

EL DORADO CITY COMMISSION – REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
July 5, 2017 – 6:30 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation – Pastor Wade Graber – First Baptist Church**
- 4. Pledge of Allegiance**

Proclamations and Recognition

- 5. None**

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 five minutes. Any presentation is for information purposes only; no action will be taken.

- 6. None**

- 7. 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.*)

- 8. Meeting Minutes:** June 19, 2017 City Commission Minutes and June 14 and 28, 2017 Special City Commission Minutes.

Old Business

- 9. None**

New Business

- 10. CID – Red Coach**
- 11. 2016 Standard Traffic Ordinance Revision**

Reports

- 12. City Commission and Advisory Board Updates**
- 13. City Manager**

Executive Session

- 14. None**

Adjournment

- 15. Consideration of a motion to adjourn the July 5, 2017 regular meeting**

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 Mayor opened the floor for Public Comments.

EL DORADO CITY COMMISSION MEETING

June 19, 2017

The El Dorado City Commission met in a regular session on June 19, 2017 at 6:30 p.m. in the Commission Room with the following present: Mayor Vince Haines, Commissioner Chase Locke, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Attorney Ashlyn Lindskog, City Manager David Dillner, City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Don Adlesperger		El Dorado, KS
Brad Meyer	220 E 1 st Ave	El Dorado, KS
Jeremy Costello	Butler County Times Gazette	El Dorado, KS
Curt Zieman	220 E 1 st Ave	El Dorado, KS
James Cook	719 Fredrick Dr	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the June 19, 2017 meeting to order.

INVOCATION

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

PLEDGE OF ALLEGIANCE

The City Commission led the Pledge of Allegiance.

PUBLIC COMMENT

Mayor Vince Haines opened the floor for public comment.

There were no comments.

CONSENT AGENDA

Approval of the City Commission minutes from June 19, 2017.

Approval of Appropriation Ordinance No. 05-17 in the amount of \$2,328,243.33.

Approval of the de-licensing of Great Western Dining on June 17, 2017 at BG Stadium for the purpose of a special event license.

Approval of Resolution No. 2844, allowing Walnut River Brewing Co. to sell alcoholic beverages on the street at 111 W Locust for their 4th Anniversary Party.

Commissioner Gregg Lewis moved to approve the consent agenda as presented.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

OLD BUSINESS

There was no old business.

NEW BUSINESS

APPLICATION TO REZONE 3913 SW 10TH TO I-1 LIGHT INDUSTRIAL

City Engineer Scott Rickard stated that the property owner is requesting a rezone to light industrial from agricultural. He stated that the Planning Commission voted unanimously to recommend the rezone.

Mayor Vince Haines confirmed the location.

Mr. Rickard stated that it was south of the current KDOT facility. He stated that currently the property is utilized for pipeline and tank farms.

Commissioner Chase Locke moved to approve Case No. 17-003-REZ, requesting a rezoning of 3913 SW 10th Street to I-1 Light Industrial District and that Ordinance No. G-1251 be approved.

Commissioner Gregg Lewis seconded the motion.

Roll Call Vote

Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Vince Haines	Yes
Position No. 1	Commissioner Chase Locke	Yes

**APPLICATION TO REZONE 403 N STAR ST TO R-2 MEDIUM DENSITY
RESIDENTIAL**

City Engineer Scott Rickard stated that the Planning Commission voted to approve this application. He stated that the application is requesting that a duplex be placed in this area, the

owner plans to demolish the structure currently on the property. He stated that the proposal fits the plan for the area.

Mayor Vince Haines asked what the reason for the move to R-2 was.

Mr. Rickard stated that it has to be classified as R-2 in order to have more than a single family home.

Commissioner Nick Badwey moved to approve Case No. 17-005-REZ, requesting a rezoning of 403 N. Star Street to R-2 Medium Density Residential District and that Ordinance No. G-1252 be approved.

Commissioner Kendra Wilkinson seconded the motion.

