



EL DORADO CITY COMMISSION - REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
February 6, 2023 - 5:30 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation** - Pastor Jurdan Counts, Park Avenue Baptist Church
- 4. Pledge of Allegiance** - Grandview ALL Team

Proclamations and Recognition

5. Police Department Recognition

Lt. John Stewart - Meritorious Service Award
Patrol Officer Ethan Herrick - Certificate of Commendation
Sgt. John Thompson - Certificate of Commendation
Sgt Patrick McMurphy, Butler County Sherriff's Office - Certificate of Commendation

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 Tabitha Sharp 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.

- 6. Becky Wolfe - Governor's One Shot Turkey Hunt**

Public Comments. Persons who wish to address the City Commission regarding items not on the agenda and that are under the jurisdiction of the City Commission may do so when called upon the Mayor. Comments on personnel matters and matters pending in court are not permitted. Speakers are limited to three minutes. Any presentation is for information purposes only; no action will be taken.

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.*)

- 7. City Commission Meeting Minutes from January 17, 2023 and Special City Commission Meeting Minutes from February 1, 2023.**
- 8. Approval of the Walnuts CMB license to expire on December 31, 2023.**
- 9. Authorization of \$12,450 from Economic Development Sales Tax Funds for WSU Housing Needs Assessment**

Old Business

New Business

10. Deer Run 2nd Addition Final Plat
11. Facilities Use Agreement with the El Dorado Walnuts, an affiliate of the Kansas Collegiate Baseball League
12. Resolution Recognizing Senator Roger Marshall for Assisting the City of El Dorado with Amending its Water Storage Contract

Discussion Items

Reports

13. City Commission and Advisory Board Updates
14. City Manager
15. Year in Review Presentation

Executive Session

16. Commissioner _____ moved to recess into executive session under the non-elected personnel exception under K.S.A. 75-4319(b)(1) to discuss non-elected personnel, specifically the City Manager's Employment Agreement, and to reconvene the meeting at _____ p.m. in the City Commission Room.

Commissioner _____ seconded the motion.

Adjournment

17. Consideration of a motion to adjourn

PUBLIC COMMENT POLICY:

Citizens are encouraged to address the City Commission during regularly scheduled meetings. This policy is intended to provide some guidelines to ensure that all El Dorado citizens have a chance to address the Commission.

1. Each citizen will state their name and address before making comments.
2. There are no residency requirements.
3. Each citizen will have 3 minutes to present his or her comments.
4. An extension of time, if necessary, may be approved but must be by a majority of the City Commission.
5. Comments or questions will be directed only to the City Commission.
6. Citizens will follow the decorum policy.

7. Debate or argument between parties in the audience will not be allowed.
8. Certain legal issues may not be discussed. (Examples include but are not limited to personnel issues, lawsuits, etc.)
9. Violation of this public comment policy will result in the citizen being directed to cease or resume sitting.

Approved by the Commission this 2nd day of May, 2005.

The El Dorado City Commission met in a regular session on January 17, 2023 at 5:30 p.m. in the Commission Room with the following present: Mayor Bill Young, Commissioner Kelly Tetrick, Commissioner Gregg Lewis, Commissioner Leon Leachman, Commissioner Kendra Wilkinson, City Manager David Dillner, City Engineer Scott Rickard and Administration Director Tabitha Sharp. Absent: City Attorney Ashlyn Lindskog

VISITORS

Mike Holton	220 E 1 st Ave	El Dorado, KS
Phil Benedict	El Dorado Chamber of Commerce	El Dorado, KS
Brad Meyer	220 E 1 st Ave	El Dorado, KS
Shauna Napoli		El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the January 17, 2023 meeting to order.

INVOCATION

Reverend Mark Somerville, Family Worship Center, opened the meeting with an invocation.

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PERSONAL APPEARANCE

There were no personal appearances.

PUBLIC COMMENT

Mayor Bill Young opened the floor for public comments.

Brad Meyer, 2012 Chelsea Drive, requested that the City Commission consider changing the temporary sign ordinance, or allocate funds so that the sign rules can be enforced properly.

Shauna Napoli stated that she again wanted the Commission to reconsider the application fee for the background check.

CONSENT AGENDA

Approval of the City Commission Minutes from January 3, 2023 and Special City Commission Minutes from January 11, 2023.

Approval of Appropriation Ordinance No. 12-22 in the amount of \$2,440,070.11.

Approval of Resolution No. 2954 adopting a Code of Procedure for the City of El Dorado, Kansas.

Commissioner Leon Leachman moved to approve the consent agenda as presented.

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 BUSINESS

CONSIDERATION OF KDOT AGREEMENT NO. 307-22 CONCERNING THE CITY'S PARTICIPATION IN A COST SHARE PROJECT ON CENTRAL AVENUE

City Engineer Scott Rickard stated that this is part of the BASE grant project. He stated that the State of Kansas awarded the City a cost share grant to assist with the resurface of Central Avenue and the replacement of some storm sewer pipes and inlets being done in conjunction with the new water line. He stated that the total cost of the project is \$2,719,000 and KDOT will be providing \$1,000,000.

Commissioner Kelly Tetrick moved to authorize the Mayor to execute for and on behalf of the City of El Dorado, Agreement No. 307-22 between the City and the Kansas Department of Transportation.

Commissioner Gregg Lewis seconded the motion.

Commissioner Tetrick confirmed that the amount was \$2,719,000, the agenda items has it at billion.

City Engineer Rickard stated that it was million.

Commissioner Lewis asked if this will be done after the gas company does their work.

City Engineer Rickard stated that they have talked to the gas company and their infrastructure is new. He stated the area they are working on right now is a newer pipe they were having trouble with. He stated that they are working to replace that.

Motion carried 5 – 0.

CONSIDERATION OF A MOTION TO ALLOCATE \$151,320 FROM UNBUDGETED WATER FUND RESERVES TO THE WATER TREATMENT PLANT FILTER CONSOLE REPLACEMENT, PHASE II PROJECT, AND AUTHORIZING THE CITY MANAGER TO PROCEED WITH IMPLEMENTATION THEREOF

City Manager David Dillner stated that the Commission authorized Phase I last year, those are going to be in progress as soon as they are delivered. He stated that anticipating supply chain issues, we would like to get it approved so that we can hopefully have them by the end of the year.

Commissioner Kendra Wilkinson moved to authorize the City Manager to execute the proposal with RE Pedrotti for the purpose of installing phase II water treatment plant filter consoles.

Commissioner Leon Leachman seconded the motion.

Motion carried 5 – 0.

DISCUSSION ITEMS

There were no discussion items.

REPORTS

**EL DORADO CITY COMMISSION MEETING
CITY COMMISSION AND ADVISORY BOARD UPDATES**

January 17, 2023

Commissioner Leon Leachman stated that Experience El Dorado met and is planning the upcoming events for 2023.

Commissioner Kelly Tetrick stated that the library has several kids' events scheduled over the next few months.

Mayor Bill Young asked if there was interest in looking at the sign rules and having staff bring them forward.

There was consensus to look into it.

Mayor Young stated that he understood the pit bull information had been discussed at the work session last week.

CITY MANAGER REPORT

City Manager David Dillner stated that the City only received one proposal for the appraisal of the Civic Center from Martens. He stated that staff are working with them to get the appraisal started.

City Manager Dillner stated that the City is digitizing the cemetery database.

Commissioner Leon Leachman asked how far back the database will go.

City Manager Dillner stated that it will go back as far as our records allow.

Mayor Bill Young asked if the information will include veteran status.

City Manager Dillner stated that it would if it is part of the original record.

Mayor Young asked about the RFP for the baseball and softball field upgrades.

City Manager Dillner stated that we are working on the RFP and plan to begin the construction of the new concession/restrooms in the summer.

City Engineer Scott Rickard stated that we are working on the RFP and don't have the date yet, but are asking them to submit a design idea that fits the criteria we have provided. He stated that we have requested that they include the potential for a locker room for Butler.

