ABILENE CITY COMMISSION - STUDY SESSION AGENDA
ABILENE PUBLIC LIBRARY - 209 NW FOURTH STREET
May 5, 2015 - 7:00 pm

1. **PUBLIC COMMENTS.** Persons who wish to address the City Commission may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court are not permitted. Speakers are limited to three minutes. Any presentation is for informational purposes only. No action will be taken.

2. **ITEMS TO BE PLACED ON THE REGULAR AGENDA**
   a. **An Ordinance approving a Conditional Use Permit for 1118 NW 2nd Street, at the request of Scott Dawson Builders, Inc. for the construction of a duplex in an "R-1, Low Density Residential District" in the City of Abilene, Kansas.**

   b. **A Resolution making certain appointments to the various Board and Commissions of the City of Abilene, Kansas.**

3. **ITEMS PROPOSED FOR THE CONSENT AGENDA**
   a. **Meeting Minutes: April 27, 2015 regular meeting**

4. **ITEMS FOR PRESENTATION AND DISCUSSION**
   a. **Cedar House Funding Request**

   b. **Five-Year Capital Improvement Program**

   c. **Highlands Development Proposal**

5. **REPORTS**
   a. **City Manager's Report**

6. **ANNOUNCEMENTS** *(Meetings at Abilene Public Library unless otherwise provided)*
   a. Library Board, May 4 at 4:00 pm
   b. Kids Council, May 4 at 6:00 pm (Frontier Estates)
   c. Commission Study Session, May 5 at 7:00 pm
   d. Commission Meeting, May 11 at 4:00 pm
   e. Planning Commission, May 12 at 4:30 pm
   f. Budget Forum, May 14 at 6:30 pm
   g. Governing Body Institute, May 16 (Manor Conference Center, Topeka, KS)

STAFF REPORT

PC 14-9 Consideration of a Conditional Use Permit, 1118 NW 2nd Street at the request of Scott Dawson Builders, Inc. for the construction of a duplex in an "R-1, Low Density Residential District".

GENERAL INFORMATION

Date:	April 7, 2015	
Owner:	Scott and Maureen Dawson	
Applicant:	Scott Dawson Builders, Inc.	
Requested Action:	Approval of a Conditional Use Permit.	
Purpose:	To allow construction of a duplex	
Location address:	1118 NW 2nd Street.	
Comprehensive Plan:	Comprehensive Plan Shows this address as Low Density Residential potential (includes single family and possible two-family units).	
Sites Existing Zoning:	"R-1, Low Density Residential District"	
Surrounding Zoning and Land Use:	North	*R-1 Low Density Residential District occupied by one detached single family structure.*
	South	*C-2 Restricted Commercial District occupied by public use (USD 435 property).*
	East	*R-1 Low Density Residential District occupied by a single family home.*
	West	*R-1 Low Density Residential District occupied by a single family home.*
Land Area:	Contains approximately 1 acre. (120' x 140')	
Notice Date:	This project was published and noticed by mail as required by code.	

COMMENTS

1. The Applicant is proposing a duplex on a vacant lot with dimensions 120 by 140 feet.
2. The duplex will be similar to those built by the Applicant located on North Elm Street adjacent to Mud Creek.
3. The duplex will be 63' by 72'.

RECOMMENDATION AND FINDINGS

Staff and the Planning Commission are recommending approval of the proposed duplex based on the following criteria as outlined in Section 26-110 of the Zoning Regulations:

a. Consistency with intent and purpose of the zoning regulations – In general, this proposal is consistent with the intent and purpose as outlined in Article 1 of the regulations.

b. Compatibility of proposed use with surrounding uses – Although there are no two family units within the immediate vicinity of this property, the future land use map designation of "Low Density Residential Potential" includes both single family and two family uses.

c. Public infrastructure – This proposal may not pose a burden on Public water or sewer. It has also been determined that there may be no adverse impact to storm sewers. Since this lot could potentially be legally split to accommodate two single family homes which would have the same impact as one two-family unit.