Roll Call Vote

Position No. 3	Commissioner Nick Badwey	Yes
Position No. 4	Commissioner Kendra Wilkinson	Yes
	Mayor Vince Haines	Yes
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Gregg Lewis	Yes

APPLICATION TO REZONE A 6.9-ACRE TRACT NEAR TOWANDA AVENUE AND SOUTH HAVERHILL RD TO AN R-3 MULTIPLE FAMILY DWELLING DISTRICT

City Engineer Scott Rickard stated that the Planning Commission voted to approve this application. He stated that the applicant is requesting an R-3 zoning, he stated that this parcel is bordered by R-3 zoning to the West and East currently and fits within the current land use map.

Commissioner Kendra Wilkinson asked if this was the dumping ground for the tornado debris.

Mr. Rickard stated that he had heard that, but was unsure if it was true.

Commissioner Gregg Lewis moved to approve Case No. 17-006-REZ, requesting a rezoning of a 6.9-acre tract located on the north side of Towanda Avenue and approximately 400 feet east of S. Haverhill Road to R-3 Multiple Family Dwelling District and that Ordinance No. G-1253 be approved.

Commissioner Nick Badwey seconded the motion.

Roll Call Vote

Position No. 4	Commissioner Kendra Wilkinson	Yes
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EL DORADO CITY COMMISSION MEETING

June 19, 2017

	Mayor Vince Haines	Yes
Position No. 1	Commissioner Chase Locke	Yes
Position No. 2	Commissioner Gregg Lewis	Yes
Position No. 3	Commissioner Nick Badwey	Yes

MODERATE INCOME HOUSING PROGRAM GRANT AGREEMENT

City Engineer Scott Rickard stated that the City of El Dorado was awarded a Moderate Income Housing Grant for the construction of 4 duplexes in the 900 block of Walnut Street. He stated that staff are requesting the Commission sign an agreement with the Kansas Housing Resources Commission. He stated that staff are requesting that the agreement be contingent upon a development agreement being in place between the City of El Dorado and Walnut Street Properties, LLC.

Mr. Rickard stated that we were awarded \$120,000 for the construction. He stated that the intent is to begin construction in September and have a unit complete by the end of the year, then move on to the other units.

Mayor Vince Haines confirmed that this was the first step in the process.

Mr. Rickard stated that staff wanted to complete this step so that they could move quickly. He stated that the original submission was quite a different project than what the State of Kansas was only able to fund \$120,000.

Commissioner Chase Locke moved to authorize the City Manager to sign the Grant Agreement with the Kansas Housing Resources Corporation for the Kansas Moderate Income Housing Program contingent on the execution of a development agreement between the City of El Dorado and Walnut Street Properties, LLC.

Commissioner Gregg Lewis seconded the motion.

Motion carried 4 – 0 (Commissioner Wilkinson abstained)

NAMING THE DISC GOLF COURSE

Mayor Vince Haines asked for an update on the Disc Golf Course construction.

Scott Rickard, City Engineer, stated that a contractor has been hired to complete the path. Public Works has been working on rehabilitating the bridges. Dynamic Disc has been working on the signage for the holes. He stated that they anticipate that they will meet the goal to be open before the Shrine Bowl.

Mayor Haines asked if there had been a grand opening scheduled.

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Mr. Rickard stated that Dynamic Disc has mentioned that they will do a grand opening at which two professional players will play an exhibition game.

Mr. Rickard stated that it will be an interesting yet difficult course to play.

Commissioner Kendra Wilkinson requested a tour for the Commission.

Mr. Rickard stated that he would keep them updated about when everything was installed.

Commissioner Kendra Wilkinson moved to accept the recommendation of the Parks and Recreation Board and to name the facility El Dorado Disc Golf Course at Legion Park.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

ACCEPTANCE OF REFUSE TRUCK BID

Public Works Director Brad Meyer stated that there was a catastrophic failure of one of the refuse trucks in March. He stated that the repairs would be in excess of \$10,000, and it does not make sense to spend that money on a truck scheduled for replacement in another year.

Mr. Meyer stated that the City received bids from Key Equipment and Downing Sales and Service. He stated that the Key Equipment truck was approximately \$2,000 more than the Downing truck, but had better qualifications than the Downing truck did. He stated that this vehicle is the downtown daily commercial refuse truck and so it tends to take a little more punishment than the others.