ADJOURNMENT

Commissioner Leon Leachman moved to adjourn the meeting at 5:57 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

The El Dorado City Commission met in special session on 1, 2023 at 5:00 pm at 220 E 1st Avenue with the following present: Mayor Bill Young, Commissioner Kelly Tetrick, Commissioner Gregg Lewis (left at 5:50 p.m.), Commissioner Leon Leachman, Commissioner Kendra Wilkinson, City Manager David Dillner, City Engineer Scott Rickard and Administration Director Tabitha Sharp. Absent: City Attorney Ashlyn Lindskog

VISITORS

Mike Holton	220 E. 1 st Ave	El Dorado, KS
Emily Connell	El Dorado Main Street	El Dorado, KS
Sherry Hagemeister	El Dorado Main Street	El Dorado, KS
Phil Benedict	El Dorado Chamber of Commerce	El Dorado, KS

CALL TO ORDER

Mayor Bill Young called the February 1, 2023 Special City Commission meeting to order at 5:00 p.m.

WORK SESSION DISCUSSION ITEMS

EL DORADO MAIN STREET MASTER PLAN

Emily Connell, El Dorado Main Street, presented the master plan.

ONE CENT SALES TAX RENEWAL PROCESS

David Dillner, City Manager, reviewed the upcoming excess sales tax election process.

ADVISORY BOARD NOMINATING PROCESS

David Dillner, City Manager, stated that in order to get started on the sales tax renewal, the Commission needs to discuss who they would like on the task force.

Commissioner Kelly Tetrick stated that he felt that they needed to be good with social media.

Mayor Bill Young stated that the economic development groups could help provide members. He also recommended reaching out to some real estate agents.

UPCOMING AGENDA REVIEW

The Commission reviewed the upcoming agenda.

ADJOURNMENT

Commissioner Leon Leachman moved to adjourn the meeting at 6:22 p.m.

Commissioner Kendra Wilkinson seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Bill Young

TO: City Commission
FROM:
SUBJ: Authorization of \$12,450 from Economic Development Sales Tax Funds for WSU
Housing Needs Assessment
DATE: February 6, 2023

Background:

The City of El Dorado has had two housing assessments completed since 2012. The Center for Economic Development and Business Research at Wichita State University conducted a housing analysis in 2012. More recently, the City and El Dorado Inc. facilitated the completion of a housing assessment in 2016. It has been seven years since the last housing assessment, and much has changed in El Dorado's housing sector. The City added several new additions and over fifty new residential building permits have been issued over the last few years. The interest in housing has not slowed despite rising interest rates and inflation. An updated housing assessment will provide data to allow the City and its development partners to understand the housing market. The information can provide market justification for new housing starts and serve as an important catalyst for private capital to flow into El Dorado's housing sector.

Wichita State University will conduct the housing assessment for \$12,450. This amount is less than the city manager's spending authority, although the city manager proposes using economic development sales tax proceeds to pay the cost of the housing assessment. Per City policy, the City Commission must approve all uses of unbudgeted funds, which include economic development sales tax proceeds. This item is before the City Commission in order that unbudgeted funds from the economic development sales tax fund may be authorized for this purpose.

Recommendation:

Attachments:

1. WSU El Dorado Housing Assessment Proposal

Policy Issue:

Should the City use economic development sales tax funds to pay the cost of a housing assessment?

Fiscal Impact:

The City Manager proposes using proceeds from the economic development sales tax fund to pay \$12,450 for the housing assessment. The fund currently has a balance of about \$281,600, and the study will not significantly reduce the amount available for other economic development projects or initiatives. No additional funds will be required to pay for this project.

Trade-offs:

The City could allocate the \$12,450 proposed to pay for the housing assessment to other economic development projects or initiatives. Currently, there are no proposed projects or initiatives for these funds. The City Manager believes that conducting a housing assessment will provide vital information to facilitate housing development within the community. While other projects or initiatives may provide a more immediate return on investment, understanding the current demand and supply of housing will enable the City and its partners to collaborate with developers to address housing supply challenges.

Staff Recommendation:

The City Manager recommends using economic development sales tax proceeds to fund the housing

assessment. Ordinance No. G-1281, which authorized the one-cent sales tax in 2018, includes "efforts by the City that facilitate housing strategies that provide affordable options for the workforce" in the definition of "economic development projects and initiatives." Therefore, the city manager believes that funding a housing assessment using these funds falls within the scope and intent of economic development defined by the ordinance.

Commission Action:

This item is included on the consent agenda. It will be approved on the consent agenda unless a majority of the governing body decides to remove it from the consent agenda for discussion.



WICHITA STATE
UNIVERSITY



PUBLIC POLICY & MANAGEMENT CENTER



CONTACT

Misty Bruckner, Director

misty.bruckner@wichita.edu

316-978-6527

EL DORADO

K A N S A S

Housing Assessment and Rural Housing Incentive District Planning Proposal

City of El Dorado | September 2022

Background

In response to a request from the City of El Dorado, the Public Policy and Management Center (PPMC) at Wichita State University proposes to assist with exploring and establishing a rural housing incentive district (RHID). Specifically, the PPMC will assist the City of El Dorado with the following:

- convening a steering committee;
- conducting key stakeholder focus groups;
- completing a housing needs assessment; and
- identifying the steps and developing a plan to move forward with establishing a RHID.

Purpose

The purpose is to work toward establishing an RHID in the City of El Dorado. The RHID program allows cities and counties to address specific types of housing needs using the property tax increase created by the new housing project to pay for or reimburse certain infrastructure costs. The ability to defray developer costs allows cities and counties to finance certain public improvements to support housing in rural areas experiencing a shortage of housing. Permitted uses for RHID reimbursements include the following:

- land acquisition cost and site preparation
- sanitary and storm sewers and lift stations
- drainage conduits, channels, and levees
- street grading, paving, curbs, and gutters
- street lighting and sidewalks
- water mains and extensions

Process

The PPMC proposes the following tasks to achieve this goal:

Task 1. City of El Dorado Steering Committee

A core steering committee appointed by the City of El Dorado will guide the work. Potential team members include representatives from City staff, governing body, and other community leaders. Team will meet monthly to guide the work and complete the steps to establish an RHID. The PPMC will also meet bi-weekly with the city manager to guide the work.

Task 2. Stakeholder Engagement

To understand the housing needs of the community, and the priorities and capacity of partner organizations, the PPMC will conduct up to four one-hour focus groups with stakeholders. The focus groups will be designed to understand the housing priorities of the community. The information collected will be used to identify housing needs in the City of El Dorado and opportunities to address potential shortages with available programs, such as the RHID program. The PPMC will aim to host these focus groups in collaboration with existing community activities to help increase participation. Multiple in-person sessions can be hosted on the same day, or virtual sessions can be hosted.

Task 3. Housing Needs Assessment

The RHID program requires a housing needs assessment. The PPMC will use the information from the focus groups and existing data, which may include survey data from the U.S. Census Bureau and administrative data from the City of El Dorado, to complete a housing needs assessment.

The assessment will address the following questions:

1. Is there a shortage of quality housing within the City of El Dorado?
2. Is the shortage of housing expected to persist?
3. Is the shortage of housing a substantial deterrent to future economic growth in El Dorado?
4. Does the future economic well-being of the City of El Dorado depend on the governing body providing additional incentives for the construction or renovation of quality housing?

Task 4. Redevelopment Plan Support

Following the adoption of a Resolution, the final step required to establish an RHID is to adopt a Redevelopment Plan, which includes the following:

- Legal description and map
- Existing assessed valuation
- Names and addresses of all owners
- Description of the housing public facilities project proposed to be constructed or improved and location
- Names and addresses of developer and property owned in District
- Contractual assurances of Developer
- Comprehensive feasibility analysis

The PPMC will assist with identifying and assembling the elements of the redevelopment plan. The PPMC will also conduct the location, market, and economic analyses required to complete the comprehensive feasibility study.

Deliverables

The PPMC will produce a final report for the housing needs assessment and fully developed sections for the comprehensive feasibility study—both provided electronically.

Timeline

The PPMC will conclude the work and provide the written materials no later than six months following the execution of the contract. This estimate uses time estimates provided by the Kansas Department of Commerce and factors in some additional time for potential delays (e.g., Secretary of Commerce approval, action to adopt a resolution).

Budget

Expense	Cost
Steering Committee Meetings	\$3,000
Focus Groups	\$4,200
Housing Needs Assessment	\$1,500
Redevelopment Plan Support	\$3,750
Total	\$12,450

Payment Process

The PPMC will bill 50% upon completion of the housing needs assessment and 50% at the conclusion of the project. *As an LGN member, the City of El Dorado may opt to use their member benefit of three hours of PPMC staff time on this project (\$450).*

Project Management

Andrew Myers, Program Manager, will serve as the project manager for the City of El Dorado.