d. Necessity of the proposal due to changes in the affected area – There have been no appreciable changes to the affected area other than the number of infill lots for the City as a whole have increased in recent years.

e. Length of time the property has remained vacant – This property has remained vacant at least since 2010.

f. Compatibility of the subject property for the proposed use – The duplex would be consistent and compatible with the surrounding residential uses.

h. Whether the Comprehensive Plan is furthered and supported by this proposal – This proposal is consistent with the goals and objectives for diversity of housing outlined in the Comprehensive Plan.

i. Adverse impacts on adjacent properties if all conditions placed upon the request are met – The purpose for imposing conditions on a proposal is to ensure that adjacent, conflicting uses are not detrimentally affected. It is staff opinion that this proposed use may not have an adverse impact on adjacent properties.

J. Solid Waste disposal facilities – Not Applicable.

K. Other items for consideration – In evaluating individual Conditional Use Permit applications, the Planning Commission may also consider the occurrence of similar land use patterns throughout the City. The proposal is by no means unique. There are a number of infill lots within Abilene which are currently zoned "R-1" which could by reason of their size accommodate a duplex.

COMMISSION OPTIONS:

1. Approve the Conditional Use Permit with conditions as deemed necessary;
2. Deny the request.

ORDINANCE NO. ____

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR 1118 NW 2ND STREET, AT THE REQUEST OF SCOTT DAWSON BUILDERS, INC., FOR THE CONSTRUCTION OF A DUPLEX IN AN "R-1, LOW DENSITY RESIDENTIAL DISTRICT" IN THE CITY OF ABILENE, KANSAS

WHEREAS, the Planning Commission reviewed a request from Scott Dawson Builders, Inc. concerning a Conditional Use Permit for the construction of a duplex in an "R-1, Low Density Residential District" at property generally located at 1118 NW 2nd Street in Abilene, Kansas;

WHEREAS, the Planning Commission conducted a Public Hearing per Article 26 of the Zoning Regulations of the City of Abilene, Kansas, on April 14, 2015, and following public comment recommended approval of a Conditional Use Permit allowing the construction of a duplex on the above referenced property.

NOW, THEREFORE BE IT ORDAINED, by the City Commission of the City of Abilene, as follows:

SECTION ONE. Conditional Use Permit. That a Conditional Use Permit is hereby issued to Scott Dawson Builders, Inc. for the construction of a duplex as generally provided in the Conditional Use Permit application as provided in **Exhibit A**, attached hereto.

SECTION TWO. Permit Conditions; Approval. Per Section 26-110 of the Zoning Regulations, the Planning Commission may impose, and the City Commission may approve, reasonable conditions on the approval of a Conditional Use Permit. There are no specific conditions for this Permit.

SECTION THREE. Implementation. The City Manager, or designee, is hereby authorized to issue a Conditional Use Permit once all conditions have been reasonably met.

SECTION FOUR. Effective Date. This Ordinance shall become effective and in full force from and after its passage, adoption and publication in the official City newspaper.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 11th day of May, 2015.

CITY OF ABILENE, KANSAS

By: _____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC
City Clerk

EXHIBIT A

Conditional Use Permit Application

Scott Dawson Builders, Inc.

1118 NW 2nd Street

Abilene, KS

May 11, 2015

CITY OF ABILENE, KANSAS

DEVELOPMENT APPROVAL APPLICATION FORM

419 N. Broadway · Abilene, Kansas 67410 · Tel: (785) 263-2550 · Fax: (785) 263-2552 · www.abilenecityhall.com

INSTRUCTIONS: *This Application and all required fees and information must be submitted in accordance with the Code of the City of Abilene and the City of Abilene Zoning and Subdivision Regulations. All information requested in this application must be provided and answered completely.*

PART I: TO BE COMPLETED BY APPLICANT

APPLICATION INFORMATION

APPLICATION FOR (CHECK APPROPRIATE BOX):