Mr. Meyer stated that this will be a CNG truck, and so all of the first out refuse trucks will be CNG and the fuel savings will be noticeable.

Mayor Vince Haines clarified that the funds are available in the refuse account, it will just be earlier than expected.

Mr. Meyer stated that he was correct, they build funds over the years to expend on the larger purchases.

Mayor Haines asked if we ever lease garbage trucks if both go down.

Mr. Meyer stated that they do not lease garbage trucks, sometimes you can catch a demo truck, but those are not common.

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Commissioner Nick Badwey confirmed that the difference between the two was the sturdier body.

Mr. Meyer stated that he was correct, they went with the 2019 truck, and it is being built now so we will have to wait for it to be completed. He stated that both trucks were Freightliners, which are not the most expensive, but not the bottom of the barrel either.

Commissioner Nick Badwey moved to accept the bid from Key Equipment in the amount of \$189,935.

Commissioner Gregg Lewis seconded the motion.

Motion carried 5 – 0.

REPORTS

CITY COMMISSION AND ADVISORY BOARD REPORTS

Commissioner Kendra Wilkinson stated that CVB will not meet again until August. She stated that the Airport Advisory Board met and they are very grateful that the runway is re-opened and the work was completed on the entry road. She stated that on August 19th the airport will be having its fly-in, she invited citizens to attend.

Commissioner Wilkinson stated that the damage done at parks and recreation facilities is continuing. She asked that if anyone had information on the vandalism they could call the El Dorado Police Department or Crime Stoppers.

Commissioner Nick Badwey confirmed that when we catch the individuals responsible, they will be prosecuted.

City Attorney Ashlyn Lindskog stated that they would be.

Commissioner Chase Locke asked if it had been done again.

Commissioner Wilkinson stated that it has been repeatedly done over the last few months.

Commissioner Badwey encouraged citizens to check on elderly neighbors and keep an eye out for pets with the continued heat.

Commissioner Locke stated he would be gone for the July 5th meeting.

Mayor Haines confirmed that the meeting on July 3rd was moved to the 5th and the July 17th meeting was moved to the 18th.

CITY MANAGER'S REPORT

City Manager David Dillner stated that the city has received approximately 17 applications for the Fire Chief position and will be conducting interviews soon.

City Manager Dillner stated that the next work session is scheduled for June 28th.

City Manager Dillner stated that the 4th of July Celebration will begin at 9 a.m. on the 4th and will include games, the bicycle parade and lunch. The pool will be open in the afternoon for a free swim and fireworks will follow the Broncos game.

EXECUTIVE SESSION

Commissioner Nick Badwey moved to adjourn into executive session pursuant to the attorney client privilege exception under K.S.A. 75-4319(b)(2), to discuss pending legal matters and to reconvene the regularly scheduled meeting at 7:20 p.m. in the City Commission Room.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

Mayor Vince Haines reconvened the meeting at 7:23 p.m.

ADJOURNMENT

Commissioner Nick Badwey moved to adjourn the meeting at 7:23 p.m.

Commissioner Chase Locke seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines

EL DORADO CITY SPECIAL COMMISSION MEETING

June 14, 2017

The El Dorado City Commission met in special session on June 14, 2017 at 4:00 pm at City Hall with the following present: Mayor Vince Haines, Commissioner Chase Locke, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, Finance Director Tammy Schaffer, City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Kurt Bookout	220 E 1 st	El Dorado, KS
Joe Haag	220 E 1 st	El Dorado, KS
Brad Meyer	220 E 1 st	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Curt Zieman	220 E 1 st	El Dorado, KS
Jason Patty	220 E 1 st	El Dorado, KS
Marlene Avery	El Dorado Band	El Dorado, KS
Kristi Jacobs	Bradford Memorial Library	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Emily Connell	Main Street	El Dorado, KS
Matt Guthrie		El Dorado, KS
Ryan Liess	Intrust Bank	El Dorado, KS
Ed Gard	Intrust Bank	El Dorado, KS
Jeff Smith	Intrust Bank	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the June 14, 2017 Special City Commission meeting to order at 4:00 p.m.

