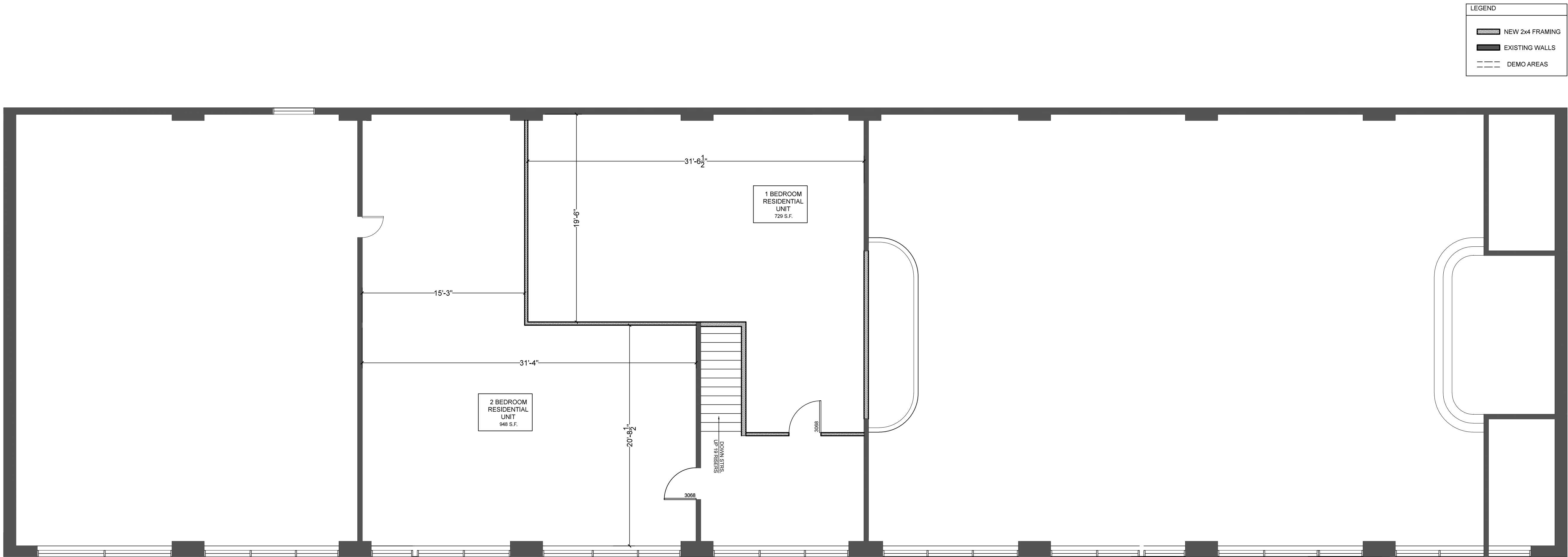
EXISTING 4TH FLOOR PLAN

SCALE: $\frac{1}{4}" = 1'-0"$

REVISIONS:	



4TH FLOOR DEMO PLAN
SCALE: $\frac{3}{4}$ " = 1'-0"



PROPOSED 4TH FLOOR PLAN
SCALE: $\frac{3}{4}$ " = 1'-0"

RESOLUTION NO.

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS, SUPPORTING THE SUBMISSION OF A MODERATE-INCOME HOUSING GRANT APPLICATION AND SUBMITTALS TO THE HOUSING INVESTOR TAX CREDIT PROGRAM FROM THE KANSAS HOUSING RESOURCES CORPORATION, THE KANSAS HISTORICAL SOCIETY HERITAGE TRUST FUND AND THE KANSAS HISTORIC REHABILITATION TAX CREDIT FOR FRONTIER DEVELOPMENT GROUP

WHEREAS, the City Commission of the City of El Dorado, Kansas, at its regular meeting on October 7, 2024, approved a resolution to support Frontier Development Group's ("Developer") application for a Moderate-Income Housing grant for the City of El Dorado, Kansas from the Kansas Housing Resources Corporation ("KHRC") to build much-needed workforce/MIH housing for the community.

WHEREAS the Frontier Development Group's application will consist of 15 affordable units that will be available for those who qualify as moderate-income households.

WHEREAS the Housing Investor Tax Credit (HITC) Program authorizes builders or developers with projects located in counties with a population of less than 75,000 to apply, and since the Butler County population of 67,889 makes Frontier Development Group eligible to apply.