- ☐ ADMINISTRATIVE APPEAL
- ☐ ANNEXATION
- ☐ CERTIFICATE OF APPROPRIATENESS
- ☐ COMPREHENSIVE PLAN AMENDMENT
- ☒ CONDITIONAL USE PERMIT
- ☐ DEVELOPMENT CODE AMENDMENT
- ☐ FINAL PLAT
- ☐ HOME OCCUPATION PERMIT
- ☐ LANDMARK DESIGNATION
- ☐ LOT SPLIT
- ☐ LOT SPLIT
- ☐ NON-CONFORMING USE CERTIFICATE
- ☐ PRELIMINARY PLAT
- ☐ PLANNED DEVELOPMENT
- ☐ REPLAT
- ☐ REZONING / ZONING MAP AMENDMENT
- ☐ SITE PLAN
- ☐ VACATION (PLAT, STREET, EASEMENT)
- ☐ VARIANCE

FOR OFFICIAL USE ONLY

Appn Number: PC15-3

Date Received: 3/10/15

Received By: [illegible]

BRIEF DESCRIPTION OF APPLICATION PURPOSE:

_____

_____

APPLICANT INFORMATION

APPLICANT/AGENT (If Not Property Owner):

Name: Maureen Dawson Tel: (KS) 263-7731

Business Name: Scott Dawson Builders Inc. Fax: ( ) "

Address: 2458 Gulp Rd

City: Abilene State: Ks Zip Code: 67410

E-mail: scottdawsonbuilders@gmail.com

PROPERTY OWNER (If Different from Applicant/Agent):

Name: _____ Tel: ( )

Business Name: _____ Fax: ( )

Address: _____

City: _____ State: _____ Zip Code: _____

E-mail: _____

ENGINEER/ARCHITECT/SURVEYOR:

Name: _____ Tel: ( )

Business Name: _____ Fax: ( )

Address: _____

City: _____ State: _____ Zip Code: _____

E-mail: _____

PROPERTY INFORMATION

PROPERTY ADDRESS OR GENERAL LOCATION (IN RELATION TO NEAREST STREETS):

1118 NW 2nd

PROPERTY TAX IDENTIFICATION NUMBER: _____

ZONING: Existing: R-1 (Low Density Res) Proposed: _____

LAND USE: Existing: Vacant Proposed: Duplex Residential

GROSS SIZE OF PLAT/LOT: 120' x 140'

Residential: X Commercial: _____ Industrial: _____ Other: _____ Total: _____

NUMBER OF LOTS:

Residential: 1 Commercial: _____ Industrial: _____ Other: _____ Total: _____

IMPROVEMENT CHARACTERISTICS:

Number of Buildings or Structures: 1 Total Building Area: 3,666'

Maximum Height of Buildings or Structures: 18' Total Impervious Area: 1,092'

EXISTING PUBLIC FACILITIES:

	Public	Private	Other (Describe)
Water Service:	☒	☐	☐
Wastewater Service:	☒	☐	☐
Roadway Access:	☒	☐	☐

FLOODPLAIN INFORMATION:

Floodway: ☐Yes ☒No FIRM Map-Panel Number: _____

Floodway Fringe: ☐Yes ☒No Zone: X

ARE ANY OTHER PERMITS OR DEVELOPMENT APPROVALS REQUIRED, APPLIED FOR OR RECEIVED FOR THE APPLICATION PROPERTY BY THE CITY OR ANY OTHER JURISDICTION OR AGENCY?