About the PPMC

The PPMC, located at Wichita State University, is a self-funded organization, operating as a small business with public purpose: **Enhancing public service to best serve your community.**

The PPMC is a nonprofit, nonpartisan organization that works with the public and private sectors to conduct:

- Strategic Planning and Goal Setting
- Survey Research
- Customized Executive and Management Training and Professional Development
- Facilitation of Governing Body Retreats and Community Forums
- Education and Certification for Members of Professional Associations
- Applied Research on Issues Identified by Public Officials
- Technical Support on Public and Nonprofit Policy

For more than 60 years, the PPMC has worked directly with governments and nonprofit organizations in the areas of applied research, technical assistance, facilitation, and professional development. The PPMC has the professional knowledge and capacity to implement, manage, and ensure the successful completion of client projects.

Recent Related Projects

City of Andover Strategic Plan:

In 2021, the PPMC completed a strategic plan for the City of Andover. The plan was designed to help guide the city's financial decisions, resource allocation, and project priorities. This process included training, stakeholder engagement, issue identification, and prioritization. Additionally, a community event was held where the PPMC was able to conduct intercept surveys to further research the community's needs. The PPMC then helped the City of Andover develop goals, objectives, and strategies to be prepared in a strategic planning document.

Jennifer McClausland, City Administrator

jmccausland@andoverks.com

316.733.1303 ext. 412

City of Wellington Strategic Plan:

In 2020, the PPMC completed a strategic plan for the City of Wellington. The five-year plan was designed to help guide the city's financial decisions, resource allocation, and project priorities. This process included infrastructure and capacity assessment, stakeholder engagement, issue identification, and prioritization. The PPMC then helped the City of Wellington develop goals, objectives, and strategies to be prepared in a strategic planning document.

Shane Shields

shanesheilds@cityofwellington.net

620-326-3631

City of Moundridge Strategic Plan and Housing Assessment Tool:

In 2022, the PPMC completed a strategic plan for the City of Moundridge. The plan was designed to help guide the city's financial decisions, resource allocation, and project priorities. The PPMC completed citizen and stakeholder interviews and focus groups as a part of the process to develop goals, objectives, and strategies to be prepared in a strategic planning document.

In addition, the City worked with the PPMC to complete their most recent Housing Assessment Tool (HAT) in order to have current information about the state of housing needs within the community.

Murray McGee, City Administrator
mmcgee@moundridge.com
620.345.8246

PPMC Project Team



Misty R. Bruckner, Director

Misty joined Wichita State University in 2008. She is responsible for assisting governments and nonprofits with special projects, policy development, program evaluation, community surveys, facilitation, and training efforts. Misty has worked in the Office of the City Manager, City of Wichita, as assistant to the city manager to start her career. Misty is a recipient of the Excellence in Public Service Award and the Sedgwick County Sheriff's Office Bronze Medal Award for Public Service – the highest honor for a civilian. She was selected to participate in the Kansas Leadership Center's Community Collaboration Academy aimed at advancing facilitation and collaboration efforts across the state of Kansas. Misty has a Master of Public Administration from WSU.



Andrew Myers, Program Manager

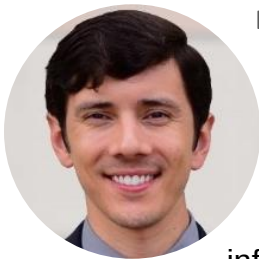
Andrew Myers serves the PPMC as a Program Manager, with a focus on Strategic Planning. With 10 years of experience in higher education, including work in career services and college counseling, Andrew has enjoyed his many opportunities for serving the local community. Andrew is an expert in synthesizing information and creating actionable plans. During his time as president of the Great Plains Association for College Admissions Counseling, Andrew strove to provide effective professional development for professionals in the states of Nebraska, Kansas, and Oklahoma. He is also an adjunct faculty member at WSU where he teaches Organizational Leadership & Learning courses such as Interpersonal Communication in the Workplace. Andrew has a BFA in Communication from Emporia State University and an MA in Strategic Communication from WSU.



Dr. Dulcinea Rakestraw, Research & Program Evaluation Manager

Dulcinea Rakestraw serves as the Research and Program Evaluation Manager. With over 20 years of experience, she provides program evaluation, management, research, and consulting services.

Prior to joining Wichita State, she held roles at the Sedgwick County Health Department, the Kansas Department for Children and Families, Kansas Department of Aging and Disability Services, Preferred Family Healthcare, and served as an instructor for the University of Kansas, Butler Community College, and Wichita State. Dulcinea earned both a BSW and MPH from the University of Kansas, and a MA in Psychology from WSU. Dulcinea earned her PhD in Community Psychology with an emphasis in research methods and program evaluation from WSU.



Dr. Nigel Soria, Research Economist & Data Scientist

Nigel uses data and economic theory to study programs and address questions that impact individuals, families, and communities. His expertise includes applied econometrics, causal inference (a component of program evaluation), and predictive

modeling. Specific fields of interest include labor economics, health economics, and child and family welfare. Prior to joining Wichita State, he held roles at Koch Industries Flint Hills Resources, Rice University, and the Kansas Department of Commerce. Nigel has a BBA in Finance and an MA in Economics from WSU and a Ph.D. in Economics from Rice University.

Other PPMC professional staff, project associates, and/or student workers may contribute as required.

TO: City Commission
FROM: Jay Shivers, Scott Rickard
SUBJ: Deer Run 2nd Addition Final Plat
DATE: February 6, 2023

Background:

Deer Run Addition was approved in 2021 and recorded at the Butler County Register of Deeds. In 2022, Butler County GIS discovered a discrepancy along one boundary. Garver, representing the property owner, discovered an error in the owner's original legal description and submitted Deer Run 2nd Addition to correct the discrepancy. The Planning Commission approved the plat (5-0) at their August 25th, 2022, meeting.

Recommendation:

Attachments:

1. Planning Commission Memo
2. Deer Run 2nd Final Plat

Policy Issue:

The platting process allows for the formal creation of lots and subdivisions for development. The Planning Commission reviews and approves plats in accordance with the Subdivision Regulations. The City Commission's responsibility is to accept easements and right-of-way dedications. In this case, the plat has been approved and there is one new water easement on the plat, added at the request of the City of El Dorado.

Fiscal Impact:

Adjustment of a subdivision boundary will not have a fiscal impact on the City of El Dorado.

Trade-offs:

Staff Recommendation:

Accept the new easement on the Deer Run 2nd Addition Final Plat

Commission Action:

Commissioner _____ moved to accept the recommendation of the Planning Commission.

Commissioner _____ seconded the motion.

PLANNING COMMISSION MEMO

TO: Planning Commission
FROM: Jay Shivers, AICP, City Planner
Scott Rickard, Engineering Director
RE: Deer Run 2nd Addition – Final Plat

The City of El Dorado approved the Deer Run Addition Final Plat in 2021. After official recording, Butler County determined there was a discrepancy with the eastern property line on the Deer Run Addition Final Plat and Prairie Land Estates Second Addition Final Plat. The proposed Deer Run 2nd Addition Final Plat, a replat of Deer Run Addition, addresses the this problem by shifting the eastern property line along Lots 6, 7, 8, and 9 to the west three feet. The proposed plat also includes a new water easement along Lot 11.

All other lots, easements, and right-of-way remain the same as documented in the original Deer Run Addition Final Plat. The applicant will present the plat and answer any questions at the meeting. The final plat meets the requirements found in the Zoning Ordinance and Subdivision Regulations. Staff recommend approval of the plat.

Recommended Motion:

I move to approve the final plat of the Deer Run 2nd Addition as presented.

