

EL DORADO CITY COMMISSION – REGULAR MEETING AGENDA
CITY HALL – 220 E. FIRST AVENUE
February 4, 2019 – 6:30 PM

- 1. Call to Order**
- 2. Roll Call**
- 3. Invocation –**
- 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 ten 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. None

Old Business

9. None

New Business

10. Department presentations for Police and Fire
11. Project No. 553 - Sanitary Sewer Extension
12. Commission Appointments

Reports

13. City Commission and Advisory Board Updates
14. City Manager

Executive Session

15. Commissioner _____ moved to recess into executive session pursuant to the attorney-client exception under K.S.A. 75-4319(b)(2) for the purposes of discussing the ongoing litigation and to reconvene the meeting at ____ p.m. in the City Commission Room.
Commissioner _____ seconded the motion.

Adjournment

16. Consideration of a motion to adjourn the February 4, 2019 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.

2018 Commission Priorities

Water Sales • Community Image • Industrial and Business Parks • Parks and Recreation • Public Safety

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Department Presentations
DATE: January 30, 2019

Background:

Each department provides a brief presentation for the City Commission and the citizens. They have been asked to provide 1) a summary of the past year's accomplishments; 2) a brief summary of projects and initiatives planned for the upcoming year; and 3) a brief summary of major trends/challenges affecting the department's operations.

The Fire, Police and Administration departments are scheduled for the February 4th meeting.

Policy Issue:

None

Fiscal Impact:

None

Trade-offs:

None

Staff Recommendation:

None

Commission Actions:

None

2018 Commission Priorities

Water Sales • Community Image • Industrial and Business Parks • Parks and Recreation • Public Safety

TO: City Commission
FROM: Scott Rickard
SUBJ: Project No. 553-Sanitary Sewer Extension
DATE: January 28, 2019

Background:

Wilkinson Construction has presented a petition for sanitary sewer extension of Lots 1-14 in Block 7 of the CL Stone Addition

Policy Issue:

The City Commission must determine the advisability and authorize the making of the improvements.

Alternatives:

Not applicable.

Fiscal Impact:

The total cost of the project is \$55,667.00. The costs assessed to the improvement district will be \$55,667.00 and city-at-large costs will be \$0.00. The total cost of the project will be bonded, therefore allowing the improvement district to pay off the debt over a twenty year period.

Trade-offs:

The decision of a governing body to provide public improvements often requires nearby property owners to equally be assessed a portion of the improvements. In such instances, this requires balancing community benefits with potentially negative impacts on the assessed property owners.

Staff Recommendation:

Accept the petition and authorize the project.

Commission Actions:

Commissioner _____ moved that Resolution No. _____ a resolution determining the advisability of the making of certain internal improvements in the City of El Dorado, Kansas; making certain findings with respect thereto; and authorizing and providing for the making of the improvements in accordance with such findings (Sanitary Sewer Improvements/Sanitary Sewer Extension-Project No. 553).

Commissioner _____ seconded the motion.

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF EL DORADO, KANSAS
HELD ON FEBRUARY 4, 2019**

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, and among other business, there was presented to the governing body a Petition which has been filed in the Office of the City Clerk requesting the making of certain internal improvements in the City pursuant to the authority of K.S.A. 12-6a01 *et seq.*

Thereupon, there was presented a Resolution entitled:

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/SANITARY SEWER EXTENSTION - PROJECT 553).

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; and the Clerk was further directed to cause the publication of the Resolution one time in the official City newspaper and to record the Resolution in the Office of the Register of Deeds of Butler County, Kansas, all as required by law.

(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

NOTE: To be recorded with the Register of Deeds of Butler County, Kansas

(Published in the *Butler County Times-Gazette* on February 9, 2019)

RESOLUTION NO. _____

A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF EL DORADO, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER IMPROVEMENTS/SANITARY SEWER EXTENSTION / PROJECT 553).

WHEREAS, a petition (the “Petition”) was filed with the City Clerk of the City of El Dorado, Kansas (the “City”) proposing certain internal improvements; and said Petition sets forth: (a) the general nature of the proposed improvements; (b) the estimated or probable cost of the proposed improvements; (c) the extent of the proposed improvement district to be assessed for the cost of the proposed improvements; (d) the proposed method of assessment; (e) the proposed apportionment of the cost between the improvement district and the City-at-large; and (f) a request that such improvements be made without notice and hearing as required by K.S.A. 12-6a01 *et seq.*; and

WHEREAS, the governing body of the City hereby finds and determines that said Petition was signed by the owner of record of all the area liable for assessment for the proposed improvements, and is therefore sufficient in accordance with the provisions of K.S.A. 12-6a01 *et seq.* (the “Act”).