☐Yes ☐ No If Yes, Describe Briefly and Attach a Copy of Each Permit, Approval or Application

APPLICANT/PROPERTY OWNER CERTIFICATION*

I/we acknowledge receipt of the instruction sheet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completely filled in; is accompanied by a current abstractor's certificate as required in the instruction sheet; and is accompanied by the appropriate fee. I/we further certify that the foregoing information is true and correct to the best of our knowledge. I/we acknowledge that the City of Abilene Planning Commission, Board of Zoning Appeals or City Commission shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

_____ Applicant Signature 3/10/15 Date

_____ Property Owner Signature _____ Date

** This Application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this Application.*

PART II - TO BE COMPLETED BY STAFF

DOCUMENTS TO BE SUBMITTED WITH APPLICATION**

- ☒ Copy of Deed
- ☒ Site Plan
- ☐ Infrastructure Plans
- ☐ Elevation Survey
- ☐ Performance Agreement
- ☐ Text Amendment Language
- ☐ Annexation Boundary Map
- ☐ Variance Justification
- ☐ Easements and Covenants
- ☐ Preliminary Plat
- ☐ Development Agreement
- ☐ Traffic Impact Study
- ☐ Proof of Notification
- ☐ Property Owner List
- ☐ Operating Characteristics Report
- ☐ Other _____
- ☐ Location Map
- ☐ Final Plat
- ☐ Grading and Stormwater Plans
- ☐ Construction Plans
- ☐ Utility Plans
- ☐ Comprehensive Plan Amendment Justification
- ☐ Administrative Appeal Justification

Additional document requirements provided to applicant on _____. The applicant is advised that the application is not accepted for public review until such time as the above identified documents are submitted and a Determination of Complete Application is certified.

_____ Name	_____ Title
_____ Signature	_____ Date

*** Number of copies for submission determined by Zoning Administrator. The Zoning Administrator may request additional information as deemed necessary to properly evaluate the permit application.*

APPLICATION REVIEW

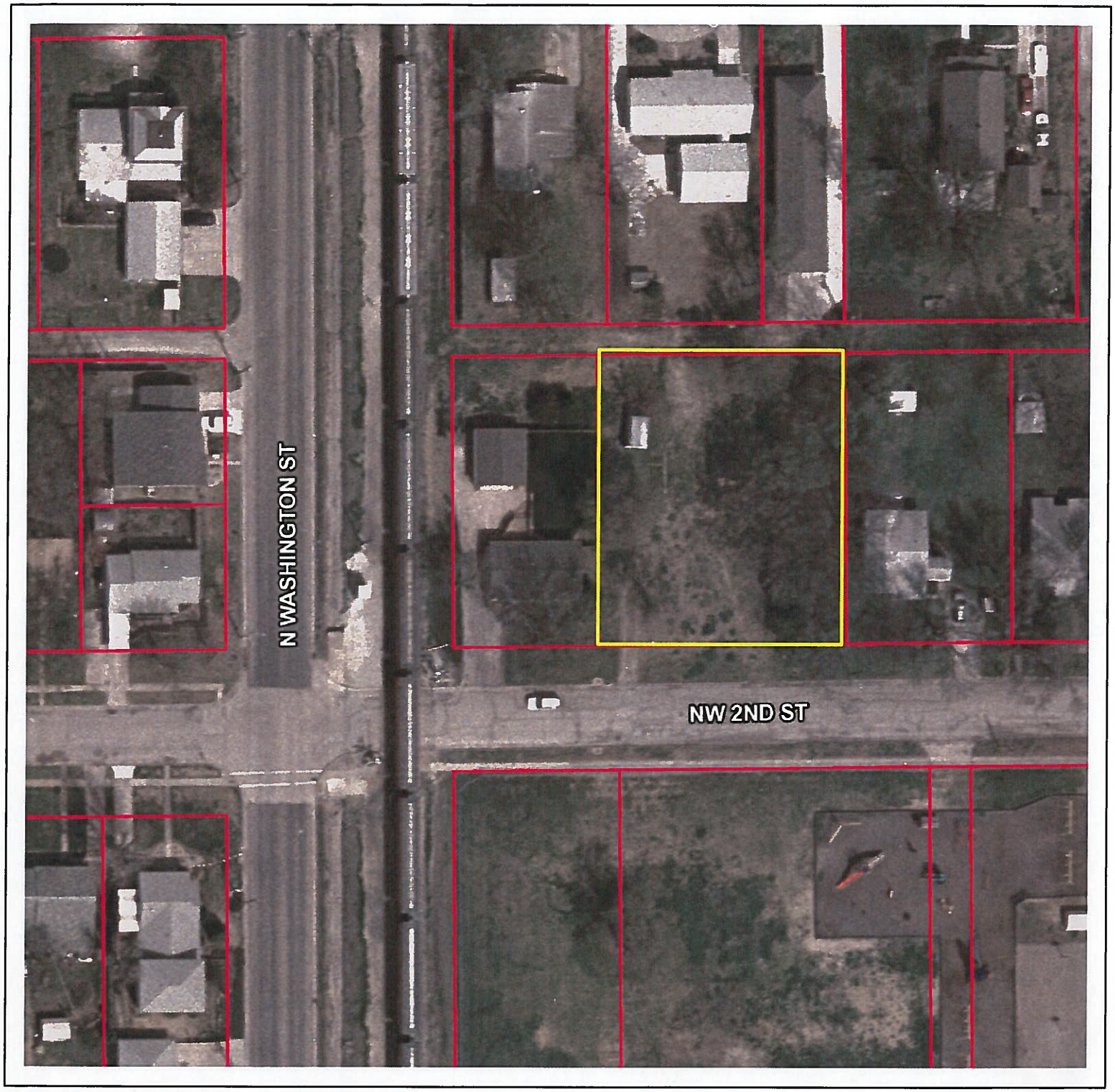
DECISION-MAKING BODY: ☐ Staff ☒ Planning Commission ☐ Heritage Commission ☐ Board of Zoning Appeals ☒ City Commission ☐ Other (specify):_____