DEER RUN 2ND

A Replat of Deer Run, El Dorado, Butler County, Kansas
Located in the NW1/4 of Sec. 4, T26S, R5E of the 6th P.M.

and EXCEPT

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M., El Dorado, Butler County, Kansas, that adjoins Lot 5, Block 3, PRAIRIE LAND ESTATES SECOND ADDITION, more particularly described as: Beginning at the Northwest Corner of said Lot 5; thence South along the West line of said Lot 5, a distance of 81.28 feet to the Southwest Corner of said Lot 5; thence West perpendicular with said West line of Lot 5, a distance of 3 feet; thence North parallel with said West line, Lot 5, a distance of 81.28 feet; thence East 3 feet to point of beginning.

and EXCEPT

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 4, Township 28 South, Range 5 East of the 6th P.M., El Dorado, Butler County, Kansas that adjoins Lot 4, Block 3, PRAIRIE LAND ESTATES SECOND ADDITION, more particularly described as: Beginning at the Northwest Corner of said Lot 4; thence South along the West line of said Lot 4, a distance of 82.00 feet to the Southwest Corner of said Lot 4; thence West perpendicular with said West line of Lot 4, a distance of 3 feet; thence North parallel with said West line, Lot 4, a distance of 82.00 feet; thence East 3 feet to the point of beginning.

and EXCEPT

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 4, Township 28 South, Range 5 East of the 6th P.M., El Dorado, Butler County, Kansas that adjoins Lot 3, Block 3, PRAIRIE LAND ESTATES SECOND ADDITION, more particularly described as: Beginning at the Northwest Corner of said Lot 3; thence South along the West line of said Lot 3, a distance of 81.28 feet to the Southwest Corner of said Lot 3; thence West perpendicular with said West line of Lot 3, a distance of 3 feet; thence North parallel with said West line, Lot 3, a distance of 81.28 feet; thence East 3 feet to the point of beginning.

and EXCEPT

A tract of land in the Southwest Quarter of the Northwest Quarter of Section 4, Township 28 South, Range 5 East of the 6th P.M., El Dorado, Butler County, Kansas that adjoins Lot 2, Block 3, PRAIRIE LAND ESTATES SECOND ADDITION, more particularly described as: Beginning at the Northwest Corner of said Lot 2; thence South along the West line of said Lot 2, a distance of 91.41 feet to the Southwest Corner of said Lot 2; thence West perpendicular with said West line of Lot 2, a distance of 3 feet; thence North parallel with said West line, Lot 2, a distance of 91.41 feet; thence East 3 feet to the point of beginning.

All public easements and dedications are hereby vacated by virtue of K.S.A. 12-512b, as amended.

State of Kansas)
SS
City of El Dorado)

This plat of "DEER RUN 2ND", A Replat of Deer Run, El Dorado, Butler County, Kansas, has been submitted to and approved by the El Dorado City Planning Commission this day of _____, 2022.

El Dorado City Planning Commission

Chair

ATTEST:

Secretary

State of Kansas)
SS
City of El Dorado)

These easements and rights-of-way accepted by the City Commission of El Dorado, Kansas, this ____ day of _____, 2022.

At the Direction of the City Commission

Mayor

ATTEST:

City Clerk

Reviewed in accordance with K.S.A. 58-2005 on this ____ day of _____, 2022.

Appointed Land Surveyor
Butler County, Kansas
Gerald E. Dixon, PLS 1516

Entered on transfer record this ____ day of _____, 2022.

County Clerk

State of Kansas)
SS
Butler County)

This is to certify that this plan and plat has been filed for record in the office of the

Register of Deeds, this ____ day of _____, 2022, at ____ o'clock __ M., and is duly recorded.

Book ____ Page ____ .

Register of Deeds
Jacque Roberts

Deputy
Paula Stoskopf

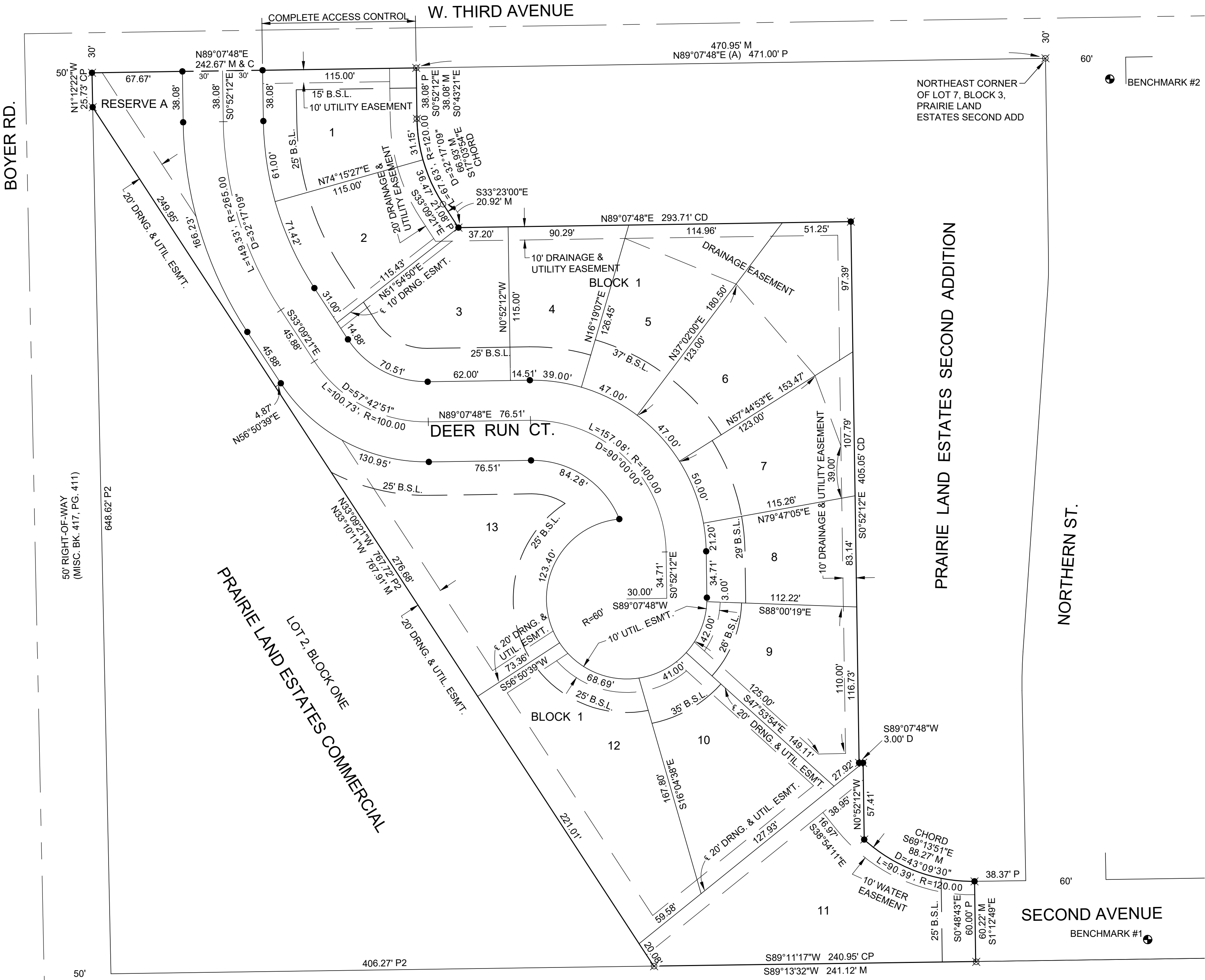
State of Kansas)
SS
Sedgwick County)

Be it remembered that on this ____ day of _____, 2022, before me, a notary public in and for said County and State, came Bryan Lagaly, Managing Member, on behalf of Bryan Lagaly Properties, LLC a Kansas limited liability company, to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public
Marsha R. Bishop

My appointment expires _____ .

DWG FILE: 20S04038 SURVEY BASE
PROJECT NO. 20S04038
SEPTEMBER 7, 2022



BENCHMARK #1:
CHISELED SQUARE ON THE TOP OF CURB ON THE WEST SIDE OF A CURB INLET ON THE SOUTH SIDE OF SECOND AVE, 60' EAST OF NORTHERN ST.
ELEVATION = 1342.03 (NAVD88, G18)

BENCHMARK #2:
CHISELED SQUARE ON THE TOP OF A CURB INLET AT THE SOUTHEAST CORNER OF 3RD AVE. AND NORTHERN ST.
ELEVATION = 1342.40 (NAVD88, G18)

- NOTES:
- This plat is a correction of Deer Run, El Dorado, Butler County, Kansas.
 - Property is zoned R-1 with the density bonus. A sidewalk will be installed on the East side of Deer Run Court and will terminate at the northeast corner of Lot 13, Block 1 in this addition.
 - Lots 10, 11 and 12 will not be built upon until oil extraction is complete and oil improvements have been removed from the site. A temporary utility easement for public utilities is granted over Lot 10 and shall expire upon removal of oil production equipment.