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

Section 1. Findings of Advisability. The governing body hereby finds and determines that:

(a) It is advisable to make the following improvements (the “Improvements”):

Extension of Sanitary Sewer, to serve the area described as the Improvement District, all in accordance with City standards and plans and specifications prepared or approved by the City Engineer.

(b) The estimated or probable cost of the proposed Improvements is: \$55,667; said estimated cost to be increased at the pro rata rate of 1 percent per month from and after the date of adoption of this Resolution.

(c) The extent of the improvement district (the “Improvement District”) to be assessed for the cost of the Improvements is:

Lots 1 thru 14, in Block 7 of the CL Stone Addition to the City of El Dorado in Butler County, Kansas.

(d) The method of assessment is: equally per lot (14 lots). In the event all or part of the lots or parcels in the proposed Improvement District are replatted before assessments have been levied, the assessments against the replatted area shall be recalculated on the basis of the method of assessment set forth herein. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

(e) The apportionment of the cost of the Improvements between the Improvement District and the City-at-large is: 100% to be assessed against the Improvement District and 0% to be paid by the City-at-large.

Section 2. Authorization of Improvements. The abovesaid Improvements are hereby authorized and ordered to be made in accordance with the findings of the governing body of the City as set forth in **Section 1** of this Resolution.

Section 3. Bond Authority; Reimbursement. The Act provides for the costs of the Improvements, interest on interim financing and associated financing costs to be paid by the issuance of general obligation bonds or special obligation bonds of the City (the "Bonds"). The Bonds may be issued to reimburse expenditures made on or after the date which is 60 days before the date of this Resolution, pursuant to Treasury Regulation 1.150-2.

Section 4. Effective Date. This Resolution shall be effective upon adoption. This Resolution shall be published one time in the official City newspaper, and shall also be filed of record in the office of the Register of Deeds of Butler County, Kansas.

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ADOPTED by the governing body of the City on February 4, 2019.

(SEAL)

By: _____

Name: Vince Haines

Title: Mayor

ATTEST:

By: _____

Name: Tabitha Sharp

Title: Clerk

CERTIFICATE

I hereby certify that the above and foregoing is a true and correct copy of the Resolution of the City adopted by the governing body on February 4, 2019, as the same appears of record in my office.

DATED: February 4, 2019.

By: _____

Name: Tabitha Sharp

Title: Clerk

2018 Commission Priorities

Water Sales • Community Image • Industrial and Business Parks • Parks and Recreation • Public Safety

TO: City Commission
FROM: Tabitha Sharp, City Clerk
SUBJ: Commission Appointments
DATE: February 4, 2019

Background:

Our City Commission form of government calls for the Commission to appoint a Vice-Mayor to serve for the Mayor in his/her absence. This position is a one-year term. Previous Vice-Mayors were Gregg Lewis (2018), Chase Locke (2016-2017), Nick Badwey (2015-2016), David Chapin (2014-2015), Bill Young (2013-2014), Nick Badwey (2012-2013), Shane Krause (2011 – 2012), David Chapin (2009 – 2010 and 2010 – 2011), Steve Reynolds (2008-2009), and Linda Clark (2007 – 2008).

The City Commission has elected to appoint an alternate to the EFABC in case Mayor Haines or Commissioner Lewis are unable to attend.

Commissioner Matt Guthrie has requested that another Commissioner fill his spot on the Parks and Recreation Advisory Board as he has two boards and others do not have one at this time.

Policy Issue:

In order to ensure that business can continue when the Mayor is unable to attend a meeting, the City Commission form of government requires a Vice-Mayor to serve in their place.

Alternatives:

N/A

Fiscal Impact:

N/A

Trade-offs:

N/A

Staff Recommendation:

Select a Commissioner to fulfill the duties of Vice-Mayor, Alternate EFABC member and Parks and Recreation Advisory Board Representative.

Commission Actions:

Commissioner _____ moved to select Commissioner Kendra Wilkinson as Vice-Mayor for the year 2019, Alternate EFABC member and Parks and Recreation Advisory Board Representative.

Commissioner _____ seconded the motion.