

EL DORADO

K A N S A S

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Weekly Report
DATE: January 21, 2022

Items of Note:

- In December, the Fire Department responded to 177 calls, of which 92 (52%) were medical/rescue calls and 19 (11%) were fire calls. Year-to-date, the department responded to 1,912 calls for service with 1,046 (55%) medical/rescue calls and 199 (10%) fire calls. Total fire calls for December amounted to \$150,500 in fire losses leading to year-to-date total losses of \$335,829. Average in-town response time for the year was 5 minutes, 43 seconds.
- The Police Department issued 1,941 citations in 2021 compared to 1,823 issued in 2020. Total incidents from the computer aided dispatch system (includes all cases, calls, traffic stops, etc.) came to 14,223 in 2021 compared with 13,800 in 2020. The department investigated 736 “Group A” offenses for the year, compared to 571 in 2020. Group A offenses are more serious and include such offenses as assault, criminal damage, drug offenses, and larceny/theft. The department investigated 405 “Group B” offenses, compared to 305 in 2020. Group B offenses include disorderly conduct, driving under the influence, and trespassing. A total of 239 warrants were issued
- The U.S. Department of Treasury published the final rule for the American Rescue Plan Act funds. The most significant change to the rule is a provision that allows cities to claim up to \$10 million as revenue replacement, which means communities may use the funds for general government expenses. This provision gives cities great flexibility in using these funds beyond the designated requirements set forth in the interim guidance. The City will receive \$1.9 million in American Rescue Plan funds, and has until 2024 to determine how to spend these funds.
- The Water Capacity Study continues to make progress. Presently, the consultants are working on modeling and triggers for expansion. The consultants are also preparing potential distribution system alignments to facilitate growth. Staff asked for additional data to help address a few immediate needs as well as to begin coordinating with the anticipated bridge construction on US-54. Such work includes:
 - Addressing the existing distribution bottle neck leaving the treatment plant;
 - Option for clear well standpipes that will help improve chlorine values to allow the City to increase its pumping capacities while deferring an extensive (and expensive) plant expansion; and
 - Construction of contact basin to improve chlorine values to benefit the system, especially in colder winter months.

Legislative Update:

- The Kansas Legislature started discussion on a significant economic development bill intended to make Kansas more competitive with respect to large economic development projects in excess of \$1 billion in investment. The legislation would establish new type of incentive by offering companies refundable income tax credits. A major employer could get its income tax liability down to zero, and the state could end up writing annual checks to the company for millions of dollars. The legislation says qualifying companies can receive 15% of their income tax liability, a 10% reimbursement on payroll costs, a 100% exemption on sales tax for construction and a 50% property tax incentive. It also would reimburse the company for 50% of employee training costs, up to \$5 million per year. Using figures provided by the state, a company looking to invest \$1 billion could qualify for up to \$800 million in just income and payroll benefits. An incentive package like this would have been beneficial for a large economic development project looking at El Dorado a year or so ago.
- Several bills have been introduced to eliminate the state sales tax on food (groceries, not restaurants). Both bills explicitly state that local sales taxes would continue to apply to food. The House Taxation Committee will hear HB 2484 and HB 2487 on this matter. The hearing in the Senate on SB 339 was postponed this week; expect it to be rescheduled soon. As you know, it is critical cities are allowed to levy sales taxes on food, particularly since many cities have sales tax revenues pledged to bond payments or to fund general government operations that would otherwise require a significant mill levy increase or reduction in public services.
- A couple of bills on search warrants have been getting hearings early in the Legislative Session. HB 2299 would increase the time in which to execute a warrant from 96 hours to 10 days. The bill received a hearing in the House Judiciary Committee this week. HB 2133 will receive a hearing next week in the House Corrections and Juvenile Justice Committee. This bill would only allow search warrants to be executed by uniformed officers and would require that the officer knock and announce their presence when executing a search warrant. There are times when, due to concerns regarding the safety of people in the dwelling and the destruction of evidence, officers need to be able to exercise discretion as to what is the safest manner to execute a search warrant. This bill would limit that discretion.
- The Senate Federal and State Affairs Committee held informational hearings this week on medical marijuana, sports gambling, and the election bills that have been taken up, passed, or proposed in the last few sessions. The Committee was scheduled to hear testimony on the medical marijuana bill that passed in the House during veto session last year (SB 158). However, the bill was withdrawn from the Committee and referred to the Committee on Interstate Cooperation, effectively putting a hold on the bill for now. In addition to these informational hearings, a number of bills were introduced that we will be keeping an eye on. Two of note had to do with housing incentives and tax credits. The language of these bills is not yet available.

Things to Think About:

- The Emporia City Commission recently approved the creation of a housing opportunity overlay district to allow for the potential development of smaller residential properties. The housing opportunity overlay district decreases the minimum lot sizes in a certain area from the 9,000 square feet mandated in city codes to 5,800 square feet. This would consequently increase the number of residential units that could be built within the identified area and could be a more cost-effective means of developing housing.
- EPA should recognize all drinking water and wastewater systems as eligible recipients of funding under the agency's new Water Workforce Infrastructure Development Grant Program, water sector associations wrote in a letter last week. The letter, which was signed by AWWA, NACWA, and WEF, in addition to AWMA, came soon after last year's major infrastructure bill made several reforms to the grant program that was originally created by Congress in 2018. The program is intended to aid in the development and utilization of activities that promote a diverse water sector workforce, such as on-the-job training, test preparation for skilled trade apprenticeships, and advanced training for water sector jobs. Last year's infrastructure legislation modified the program to make municipal public works departments, including water and sewer utilities, eligible to receive the workforce grants.

Personnel Update:

- *Vacant and currently advertised positions:* Police Officer (2), Public Works Maintenance Worker (3), Public Works Equipment Operator (2), Firefighter (2), Water Treatment Operator, Sanitation Lead, Pool Manager
- *Filled and currently advertised positions:* Police Chief
- Jacob McCoy, one the City's newest police officers will report to the Kansas Law Enforcement Training Center (KLETC) on February 14 for the state's fourteen-week certification program.
- The Police Department scheduled another interview/testing date for new applicants for January 26.
- I have made a decision regarding the Police Chief position. I will proceed with making an offer of employment. I anticipate making an announcement on Monday or Tuesday of next week assuming the candidate and I come to terms. The City Commission will receive an email ahead of the announcement.

Commission Calendar:

- *Upcoming City Commission Items (subject to change):*
 - **February 2 Work Session** – Advisory Board Appointments; Executive Limitations Policies; Outcomes Policies (cont.)
 - **February 7 Regular Meeting** – Year in Review; Advisory Board Appointments; Garcia Court Sanitary Sewer Project
 - **February 16 Work Session** – Economic Development Overview (El Dorado Inc., Main Street, and Chamber); Development Process and Incentives

- **February 21 Regular Meeting** – Myers East Addition Replat; 800 W. 6th Avenue Rezoning (R-3 to C-1); 4Q, 2021 Financial Report
- *Pending Items (Items to be scheduled for upcoming meeting once completed):* Augusta Wholesale Water Agreement; Street Cut Ordinance; Food Vendor Ordinance; Transient Vendor Ordinance; Business Park Re-platting and Rezoning

Other Events of Interest:

- **January 26** - Local Government Day in Topeka
- **January 27** - Inc. Annual Meeting (via Teams)
- **January 28** – Main Street Board Meeting (Elks Lodge)
- **February 4** – K-254 Corridor Association meeting (Bel Aire City Hall)
- **February 17** – REAP Executive Committee (Zoom)
- **March 1** – Annual Chamber Dinner, 5:30 pm (Civic Center)