WHEREAS, Frontier Development Group, as the developer of 124 S Main Street, will apply for this current round of Kansas Housing Investor Tax Credits from the Kansas Housing Resources Corporation and the Kansas Historical Society's Heritage Trust Fund and Historic Rehabilitation Tax Credit to build quality Moderate Income units, to offset the shortage of housing in El Dorado, which will persist unless additional financial incentives are awarded.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS: the City of El Dorado, the Grantee, authorizes Frontier Development Group, as a developer-led project, to apply and participate in the upcoming November 2024 round of MIH funding, and if awarded, the city will enter into a development agreement. Frontier Development Group will also seek (KHRC) Kansas Housing Investor Tax Credits, (HTF) Heritage Trust Fund, and the Kansas Historic Rehabilitation Tax Credit based on the City's determination that there is a need and shortage of quality workforce housing.

ADOPTED BY THE GOVERNING BODY of the City of El Dorado, Kansas, on the 7th day of October 2024.

Bill Young, Mayor

ATTEST:

Emerald Ashlock, City Clerk

TO: City Commission
FROM: Scott Rickard
SUBJ: Conderation of an Ordinance Relating to and Providing for the Partial Vacation of a Utility Easement in the Greens at Prairie Trails Subdivision of the City of El Dorado, Kansas.
DATE: October 7, 2024

Summary:

At the request via a petition, a property owner is asking the City Commission to consider the partial vacation of a platted easement in the Greens at Prairie Trails subdivision, specifically on Lot 7, Block B. The current utility easement is 10 feet in width, and the request is to vacate 2 feet of this easement, reducing it to 8 feet. This vacation is necessary due to an unintended encroachment into the easement when a sunroom addition was constructed onto the main residence. A recent survey indicates that the sunroom eve overhangs the utility easement by 1.7 feet. There are no utilities in the affected area other than the electric service to the house.

The property owner, Rickie Jo Hay, residing at 910 Fairway Ct., El Dorado, KS, and a potential buyer have raised concerns regarding title insurance coverage due to the encroachment. To resolve this, a 2-foot vacation of the utility easement has been proposed, as authorized under K.S.A. 12-504.

K.S.A. 12-504 allows cities to vacate any public reservation, easement, or right-of-way. Specifically, it allows for the vacation of a portion of a dedicated easement when such an action is deemed appropriate by the governing body. The process involves the property owner filing a petition to vacate the easement, which is then considered at a public hearing before the governing body. If approved, the easement reverts to private property and is no longer subject to public utility or access rights, except where utilities exist. In this case, the vacation will not affect any franchise utilities, and the remaining 8-foot easement will remain sufficient for potential future utility needs.

Attachments:

1. Easement Vacation Letter
2. Survey
3. Vacation Map
4. Vacate Ordinance-Greens Prairie Trails

Funding Source:

N/A

Operation Impact:

The vacation will not impact any franchise utilities or city operations.

Options/Alternatives:

1. Approve the partial vacation of the easement, reducing it from 10 feet to 8 feet.
2. Deny the vacation request, leaving the current 10-foot easement in place.

Staff Recommendation:

Staff recommends vacating the 2 feet of the utility easement to resolve the encroachment issue and facilitate the sale of the property.

Commission Action:

Commissioner _____ moved to approve an Ordinance Relating to and Providing for the

Partial Vacation of a Utility Easement in the Greens at Prairie Trails Subdivision of the City of El Dorado, Kansas.

Commissioner _____ seconded the motion.

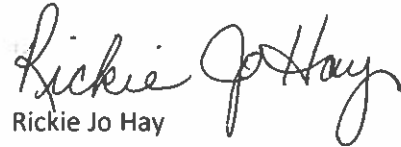
City of El Dorado
Engineering Department
216 N. Vine St.
El Dorado, KS 67042