UPCOMING AGENDA ITEMS

City Manager David Dillner reviewed the items that would be placed on the next agenda.

LAKE DEBT INVESTMENTS

Jeff Smith, Intrust Bank, reviewed the investment portfolio.

The City Commission requested a model of what activation of the third bowl would look like including infrastructure payments. They also requested that the attorney review the contract to discuss the possibility of renegotiating.

BAD DEBT

Tabled until a future meeting.

2018 PROPOSED BUDGET DISCUSSION

Staff presented information on the 2018 proposed budget.

The City Commission requested that staff return with a proposal that includes increasing the mill levy and cutting additional services to reduce the deficit.

REPORTS

CITY COMMISSION

None.

CITY MANAGER

City Manager David Dillner stated that the Parks and Recreation Master Plan task force has met and would like to understand the Commission's support of a sales tax as a funding source.

The City Commission agreed that they will submit a sales tax for public vote.

City Manager Dillner stated that he would like to rethink the duties of the CVB and make it into a marketing department for the City of El Dorado.

The City Commission stated that they would like to see the plan.

ADJOURNMENT

Commissioner Chase Locke moved to adjourn the meeting at 6:07 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines

EL DORADO CITY SPECIAL COMMISSION MEETING

June 28, 2017

The El Dorado City Commission met in special session on June 28, 2017 at 4:00 pm at City Hall with the following present: Mayor Vince Haines, Commissioner Chase Locke, Commissioner Gregg Lewis, Commissioner Nick Badwey, Commissioner Kendra Wilkinson, City Manager David Dillner, Finance Director Tammy Schaffer, City Engineer Scott Rickard and City Clerk Tabitha Sharp.

VISITORS

Kurt Bookout	220 E 1 st	El Dorado, KS
Joe Haag	220 E 1 st	El Dorado, KS
Kevin Wishart	220 E 1 st	El Dorado, KS
Chad Young	220 E 1 st	El Dorado, KS
Barbara Templin	El Dorado Band	El Dorado, KS
Marlene Avery	El Dorado Band	El Dorado, KS
Kristi Jacobs	Bradford Memorial Library	El Dorado, KS
Linda Jolly	El Dorado Inc.	El Dorado, KS
Emily Connell	Main Street	El Dorado, KS
Matt Guthrie		El Dorado, KS
Bob Anderson	Marmaton Road	El Dorado, KS
Susie Carson	El Dorado Chamber	El Dorado, KS
Vicki Bell	El Dorado Broncos	El Dorado, KS

CALL TO ORDER

Mayor Vince Haines called the June 28, 2017 Special City Commission meeting to order at 4:00 p.m.

UPCOMING AGENDA ITEMS

City Manager David Dillner reviewed the items that would be placed on the next agenda.

TOWNSHIP VILLAGE STREET IMPROVEMENTS

City Engineer Scott Rickard presented the Commission with options to complete the improvements in Township Village. He stated that the annexation of Township Village was done with the promise of street improvements and so the City must continue those projects.

The City Commission stated that they would be willing to initiate the project and allow a protest petition period.

2018 PROPOSED BUDGET DISCUSSION

Staff presented the proposed split in cuts to services with a potential increase in the mill levy.

The City Commission requested that staff have discussions with all partner agencies regarding their willingness to lower their budget requests.

Staff stated that the next budget meeting will be on July 12th and they will discuss the proprietary funds.

REPORTS

CITY COMMISSION

None.

CITY MANAGER

City Manager David Dillner stated that the Parks and Recreation Master Plan task force has reviewed opportunities for the new pool proposal and will be moving forward with a timeline for a sales tax in the spring of 2018.

ADJOURNMENT

Commissioner Chase Locke moved to adjourn the meeting at 5:50 p.m.

Commissioner Nick Badwey seconded the motion.

Motion carried 5 – 0.