State of Kansas)
SS
Sedgwick County)

We, Garver, LLC, Land Surveyors in aforesaid county and state, do hereby certify that, under the supervision of the undersigned, we have surveyed and platted "DEER RUN 2ND", A Replat of Deer Run, El Dorado, Butler County, Kansas on the day of _____, 2022, and that the accompanying plat is a true and correct exhibit of the property surveyed, described as follows:

DEER RUN, El Dorado, Butler County, Kansas, EXCEPT A tract of land in the Southwest Quarter of the Northwest Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M., El Dorado, Butler County, Kansas, adjoining Lot 6, Block 3, PRAIRIE LAND ESTATES SECOND ADDITION, more particularly described as: Beginning at the Northwest Corner of said Lot 6, thence South along the West line of said Lot 6, a distance of 69.07 feet to the Southwest Corner of said Lot 6; thence West perpendicular with said West line of Lot 6, a distance of 3 feet; thence North parallel with said West line of Lot 6, a distance of 69.07 feet; thence East 3 feet to the point of beginning.

Garver, LLC

Land Surveyor
William K. Clevenger, PS #1437

Bryan Lagaly Properties, LLC
a Kansas limited liability company

Managing Member
Bryan Lagaly

- (A) = Assumed Kansas Zone South Grid Bearing
P = Platted (Prairie Land Estates)
P2 = Platted (Prairie Land Estates Commercial)
CP = Calculated from Platted
M = Measured
C = Calculated
- SURVEY MARKER LEGEND
- 1/2" REBAR W/SAVOY CAP (FOUND)
 - ⊗ 5/8" REBAR W/GOEDECKE CAP(FOUND)
 - ⊗ 5/8" REBAR W/GARVER CAP (SET)
 - BENCHMARK (SET)
 - MONUMENT TO BE SET WITH STREET CONSTRUCTION PROJECT BY THE STREET DESIGNER

TO: City Commission
FROM:
SUBJ: Facilities Use Agreement with the El Dorado Walnuts, an affiliate of the Kansas Collegiate Baseball League
DATE: February 6, 2023

Background:

Last year, the El Dorado Walnuts, an affiliate of the Kansas Collegiate Baseball League, played its inaugural season at McDonald Stadium. The team desires to continue to use the stadium for the next five seasons.

The City's obligations in the proposed agreement amount to coordinating two fireworks displays during each baseball season with free admission to the community. One fireworks display will be held during the July 4th home stand, provided the team schedules a home game during the July 4th holiday.

The team's obligations include: acquiring a mascot and making it available to the City for community events at the City's request, providing general operations for the team (umpire services for games, purchasing of baseballs, and indoor practice facility rentals), providing maintenance responsibilities for the team's use of the Facility, submitting all practice and game schedules, and providing security.

The agreement provides a non-exclusive use of McDonald Stadium so that other partners may use the stadium during the summer months throughout the term of the agreement.

Recommendation:

Attachments:

1. 2023 Walnuts Proposal
2. 2023 McDonald Stadium Facility Use Agreement KCBL

Policy Issue:

Shall the City Commission approve a Facilities Use Agreement with the El Dorado Walnuts, an affiliate of the Kansas Collegiate Baseball League, for non-exclusive use of McDonald Stadium?

Fiscal Impact:

The City will pay the El Dorado Walnuts \$12,000 for the agreement's first year and \$10,000 in the agreement's next four years. The City will pay the team from the Tourism Fund, which has been used to pay the El Dorado Broncos in the past. The team plans to purchase a mascot with part of the proceeds from this year's payment, so future payments will be decreased because this is a one-time expense.

The City did not budget for the Walnuts in 2023 as the team's request came in after the budget was adopted. The City budgeted a carry-over balance of about \$7,000 in the Tourism Fund, and the fund currently maintains a balance of \$394,091.

Trade-offs:

Staff Recommendation:

The City Manager recommends approval of the proposed facilities use agreement allowing non-exclusive use of McDonald Stadium by the El Dorado Walnuts, an affiliate of the Kansas Collegiate Baseball League.

Commission Action:

Commissioner _____ moved to approve a non-exclusive facilities use agreement with the El Dorado Walnuts, an affiliate of the Kansas Collegiate Baseball League, granting use of McDonald Stadium.

Commissioner _____ seconded the motion.



The El Dorado Walnuts would like to commit to a 5-year agreement with the City of El Dorado. Per this commitment, there would be no allocated field fee.

As the organization progresses and the landscape changes, we would request a pre and post season meeting, annually, and discuss further opportunities for both the Walnuts and City of El Dorado. These annual meetings with focus on year-to-year changes and events within the city.

In year one of this agreement, we are asking for \$15,000.

- Provides the Walnuts the opportunity to build out a Mascot that will be accessible to the City for all community events year round.
- This also aids in covering the field rental cost, operating expenses for umpires, indoor practice facility, baseballs, and some coaching fees.

In Return:

- Opening Day firework show with free admission as a community event.
- Season passes for all commission members and their families.
- 4th of July buy out night with free entry for the community.
- *City of El Dorado provides fireworks
- Walnuts Mascot Available for all community events put on by the City of El Dorado or it's entities.

Years to follow – A baseline of \$10,000 with an annual review.

These funds will not only assist the Walnuts with operations; it will allow the team to participate in events, giveback to local organizations, and employ Eldoradoans throughout the summer season.

Sheldon Howell
President
El Dorado Walnuts

2023 El Dorado Walnuts Formal Request for Funds

Prepared For: El Dorado City Council

Prepared By: Sheldon Howell

League Update

The KCLB is ecstatic about the upcoming 2023 season. This offseason we have had some exciting changes take place across the KCLB landscape. First off, we were able to gain our CMB license for several teams which allowed us to create a true spectator baseball atmosphere. The KCLB will showcase the top talent in the nation in 2023 and play in the SummerBall Showdown National Tournament. As always, we will move forward as one league. A collective effort in doing what is best for the young men that play this great game of baseball.

Team Update

The staff list is as follows:

Sheldon Howell-President

Dave Buche- Operations

Jamie Short- Host Family Coordinator

Rod Ellison - Head Coach (Returning from 2022)

Summer 2022

The El Dorado Walnuts are a 501c3 non-profit, and we have attached our financials so that all of you are able to review. EIN 87-4071068. Our goal is to become a household name in the community. As we finish our first year in El Dorado, we're excited to grow within the City and the surrounding areas. Last year we were able to gain our CMB license which creates a true spectator baseball feel with a fun family atmosphere for the people of El Dorado to enjoy during the summer months. Our goal is to represent the Walnuts and the City in all the events the City would like us to participate in.

Expense Update

Below you will find some of the estimated expenses for our club as cost continue to rise. Additionally, with the new teams coming in and the request of many scouts regarding competition, we needed to add a more diverse schedule to compete on a larger scale.

Kansas Collegiate League Baseball League

Franchise Walnuts -Expenses **\$23,980** **\$23,980**

League Fees	\$3,480
Coaching Salary	\$5,000
Facility Rental	\$2,000
Operating Expenses	\$6,500
Uniforms + Hats	\$3,000
Tournament Expenses	\$1,500
Chamber/CMB Dues	\$500
Misc Field & Equipment	\$2,000

Franchise Overview- Adjusted Expenses \$23,980 Total = \$23,980

Kansas Collegiate League Baseball

Franchise Overview - Expenses

League Fees - Total - \$3,480

League Fees \$1600

Insurance \$580

Website \$800

Premier Officiating Assignments \$500

Coaching Salary - Total - \$5,000

Summer college teams traditionally hire a head/assistant coach for a stipend.

Facility Rental - Total - \$2,000

The team needs a place to play that is college baseball appropriate. Facility rental varies from \$100 - \$275 per home date. The average cost for a game ready field to play a single 9 in our league is \$200. Some teams do not pay for facility rental which is a significant savings.

Walnuts 2022=\$2,000

Operating Expenses - Total - \$6500

Baseballs: \$90 doz. (Teams typically purchase 12-20 dozen) Walnuts =\$1360

Umpires: \$205 - DH / \$105 – Single 9 EW (18 home dates) = \$3780

Office Space: \$960

All Star Festivities: \$400

Total= \$5,000

Uniforms and Equipment

It is up to the franchise to provide uniforms and equipment. All of the teams in the Kansas Collegiate League provide a complete designer uniform with multiple tops. Teams provide two Dri-fit tops and cap but require players to provide their own white/grey pants. Most players in the league have their own equipment, catchers gear and bats. Helmets that meet all safety standards are usually provided by the franchise. Costs for equipment and uniforms vary, depending on the cloth, brand, design, print and quantity.

The Walnuts would like to purchase 1 new set of uniform tops. \$1,250

Mascot = \$5,400 not including shipping with an 8-week turnaround time once production begins, the Mascot will be available for all events the City of El Dorado hosts.