September 17, 2024

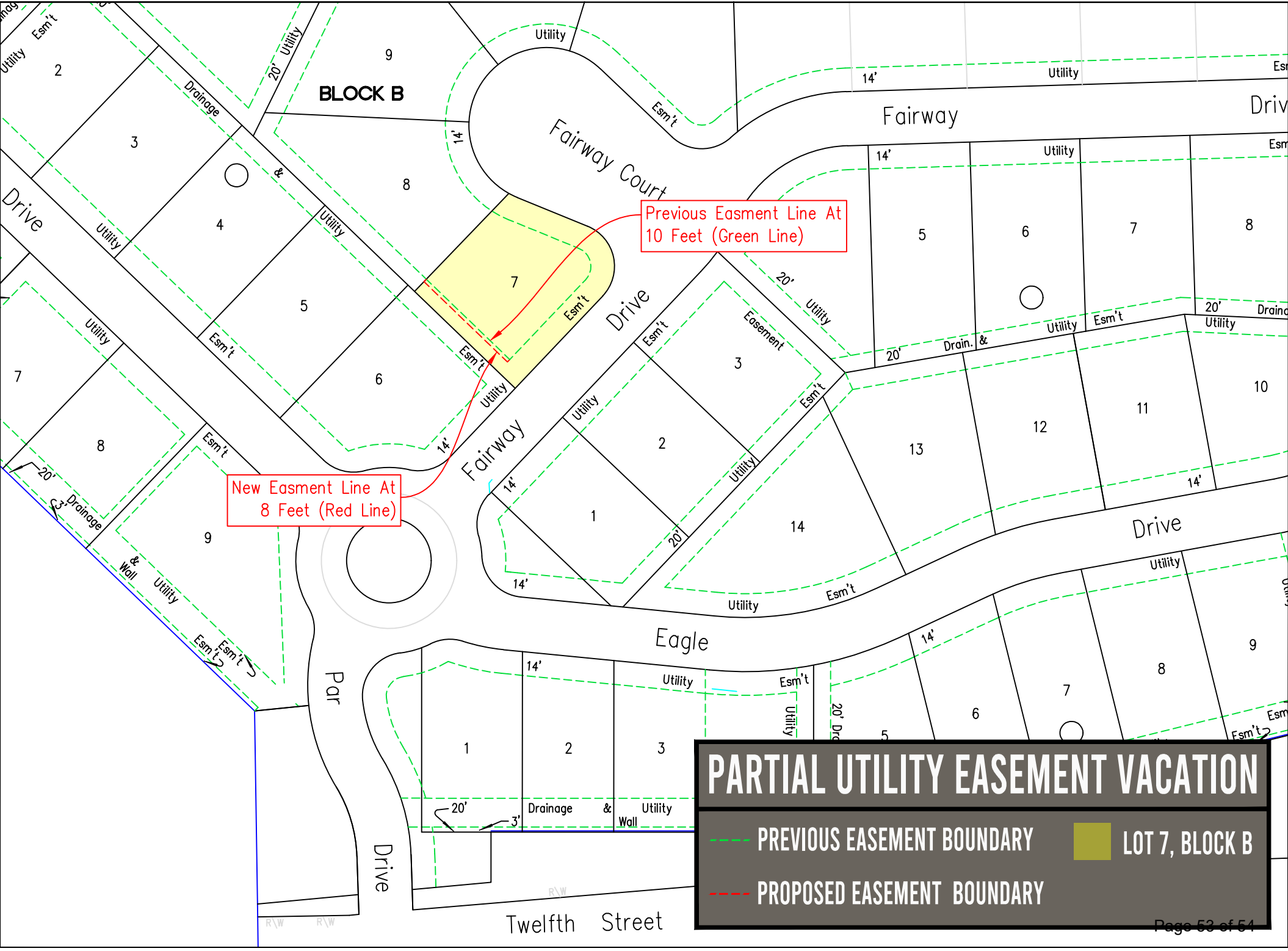
To The City of El Dorado:

I, Rickie Jo Hay, the owner of the property at 910 Fairway Ct., El Dorado, Kansas 67042 (Lot 7, Block B, The Greens at Prairie Trails), do hereby request the City of El Dorado to establish a two foot vacation of the existing utility easement on the southwest line of my property.

Respectfully,


Rickie Jo Hay

Page 52 of 54



PARTIAL UTILITY EASEMENT VACATION

--- PREVIOUS EASEMENT BOUNDARY

--- PROPOSED EASEMENT BOUNDARY

 **LOT 7, BLOCK B**

ORDINANCE NO.

AN ORDINANCE RELATING TO AND PROVIDING
FOR THE PARTIAL VACATION OF A UTILITY EASEMENT IN THE GREENS AT
PRAIRIE TRAILS SUBDIVISION OF THE
CITY OF EL DORADO, KANSAS.
HEREINAFTER MORE SPECIFICALLY DESCRIBED.

WHEREAS it is declared by the Governing Body that it would be in the best interest of the City that two feet of a certain Utility Easement in The Greens at Prairie Trails Subdivision in the City of El Dorado, Butler County, Kansas, be vacated.

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

Section 1: The real estate located in the City of El Dorado, Kansas Described as follows, to wit:

The rear drainage & utility easement in Lot 7, Block B of The Greens at Prairie Trails Addition to El Dorado shall be reduced from 10 feet to 8 feet.

Section 2: This Ordinance shall become effective thirty-one (31) days after publication unless one or more interested parties file a written protest before the expiration of said time. In the event such a protest is filed in the office of the City Clerk of the City within such time, the governing body shall set the matter for hearing ten (10) days after the end of the thirty (30) day period. The hearing may be continued from time to time and at the conclusion thereof the Governing Body shall adopt a resolution confirming the vacation ordinance, and the same shall be filed with the County Clerk and the Register of Deeds as provided by K.S.A. 14-423 or in the event such resolution is not adopted, this vacation ordinance shall be void and of no effect.

PASSED and APPROVED by the Governing Body of the City of El Dorado, Kansas, on October 7, 2024.

Bill Young, Mayor

ATTEST:

Emerald Ashlock, City Clerk