City Clerk Tabitha D. Sharp

Mayor Vince Haines

TO: City Commission
FROM: Tabitha Sharp, City Clerk
SUBJ: Creation of Holiday Inn Community Improvement District (CID)
DATE: June 29, 2017

Background:

The City Commission has received a petition for a CID to be located at 2525 W Central Ave. This Community Improvement District will levy a 2% sales tax to all sales on the property. The sales tax paid to the State of Kansas will then be returned to the property owner for the purpose of renovating the hotel facility. A public hearing must be set to consider the CID.

Policy Issue:

The City Commission is asked to consider whether to grant the creation of the Red Coach Inn Community Improvement District for economic development purposes.

Alternatives:

The City Commission may choose to not schedule the public hearing.

Fiscal Impact:

The proposed improvements will be financed by the petitioner and paid back with a 2% tax increase on the property, which includes the hotel and restaurant.

Trade-offs:

Although the negative impacts to the City are anticipated to be non-existent, the Commission should always ensure that applications for any and all economic development related incentives meet strict guidelines and are “fair” and “equitable.”

Staff Recommendation:

Set the public hearing for August 7th.

Commission Actions:

Commissioner _____ moved to approve Resolution No. _____, a resolution calling a public hearing on the advisability of creating a Community Improvement District with the City of El Dorado, Kansas; establishing a Community Improvement District sales tax to finance projects within such district; and providing for the giving of notice of such public hearing (Red Coach Inn Community Improvement District).

Commissioner _____ seconded the motion.

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON JULY 5, 2017**

The governing body met in regular session at the usual meeting place in the City, at 6:30 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)

Thereupon, there was presented a Resolution entitled:

**A RESOLUTION CALLING A PUBLIC HEARING ON THE ADVISABILITY OF
CREATING A COMMUNITY IMPROVEMENT DISTRICT WITHIN THE CITY
OF EL DORADO, KANSAS; ESTABLISHING A COMMUNITY IMPROVEMENT
DISTRICT SALES TAX TO FINANCE PROJECTS WITHIN SUCH DISTRICT;
AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING
(RED COACH INN COMMUNITY IMPROVEMENT DISTRICT).**

Thereupon, Commissioner _____ moved that said Resolution be adopted. The motion was seconded by Commissioner _____. Said Resolution was duly read and considered, and upon being put, the motion for the adoption of said Resolution was carried by the vote of the governing body, the vote being as follows:

Yea:

Nay:

Thereupon, the Mayor declared said Resolution duly adopted and the Resolution was then duly numbered Resolution No. ____ and was signed by the Mayor and attested by the Clerk.

* * * * *

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

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)

Clerk

(Published in the *Butler County Times-Gazette* on July 15, 2017 and July 22, 2017)

RESOLUTION NO. ____

A RESOLUTION CALLING A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT WITHIN THE CITY OF EL DORADO, KANSAS; ESTABLISHING A COMMUNITY IMPROVEMENT DISTRICT SALES TAX TO FINANCE PROJECTS WITHIN SUCH DISTRICT; AND PROVIDING FOR THE GIVING OF NOTICE OF SUCH PUBLIC HEARING (RED COACH INN COMMUNITY IMPROVEMENT DISTRICT).

WHEREAS, pursuant to K.S.A. 12-6a26 *et seq.*, as amended (the “Act”), cities are authorized to create community improvement districts as a method of financing economic development related improvements in a defined area within the city; and

WHEREAS, the City of El Dorado, Kansas (the “City”) is a “municipality” within the meaning of the Act; and

WHEREAS, on June 20, 2017, a petition (the “Petition”) was filed with the City by requesting (a) that the community improvement district described therein (the “District”) be created; (b) that the City levy a community improvement district sales tax within the District in the amount of 2.0% (the “CID Sales Tax”); and (c) that the community improvement district project costs to be incurred within the District be financed on a pay-as-you-go basis, all in accordance with the Act; and

WHEREAS, pursuant to the Act, prior to considering the formation of the District and the imposition of the CID Sales Tax, the City Commission of the City (the “Governing Body”) must conduct a public hearing, notice of which shall be given in accordance with the provisions of the Act.

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

Section 1. Petition. The Governing Body hereby finds that the Petition was signed by owner of record of: (a) more than fifty-five percent (55%) of the land area; and (b) more than fifty-five (55%) percent of the assessed value of the land area contained within the District (the “Petitioner) and is in compliance with the provisions of the Act.