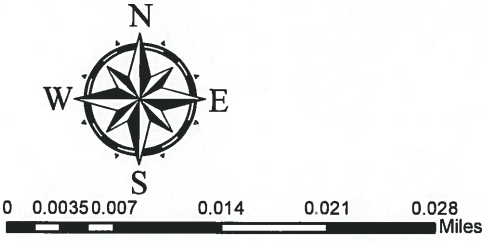
DATE OF INITIAL HEARING(S): PC 4/14/15 CC 5/11/15

FEE AMOUNT: $100.00 **DATE FEE PAID:** $100.00 3/10/15

DETERMINATION OF COMPLETE APPLICATION:
I certify that the Development Approval Application and attached documents are sufficient in form and content for review and recommendation by the decision-making bodies of the City of Abilene. As such, all required notifications and hearings may proceed pursuant to City regulations and procedures. This certification does not preclude the review, recommendation and/or decision-making bodies from requesting additional information as deemed necessary to serve the public interest.

Tim Hamilton Name	Director Title
[signature] Signature	3/10/15 Date


N WASHINGTON ST
NW 2ND ST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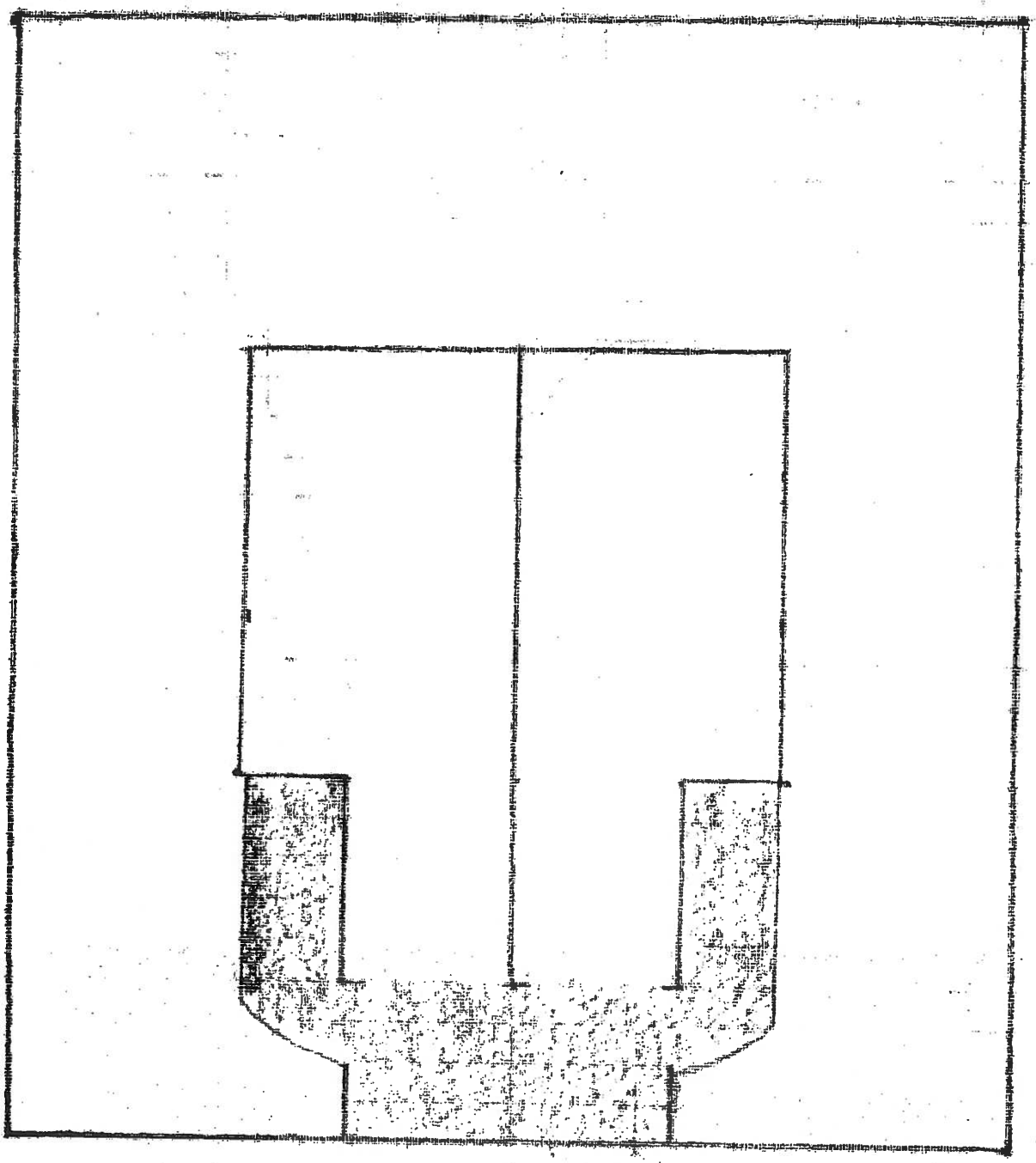
0 0.0035 0.007 0.014 0.021 0.028
Miles

Site plan

Dawson 1118 N W 2nd.

26' front setback.
28' 5" Side Setbacks
42' Back yard.



Lot 120' + 140' Duplex 63' + 72'

Entered in Transfer Record in my office this 1 day of Aug, 20 13 A.D.
Barbara M. Jones Co. Clerk
Jeanne Lundgren Deputy Co. Clerk

STATE OF KANSAS, DICKINSON COUNTY
Karen J. Freeman, Register of Deeds
Book: D250 Page: 637-638
Receipt #: 253458
Pages Recorded: 2
Cashier Initials: JF
Recording Fee: $12.00
Authorized By
Date Recorded: 8/1/2013 2:21:52 PM

First American

KANSAS WARRANTY DEED

Grantor(s): **Vernon D. Howard, a single person**

Grantee(s): **Scott A. Dawson and Maureen L. Dawson, Trustees of the Maureen Dawson Trust under Agreement dated February 3, 1993**
Grantee(s) mailing address: **2458 Gulf Rd, Abilene, KS 67410**

In consideration of One Dollar and other valuable consideration, the receipt of which is hereby acknowledged, the Grantor(s) ***GRANT, BARGAIN, SELL, CONVEY AND WARRANT*** to Grantee(s), the following described premises, to wit:

Lots Twenty-five (25), Twenty-seven (27) and Twenty-nine (29), on North Second Street, Lebold's Fourth Addition to the City of Abilene, Dickinson County, Kansas.