Tournament Expenses (optional): Tournament Entry

Fee - \$1,500

<i>Franchise Walnuts -Income</i>	<i>\$23,750</i>	<i>\$23,750</i>
Player Fees 25 Players		
\$950/player	\$23,750	
Gate/Concessions	\$4,000	
Merchandise	\$250	

Adjusted Income *\$28,000*

With rising expenses, we had to raise our player fees, additionally with doing more givebacks no additional income is confirmed at this time. We are currently recruiting and have 12 guys committed to return in 2023.

Walnuts - Overview (-5,980) Current

Formal Ask for Funds

\$15,000 Request-

- Provides the Walnuts the opportunity to build out a Mascot that will be accessible to the City for all community events year round.
- This also aids in covering the field rental cost, operating expenses for umpires, indoor practice facility, baseballs, and some coaching fees.

In Return:

- Opening Day firework show with free admission as a community event (\$8,000)
- Season passes for all commission members and their families (\$1,000)
- 4th of July buy out night with free entry for the community (\$4,000)
 - *El Dorado provides fireworks
- Walnuts Mascot Available for all community events put on by the City of El Dorado or it's entities.

Last year the board graciously awarded us \$3,500 which we then put into our direct operating expenses. We would love the opportunity to do this again and continue our support of the city brand and team. We have joined the chamber, and plan to continue to be involved with anything the board would like for us to be present at.

We are striving to become the household El Dorado team that every young ball player in the community strives to play for in his future. We want to give back as much as we can to this community. With volunteering and being positive role models as our staple trait. The Walnuts want to provide a safe, and fun atmosphere for all to come and enjoy during the summer months. With your support we can continue this culture at home in El Dorado. Rest assured any dollar awarded to our team will go directly to this initiative and will be put right back into the city of El Dorado and its community.

Thank you for taking the time to consider this proposal, and I look forward to discussing it more in the future.

Sheldon Howell
President
El Dorado Walnuts

MASCOT MAKERS

Creating Characters Since 2001



All rights reserved © All drawings provided by Mascot Makers Ltd are protected by copyright law and can be used only for ordering mascot costume in our company and cannot be published or distributed without our written permission. Copyright infringement can lead to legal penalties.
All measurements are given in centimetres approximate.

FACILITY USE AGREEMENT

McDonald Stadium

This FACILITY USE AGREEMENT (the “Agreement”) is made this ____ day of _____, 2023 (the "Effective Date"), by and between the City of El Dorado, Kansas, a municipal corporation of the State of Kansas (the “City”) and the El Dorado Walnuts (“Team”), an affiliate of the Kansas Collegiate Baseball Team (the “Team”).

1. Grant and Term. The City hereby grants to the Team the non-exclusive right to use and occupy the land and structures known as McDonald Stadium located at 298 N. Griffith Street in El Dorado, Kansas 67042 (the “Facility”) for a five-year term following the Effective Date of this Agreement. The Team shall have access to the Facility for its baseball season beginning May 20 of each calendar year during the Effective Term of this Agreement. The Team agrees to leave the Facility in equal or better condition than granted.
2. Payment. The City agrees to pay the Team \$12,000 during the initial year of this Agreement and \$10,000 per year for each of the remaining years. The City will provide use of the Facility to the Team at no cost during the Effective Term of this Agreement. The payment shall be paid to the Team after receiving a written request from the Team, although the payment shall be made no later than May 20 during the Effective Term of the Agreement.
3. Use. The Facility shall be used by the Team for its baseball season and other activities related thereto and/or for any other uses permitted by the City. The Team shall have access to the Facility’s field, locker rooms, basic sound system, and scoreboard.
4. Non-Affiliated Use. The City may allow the use of the Facility for events not affiliated with the Team, subject to available scheduling. The City will maintain a master schedule for use of the Facility by the Team and other entities. The master schedule shall be shared with the Team in order for non-affiliated events to be scheduled accordingly. The City shall retain the authority to manage scheduling conflicts and to serve as the final arbiter of any scheduling dispute.
5. Team Obligations. The Team shall provide the following services to the City for payment under this Agreement:
 - a. The Team shall acquire a mascot for the El Dorado Walnuts, and will make such mascot accessible to the City for community events at the City’s request.
 - b. Provide general operations for El Dorado Walnuts to include umpire services for games, purchasing of baseballs, and indoor practice facility rentals.
 - c. Provide maintenance responsibilities for the Team’s use of the Facility, as follows:
 - i. Prepare the field for all Team practices and home games, to include miscellaneous game day preparation, at the sole discretion of the Team.

- ii. Maintain the locker rooms, dugouts, umpire room, press box, seating areas, concourse, concession stands, ticket booths and restrooms; keeping the interior and exterior clean and in good condition. Empty all trash receptacles and clean all toilets and lavatories. Promptly report any damage to the City.
 - iii. Submit all practice and game day schedules to the City, as well as the name and contact information of the responsible coach or staff member.
 - iv. Provide security for Team events should that be needed or required.
- 2. City Obligations. The City shall provide the following services to the Team for its obligations under this Agreement:
 - a. Coordinate two fireworks displays during each baseball season with free admission to the community. One fireworks display shall be held during the July 4th home stand, provided the Team schedules a home game during the July 4th holiday.
- 6. Condition of Premises. The Team acknowledges that the City has made no warranties or representations pertaining to the quality or condition of the Facility.
- 7. Operations and Maintenance. The parties shall maintain the Facility during the Term in the manner provided in this Agreement. The Team shall use all reasonable precautions to prevent waste, damage, or injury to the Facility.
- 8. Alterations. Except as otherwise provided herein, the Team shall not make any permanent alterations, additions, or improvements to the Facility. Any and all alterations, additions, or improvements to the Facility which may be made by the Team, except the Team's equipment and supplies not permanently attached or affixed to the Facility, shall become the property of the City and shall remain upon and be surrendered with the Facility as part thereof, without disturbance or damage, upon expiration or termination of this Agreement, unless otherwise expressly agreed to in writing by both parties. Improvements made by the City prior to the Effective Date of this Agreement shall remain the property of City, and may be removed and retained by City at its discretion.
- 9. Inspections. The City reserves the right to perform periodic inspections of the Facility to assure compliance with the Agreement.
- 10. Insurance. The City shall maintain all property casualty insurance coverage for the Facility. The Team shall provide the City with a general liability insurance certificate demonstrating insurance coverage of at least \$1,000,000 per occurrence, with the City named as an additional insured prior to the commencement of play. In addition, the Team shall be responsible for maintaining suitable insurance coverage on any contents owned by them. The City shall not be liable for damage or theft of contents owned by the Team stored at the Facility.

11. City Equipment. The Team's employees and agents are not authorized by the City to operate City-owned equipment for maintenance of the Facility. The City shall not be liable or responsible for any injury or damage that is a result of any Team employee or agent using City-owned property.
12. Indemnification. The Team hereby indemnifies and agrees to save harmless the City, its officers, officials, employees, and volunteers from and against any and all claims, actions, damages, liability, cost and expense, including reasonable attorneys' fees, for injury or death of any person or for loss or damage to property that (i) arise from or are in connection with the operation of the Team's business; or (ii) arise from or are in connection with Team's use of City-owned property.
13. Utilities. The City shall pay all utility expenses associated with the operation of the Facility.
14. Taxes. The City shall pay all real property taxes and assessments levied or assessed against the Facility. The Team shall pay all taxes assessed or imposed upon the Team's business or upon the Team's fixtures, furnishings, or equipment in the Facility.
15. Assignment. The rights and privileges of the Team under this Agreement are not assignable without the prior, written consent of the City. Except as otherwise stated in this Agreement, the Team shall not be entitled to sublease services to vendors and receive the proceeds therefrom without the prior, written consent of the City. The Team may sublease temporary advertising space at the Facility during the Term of this Agreement with prior approval of the City. The Team shall also be permitted to display temporary signage at the Facility during the Term of this Agreement. Any signage and advertisements installed on the Facility must be removed by the Team following the termination of this Agreement. The City shall have the right to freely assign this Agreement without notice to or the consent of the Team.
16. Use of Alcohol. The sale and consumption of alcohol during the Team sanctioned events in the Facility shall be allowed upon formal approval by the governing body of the City. Such sale and consumption shall be in accordance with all laws, rules, regulations, and ordinances of the governing body and any state agency whose authority extends to the Facility or the sale and consumption of alcohol during any events.
17. Termination. This Agreement may be terminated upon thirty days' written notice without cause or penalty by either party. Any such termination shall become effective only after the conclusion of the then-current season.
18. Notices. Notices and communications required to be in writing pursuant to this Agreement shall be effective only if delivered personally, sent by facsimile, electronic mail, or certified mail, to the following:

El Dorado Walnuts
Attn: Sheldon Howell
6501 W. Irving Street
Wichita, KS 67209

City of El Dorado, Kansas
Attn: City Manager
220 E. First Avenue
El Dorado, KS 67042

19. Entire Agreement and Successors. This Agreement contains the entire agreement between the parties and there are no promises, or agreements, oral or written, express or implied, between them other than as herein set forth. No change or modification to this Agreement shall be effective unless it is in writing by the parties. This Agreement shall be binding upon and enforceable against, and shall inure to the benefit of, the parties hereto and their respective heirs, legal representatives, successors and permitted assigns.
20. Severability. If any provision of this Agreement or the application thereof to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and each provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
21. No Waiver. No failure by the City to insist upon the strict performance of any term, covenant, agreement, provision, condition or limitation of this Agreement to be kept, observed or performed by the Team, and no failure by the City to exercise any right or remedy available upon a breach of any such term, covenant, agreement, provision, condition or limitation of this Agreement, shall constitute a waiver of any such breach or any such term, covenant, agreement, provision, conditions or limitation.
22. Governing Law and No Merger. This Agreement shall be governed by, construed under and interpreted and enforced in accordance with the laws of the State of Kansas. There shall be no merger of this Agreement or the leasehold estate created hereby with the fee simple estate in the Facility or any part thereof, by reason of the fact that the same person or entity may acquire, own or hold, directly or indirectly, this Agreement or the leasehold estate created hereby or any interest in this Agreement or such leasehold estate, and the fee simple estate in the Facility or any interest in such fee simple estate; and this Agreement shall not be terminated except as provided herein.
23. Captions. The captions of this Agreement are for convenience only, are not a part of this Agreement, and do not in any way limit or amplify the terms and provisions hereof.
24. Attorneys' Fees. In the event any litigation ensues with respect to the rights, duties, and obligations of the parties under this Agreement, the unsuccessful party in any such action or proceeding shall pay for all costs, expenses, and reasonable attorneys' fees incurred by the prevailing party (at the trial level and all appellate levels) in enforcing the covenants and agreements of this Agreement.

IN WITNESS WHEREOF, the City and the Team have caused this Agreement to be executed and intended to be legally bound as of the day and year first above written.

CITY OF EL DORADO, KANSAS

EL DORADO WALNUTS

By: _____
David Dillner, City Manager

By: _____
Sheldon Howell, President

TO: City Commission
FROM:
SUBJ: Resolution Recognizing Senator Roger Marshall for Assisting the City of El Dorado with
Amending its Water Storage Contract
DATE: February 6, 2023

Background:

Senator Roger Marshall played an instrumental role in the City's request to modify its water storage contract with the U.S. Army Corps of Engineers. On December 27, 2022, President Biden signed the National Defense Authorization Act of 2022. This legislation contained a provision specific to El Dorado's water storage contract. The provision changed the methodology used to calculate interest from compound to simple interest. The City anticipates this change will reduce the overall obligation from \$53 million to \$39 million. It will also likely reduce the maximum obligation from \$410 million to \$77 million in 2081. The legislation provides significant relief to El Dorado water customers. The resolution demonstrates the City's appreciation for Senator Marshall's assistance in this important community issue.

Recommendation:

Not Applicable

Attachments:

1. Resolution Honoring Senator Marshall

Policy Issue:

Not Applicable

Fiscal Impact:

Not Applicable

Trade-offs:

Not Applicable

Staff Recommendation:

Not Applicable

Commission Action:

Commissioner ____ moved to approve a resolution recognizing Senator Roger Marshall for assisting the City of El Dorado, Kansas, with amending its Water Supply Contract with the U.S. Army Corps of Engineers.

Commissioner ____ seconded the motion.

RESOLUTION NO. ____

**A RESOLUTION RECOGNIZING SENATOR ROGER MARSHALL
FOR HIS SERVICE AND DEDICATION TO THE CITIZENS OF THE
CITY OF EL DORADO, KANSAS**

WHEREAS, in 1972, the City of El Dorado entered into a water supply contract with the U.S. Army Corps of Engineers for future water supply from El Dorado Lake;

WHEREAS, the contract would have resulted in principal and accrued interest of nearly \$411 million if allowed to mature in 2081; and

WHEREAS, Senator Roger Marshall and his staff assisted the City in amending the water supply contract and modifying the interest accrual method from compound to simple interest; and

WHEREAS, this amendment will save the City of El Dorado and its water utility customers approximately \$300 million;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS, on behalf of the City Commission and the citizens of El Dorado, the City Commission hereby express its sincere appreciation and gratitude for the work of Senator Roger Marshall and his contribution to the sustained financial health of our City.

ADOPTED this 6th day of February, 2023.

Bill Young
Mayor

Attest:

Tabitha D. Sharp
City Clerk

Year in Review

City of El Dorado

**A look at the accomplishments,
goals, and initiatives of
City departments.**

2022



Police Department

ELDO^K_S

2022 Major Accomplishments

- Staff

- One officer returned to the Department
- Promotions: Ryan Smith (Sergeant), Scott Roberts (Investigations Lieutenant), Jeff Murphy (Deputy Chief), Mike Holton (Police Chief)

- Events

- National Night Out, El Dorado's Gold FEST, Trick or Treat Down Main Street
- Mass Shooting Table Top Exercise with USD 490 and other agencies

- Grants/Awards

- KDOT STEP grant for overtime and STEP Equipment Incentive for \$4,500
- AAA Platinum Community Traffic Safety Award
- Patrick Leahy Bulletproof Vest Partnership Grant 2022-23

2023 Department Goals/Projects/Initiatives

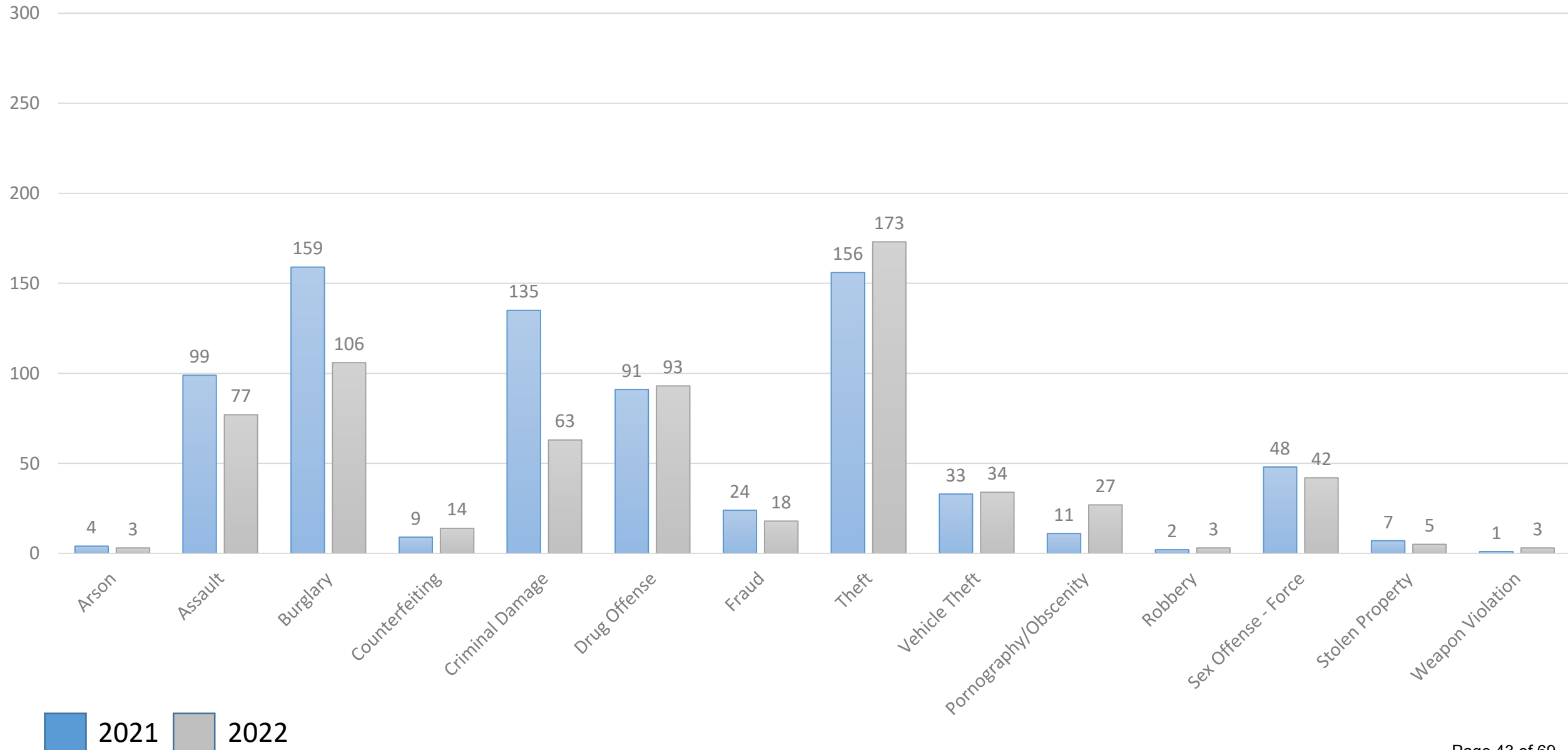
- Partnership with PoliceOne Academy, an online police-training website, to provide training opportunities to officers
- Continued partnerships with South Central Mental Health and other local organizations to strengthen relationships between the Police Department and the community
- Upgrades to duty handguns and rifles
- Re-structure the department to provide more efficient service to the community