Section 2. Public Hearing. A public hearing before the Governing Body regarding the creation of the District and the imposition of the CID Sales Tax, shall be held on August 7, 2017 at 6:30 p.m. or as soon thereafter as the Governing Body may hear such matter, at the City Hall, 220 East 1st, El Dorado, Kansas.

Section 3. Description of District and CID Sales Tax. The Petition requests the creation of the District and imposition of the CID Sales Tax based on the following:

(a) **Boundaries of Proposed Community Improvement District.** The District proposed to be established by the City contains within its boundaries the real property legally described on **Exhibit A** attached hereto. A map of the District is attached as **Exhibit B** hereto.

(b) **General Nature of the Proposed District Project.** The general nature of the proposed project to be undertaken within the proposed District (the “Project”) is acquisition of an existing hotel, known as the Red Coach Inn, located at 2525 W. Central Avenue in the City, and construction of internal and external improvements thereto.

(c) **Estimated Costs of the Proposed Project.** The total estimated cost of the proposed Project is \$1,110,000 and the City’s administrative costs, all of which may be funded by the District (collectively, the “Project Costs”).

(d) **Proposed Method of Financing the Proposed Project; CID Sales Tax.** The Project will be privately financed. The Project Costs will be financed on a pay as you go basis, i.e., the Project Costs will be paid for by the Petitioner without the issuance of notes or bonds by the City. Upon completion of the Project, the Petitioner will be reimbursed for the Project Costs from moneys deposited in the District fund established by the City pursuant to K.S.A. 12-6a34 and in accordance with the terms of the Development Agreement to be entered into between the City and the Petitioner. A CID Sales Tax in the amount of 2.0% on the selling of tangible personal property at retail or rendering or furnishing of taxable services shall be imposed within the proposed District in accordance with the Act, and CID Sales Tax received by the City from the District shall be deposited in the District fund. No assessments will be levied on property within the proposed District.

Section 4. Notice of Public Hearing. Notice of such public hearing shall be given by publication of this Resolution once a week for two consecutive weeks in the official City newspaper, the last publication being not less than seven (7) days prior to the public hearing. In addition, the Clerk shall cause a copy of this Resolution to be sent by certified mail to the owners of property within the proposed District, such mailing to occur not less than ten (10) days prior to the public hearing.

Section 5. Effective Date. This Resolution shall take effect and be in full force from and after its adoption by the Governing Body.

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ADOPTED AND APPROVED by the City Council of the City of El Dorado, Kansas, on July 5, 2017.

(SEAL)

Mayor

ATTEST:

Clerk

CERTIFICATE

I, hereby certify that the above and foregoing is a true and correct copy of Resolution No. ____ of the City of El Dorado, Kansas, adopted by the governing body on July 5, 2017, as the same appears of record in my office.

DATED: July 5.

Clerk

EXHIBIT A

Legal Description of District

Tract 1:

Beginning at a point 501.02 feet West of the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M. in Butler County, Kansas, thence South 252.4 feet, West 160 feet, North 252.4 feet, East 160 feet to the Point of Beginning.

Tract 2:

Beginning 397.72 feet West of the Northeast Corner of the Northwest Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M. in Butler County, Kansas; thence South 494 feet; thence West 263.30 feet; thence North 494 feet; thence East 263.30 feet to the place of beginning EXCEPT Beginning at a point 501.02 feet West of the Northeast Corner of the Northwest Quarter of the Southeast Quarter of said Section 4, running thence South 252.4 feet, West 160 feet, North 252.4 feet, East 160 feet to the point of beginning.