Subject to all easements, restrictions, reservations and covenants, if any, now of record

The Grantor(s) hereby covenanting that the Grantor(s), their heirs, successors and assigns, will ***WARRANT AND DEFEND*** the title to the premises unto the Grantee(s), their successors and assigns, against the lawful claims of all persons whomsoever, excepting however the general taxes for the current calendar year and thereafter, and the special taxes becoming a lien after the date of this deed.

RESOLUTION NO. _____

A RESOLUTION APPROVING ANNUAL APPOINTMENTS TO THE VARIOUS BOARDS AND COMMISSIONS OF THE CITY OF ABILENE, KANSAS

WHEREAS, Article 8 of Chapter 1 of the City Code of the City of Abilene establishes certain appointed boards and commissions for the City of Abilene, Kansas;

WHEREAS, the City of Abilene appoints members to said boards and commissions each year in May; and

WHEREAS, serving on appointed boards and commissions provides members of the public to serve their community in a unique and appreciated manner.

NOW, THEREFORE BE IT RESOLVED, by the City Commission of the City of Abilene, as follows:

SECTION ONE. Annual Appointments. That the following appointments are made to the following Boards and Commissions of the City of Abilene, Kansas:

- Airport Advisory Committee: Jim Price and Ralph Viola with terms ending in 2018;
- Board of Zoning Appeals: Brenda Finn Bowers with a term ending in 2018;
- Building Standards Board: Barry Griffis, Greg Hottman, and Max Linder with terms ending in 2018;
- Convention and Visitor Bureau: Deb Sanders with a term ending in 2018;
- Economic Development Council: Ken King and Russ Wilkins with terms ending in 2018;
- Heritage Commission: Nanc Scholl and Brenda Finn Bowers with terms ending in 2018;
- Kids Council: Blair Adams and Stocton Timbrook with terms ending in May of 2017;
- Planning Commission: Bruce Dale and Steven Olson with terms ending in 2018;
- Recreation Commission: Justin Panzer with a term ending in August 2018;
- Sister City Committee: Corina Ryland, Scott Anderson, and Kevin Unruh with terms ending in 2018; and
- Tree Board: John Barbur with a term ending in 2018.

SECTION TWO. Guidelines for Operations. Appointed boards and commissions shall follow the guidelines for appointed boards and commissions as defined by Section 1-813 and 1-814 of the City Code. The City Manager, or the designated staff representative, shall provide an orientation for new members of appointed boards and commissions.

SECTION THREE. Recognition for Service. The City of Abilene wishes to recognize those who have served on its appointed boards and commissions that will not be continuing their service. The City Manager shall have prepared a Certificate of Service to be signed by the Mayor to be provided to each member resigning from their board or commission.

SECTION FOUR. Effective Date. That the effects of this Resolution shall be in full force after its approval by the City Commission.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 11th day of May, 2015.

CITY OF ABILENE, KANSAS

By:_____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC
City Clerk

Abilene City Commission Minutes
Abilene Public Library
April 27, 2015 @ 4:00 p.m.
Abilene, Kansas

1. **Call to Order**

2. **Roll Call** – City Commission Present: Mayor Bowers, Commissioners Ray, Casteel, Weishaar and Payne.

Staff Present: City Manager Dillner, Human Resources Director/City Clerk Soukup, Finance Director Rothchild, City Attorney Guilfoyle, Public Works Director Schrader, Convention & Visitors Bureau Director Purkis, Parks & Recreation Director Foltz, Police Chief Heimer and Fire Chief Sims.

Others Present: Erik Hageman, Sydney Hall, Samantha Kenner, Lisa Seiser, Abilene Reflector Chronicle, Wendy Moulton, Mary Jane Oard, Hank Royer, Diane Miller and Gary Liby.

3. **Pledge of Allegiance** - Mayor Bowers led the Pledge of Allegiance.