2022 Crime Statistics

- 1,738 cases
- 12,461 total incidents
- 2,334 notices to appear in court, with 2,699 charges issued by officers
- 367 off-truck route citations
- 239 warrants issued by Municipal Court
- 190 warrants served by officers
- 796 code enforcement complaints and 610 court cases, including:
 - 309 complaints for grass
 - 213 complaints for trash
 - 142 complaints for vehicles
 - 54 structure complaints
 - 24 camper complaints



2022 Crime Statistics



Fire Department



ELDO^K_S

2022 Department Goals/Projects/Initiatives

- Conducted Firefighter Essentials Program
- Hired one new firefighter
- Haz-Mat 1 went into service
- 823 hours of maintenance/inspection for apparatuses and equipment
- All scheduled business inspections were completed

2022 Fire Statistics

- There were 1,820 total calls for service, including:
 - 923 EMS/Rescue
 - 299 service calls
 - 256 fires
 - 204 good intent
 - 77 hazardous condition
 - 55 false alarms
 - 3 overpressure/explosion



2022 Statistics

- Average Response Times

- Station 1: 5:30
- Station 2: 5:46
- El Dorado Township: 7:54
- Prospect Township: 9:46
- Mutual Aid: 15:07



Public Utilities Department

ELDO^K_S

2022 Major Accomplishments

- Wastewater

- UV Replacement Project, Phase I
- KMU Operator of the Year – Jason Patty
- Hired three operators

- Distribution/Collections

- Deer Run water infrastructure installation
- Located missing sewer manholes and water valves to complete GIS
- North Taylor water main upgrade to increase fire hydrant pressure

- Water

- Industrial Water Tower Painting Project
- Hired a water plant operator
- Two operators achieved KDHE Class IV certification

2023 Department Goals/Projects/Initiatives

- Wastewater

- UV Replacement Project, Phase II
- New operator development
- Public tours of the Water Reclamation Facility

- Distribution/Collections

- Lead Service Line Inventory
- Feasibility analysis for Automated Meter Reading System
- Cured-in-Place Pipe Projects (Arizona, Harvard, S. Emporia, Arlington, Belmont)

2023 Department Goals/Projects/Initiatives

- Water

- Filter Console Replacement Project, Phase I
- Update backflow tracking tools
- Upgrade Industrial Booster Pump Station communications equipment
- Major maintenance of Sixth Street tower & McCollum tower
- Maintenance of Water Treatment Plant Clearwell
- Maintenance of Water Treatment Plant Filter Backwash Tower

Existing Projects and Updates

- Nutrient Trading Pilot Implementation
- Central Avenue Water Main Project
- Constant Creek Sanitary Sewer Interceptor Project
- Critical infrastructure inventory
- Actuator replacement on distribution pumps at Water Treatment Plant
- Municipal Separate Storm Sewer System (MS4) Permit
- Community engagement to inform the public about all of the services Public Utilities provides

Public Works Department

ELDO^K_S

2022 Major Accomplishments

- Full-depth street repairs throughout the City
- Stormwater culvert flushing
- Optimization of sanitation routes
- Tree trimming to accommodate high-profile vehicles
- Three demolition projects
- Traffic signal upgrades at three intersections
- Implementation of Verizon Fleet for municipal vehicles
- New CDL training course with two in-house instructors
- High-speed building-to-building connection for City facilities

2023 Department Goals/Projects/Initiatives

- Aggressive crack repair throughout the City
- Stormwater culvert flushing and repairs
- Traffic signal upgrades
- Truck route signage upgrades
- Additional street striping throughout the city
- Recruitment and retention efforts
- Integrate Police Department mobile data terminals

Engineering Department

ELDO^K_S

2022 Major Accomplishments

- El Dorado Truck Route Study
- KDOC BASE Grant award and project initiation
- KDOT Cost-Share award and project initiation
- KDOT CCLIP Project on N. Main Street (6th to McCollum)
- KDOT CCLIP Project on S. Main (City limits to Central)
- Water & Sewer Master Plans
- Water & Sewer Infrastructure GIS
- FEMA BRIC Grant Application

2022 Construction Projects

- \$20 million building permit valuation
- 26 new single-family homes and 13 demolitions
- Public Infrastructure for Deer Run and Myer's East Additions
- Adlesberger-Smith Addition, Phase III Preliminary Engineering
- Township Village Improvement Projects (Hunton, Simpson, 2nd, 5th)
- Garcia Court Sanitary Sewer Project
- US-54 Bridge Discovery Project
- KTA, K-254, Boyer Road Conceptual Interchange Study
- District 142 CDBG, Phase 2 Project
- CIC/Industrial Park Annexation and Rezoning

2023 Department Goals/Projects/Initiatives

- BASE Grant projects
- Permitting education
- Truck Route Signage Improvements
- Mill & Overlay N. Main (6th to McCollum)
- Adlesburger Smith, Phase III Public Infrastructure
- KTA/K-254 Interchange Study
- Road Condition Index
- New, conceptual housing addition in North El Dorado

Parks & Rec Department

ELDO^K_S

2022 Major Accomplishments

- Graham Park Playground
- Bike/Pedestrian Path Signage
- Re-seeded Fields at the Walnut River Complex
- New Bleachers at Central and East Park



Graham Park Playground

2023 Department Goals/Projects/Initiatives

- Painting of the Municipal Pool
- Increase youth sports participation
- Ballfield Improvement Program
 - Central and East Park Concession/Restrooms
- Development of West Park



Administration Department

ELDO^K_S

2022 Major Accomplishments

- Gold Fest 2022
- Artisan/Farmers' Market
- Updated City website
- City Facebook page to 4,500+ followers
- Attended several job fairs
- Modernized employee benefit enrollment



Gold Fest 2022



2023 Department Goals/Projects/Initiatives

- Tourism

- Plan 2nd Annual Gold Fest
 - Recruit more volunteers
- Promote Ballfield Improvement Project for tournaments in future years
- Host or co-host quarterly community events

- Municipal Information Officer

- Informational campaign for sales tax ballot question
- Evaluation of social media channels and opportunities
- Citizen engagement app

2023 Department Goals/Projects/Initiatives

- Human Resources

- Employee task force to develop:
 - A strategic plan that facilitates recruitment and retention
 - An organizational compensation philosophy
- Creation of a supervisor boot camp

- Administration Director

- Agenda Management Program
- Municipal Code Recodification
- Paperless Initiative

Finance Department

ELDO^K_S

2022 Major Accomplishments

- Annual Comprehensive Financial Report (no significant findings)
- Invested \$8 million in timed deposits
- Issued \$3.32 million in Temporary Notes:
 - Township Village Improvements
 - Myers East Addition, Deer Run, and Adlesperger-Smith Addition projects

2023 Department Goals/Projects/Initiatives

- Budget engagement tool implementation
- Certificate of Achievement for Excellence in Financial Reporting
- GFOA Budget Award and PAFR Award
- Long-term Financial Plan
- Utility billing upgrades