Tract 3:

*Commencing at the Northwest Corner of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M. in Butler County, Kansas; thence South 76.5 feet to a concrete block in the right of way line of Highway K-196; (now Central Avenue) thence East 661.21 feet; thence South 150 feet for the place of Beginning; thence West 110 feet; thence South 150 feet; thence East 110 feet; thence North 150 feet to the place of Beginning
AND*

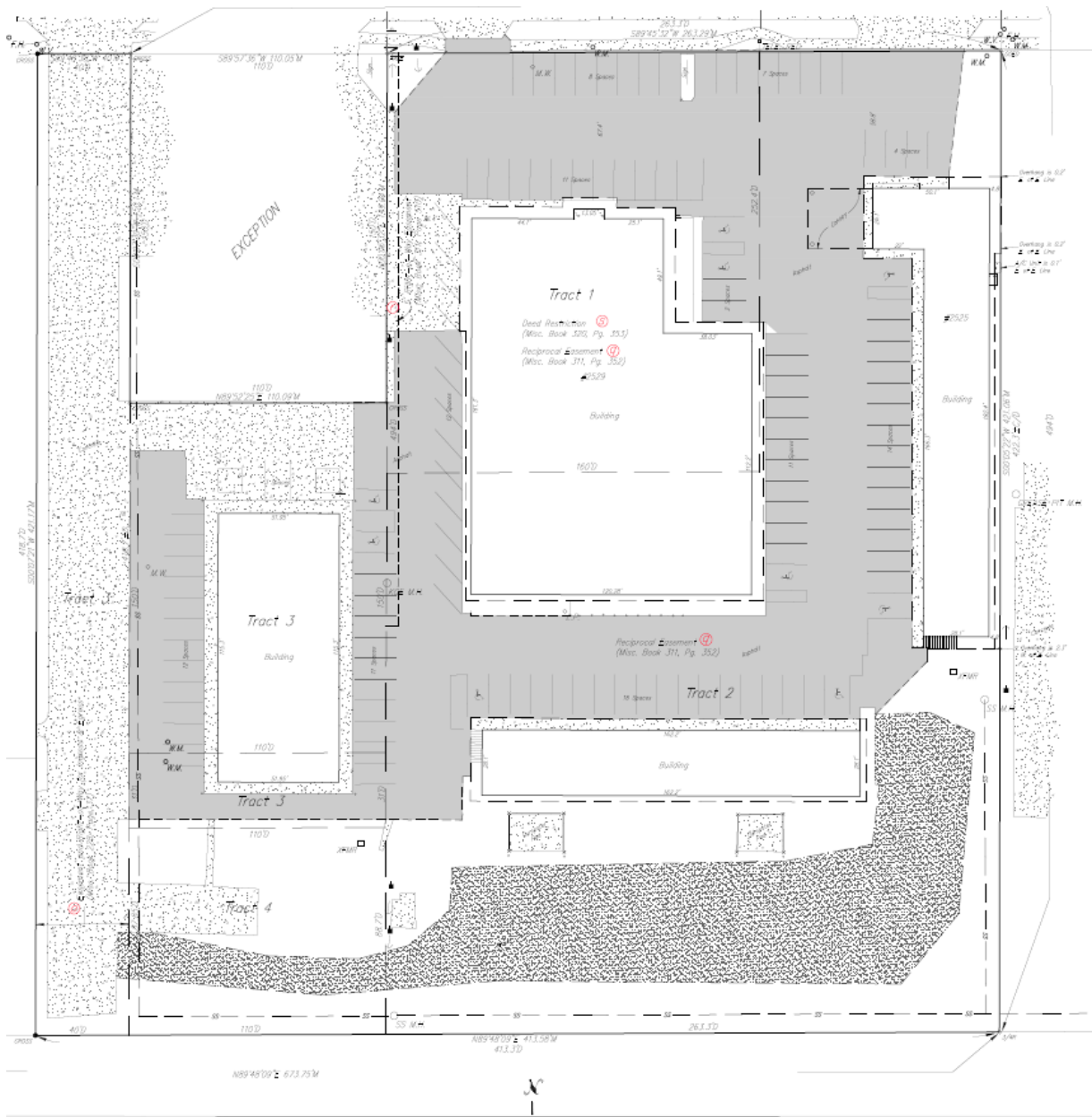
*Commencing at the Northwest Corner of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M. in Butler County, Kansas; thence South 76.5 feet to a concrete block in the right of way line of Highway K-196; (now Central Avenue) thence East 661.21 feet; thence South 300 feet for the place of Beginning; thence West 110 feet; thence South 31 feet; thence East 110 feet; thence North 31 feet to the place of Beginning
AND*

Beginning at a point on the South line of the right-of-way of Highway K-196 (as located June 23, 1960) that is 811.21 feet West of the East line of the Northwest Quarter of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M. in Butler County, Kansas; thence South 418.7 feet; thence East 40 feet; thence North 418.7 feet more or less, to the South right-of-way line of said highway; thence West along the South right-of-way line aforesaid, 40 feet to the place of Beginning.

Tract 4:

Beginning at a point 494 feet South and 551.02 feet East of the Northwest Corner of the Southeast Quarter of Section 4, Township 26 South, Range 5 East of the 6th P.M. in Butler County, Kansas, said point being on the East boundary of a roadway, thence East 110 feet; thence North 119.7 feet to a point which is 300 feet South of the South boundary of Highway K-196; (now Central Avenue) thence West 110 feet to the East boundary of a roadway; thence South 118.85 feet to the place of Beginning EXCEPT Commencing at the Northwest Corner of the Southeast Quarter of said Section 4; thence South 76.5 feet to a concrete block in the right of way line of Highway K-196; (now Central Avenue) thence East 661.21 feet; thence South 300 feet for the place of Beginning; thence West 110 feet; thence South 31 feet; thence East 110 feet; thence North 31 feet to the place of Beginning.

EXHIBIT B
Map of District



TO: City Commission
FROM: Tabitha Sharp, City Clerk
SUBJ: 2016 Standard Traffic Ordinance (STO) Seatbelt Revision
DATE: June 29, 2017

Background:

The State of Kansas has voted to increase the seatbelt violation costs as of July 1st, 2017. In order to be in compliance with State Law, we must amend the 2016 Standard Traffic Ordinance.

Policy Issue:

The 2016 STO must be amended because it was adopted by Ordinance No. G-1220 in August of 2016.

Alternatives:

N/A

Fiscal Impact:

These funds are sent directly to the State of Kansas, therefore there is no fiscal impact for the City of El Dorado.

Trade-offs:

N/A

Staff Recommendation:

Approve the ordinance amending the STO.

Commission Actions:

Commissioner _____ moved to approve Ordinance No. _____, an Ordinance amending section 182.1(d) of the 2016 Edition of the Standard Traffic Ordinance, as adopted by Ordinance No. G-1220, and repeal all conflicting ordinances and parts of ordinances of the City of El Dorado, Kansas.

Commissioner _____ seconded the motion.

Roll Call Vote

	Mayor Vince Haines	_____
Position No. 1	Commissioner Chase Locke	_____
Position No. 2	Commissioner Gregg Lewis	_____
Position No. 3	Commissioner Nick Badwey	_____
Position No. 4	Commissioner Kendra Wilkinson	_____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF EL DORADO AMENDING THE FINES FOR SEATBELT VIOLATIONS BY AMENDING SECTION 182.1(d) OF THE 2016 EDITION OF THE STANDARD TRAFFIC ORDINANCE, AS ADOPTED BY ORDINANCE NO. G-1220, AND REPEALING ALL CONFLICTING ORDINANCES AND PARTS OF ORDINANCES OF THE CITY OF EL DORADO, KANSAS.

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

Section 1: Amending Section 182.1(d) of the Standard Traffic Ordinance.

Section 182.1(d) of the Standard Traffic Ordinance as adopted by Ordinance No. G-1220, is hereby amended to read as follows:

“d. (1) Persons violating subsection (a)(1) shall be fined \$30 and no court costs;
and
(2) Persons violating subsection (a)(2) shall be fined \$60 and no court costs.”

Section 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed. However, any section of an existing ordinance not in conflict herewith is not repealed and remains in full force and effect.

Section 3: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Commission hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 4: That nothing in this ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 5: That the City Clerk is hereby ordered and directed to cause this ordinance to be published once in the official city newspaper.

PASSED AND APPROVED by the Governing Body on this 5th day of July 2017.

(SEAL)

Vince Haines, Mayor

ATTEST

Tabitha Sharp, City Clerk

APPROVED AS TO FORM

Ashlyn Lindskog, City Attorney