Outgoing Commissioner Bowers made a statement to the staff: "When I was elected 8 years ago, I joined a City Manager and staff who had been demoralized and micro-managed to death but through it all you commitment to the City of Abilene never waivered."

"You have all heard me say over and over again, 'A City Commissioner is on as good as the staff'. If my service to you has been on quarter as commendable as yours, I have done well. You have led this commission with your professionalism, courage, loyalty, patience, understanding, humor, expertise, kindness and respect."

"If I have ever let you down, forgive me, but know that the last 8 years have been better for having shared it with all of you. You are the best and don't ever let anyone convince you otherwise."

City Commission Installation

4. Oath of Office for Newly Elected Commissioners

City Clerk Soukup gave the Oath of Office to Newly Elected Commissioners, Timothy Shafer, Dee Marshall and John Ray.

5. Nominations for Mayor and Vice-Mayor

Motion by Commissioner Payne, seconded by Commissioner Shafer to nominate Dennis Weishaar to serve as Mayor and Dee Marshall to serve as Vice-Mayor. Motion carried unanimously 5-0.

6. Recognition of Out-Going Commissioners

Mayor Weishaar presented Brenda Bowers and Angie Casteel plaques recognizing them for the service as City Commissioners for the City of Abilene and thanked them for their service.

Consent Agenda

7. Agenda Approval for the April 27, 2015 City Commission Meeting
8. Meeting Minutes: April 13, 2015, Regular Meeting
9. A Resolution authorizing certain signatories on deposit accounts at Financial Institutions for the City of Abilene, Kansas.

Motion by Commissioner Ray, seconded by Commissioner Payne to approve the Consent Agenda as presented. Motion carried unanimously 5-0.

Public Comments and Communications

10. 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 by the Mayor. Comments on personnel matters and matters pending before court are not permitted. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.

Mayor Weishaar asked for any comments or communications from the public that are not on the agenda.

Hank Royer expressed his concerns about the accelerating and continuing construction project at First and Elm Streets with the Flint Hills Grain, LLC elevator. He is concerned that this illegal and unnecessary project is being allowed to continue and expects that the two illegal elevators will have to be unused or removed in the future. The neighborhood and most of the City are being distressed by this construction. There have been ongoing problems with dust and debris blowing around the City.

11. Declaration. At this time City Commissioners may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

There were no declarations.

Proclamations and Recognition

12. Kansas Tourism Week Proclamation

Commissioner Payne read a proclamation designating May 2-10, 2015 as Travel and Tourism Week in Kansas. It was presented to Glenda Purkis, Mary Jane Oard and Deb Sanders.

Public Hearings

13. There were no public hearings.

Old Business

14. There was no old business.

New Business

15. Consideration of an Ordinance amending Articles 27 and 28 of the Zoning Regulations of the City of Abilene, Kansas, concerning signage and floodplain regulations, respectively.

City Manager Dillner presented information regarding Ordinance No. 3269, which requires the installation of electronic signs to be approved with a Conditional Use Permit on a case by case basis and they can only be in a commercial or industrial zoning districts with the exception that they are prohibited in the historic downtown district. Section 28 revises the floodplain regulations to follow the state template.

Motion by Commissioner Ray, seconded by Commissioner Marshall to adopt Ordinance No. 3269 **AN ORDINANCE AMENDING ARTICLES 27 AND 28 OF THE ZONING REGULATIONS OF THE CITY OF ABILENE, KANSAS, CONCERNING SIGNAGE AND FLOODPLAIN REGULATIONS, RESPECTIVELY**. Motion carried unanimously 5-0.

16. A Resolution approving a Memorandum of Understanding between the Championship Demolition Derby Association and the City of Abilene, Kansas, concerning the sale of cereal malt beverages on City-owned property.

City Manager Dillner explained this is the same Memorandum of Understanding we have approved in previous years, the dates have just changed.

Commissioner Weishaar asked Police Chief Heimer to comment.

Police Chief Heimer explained they will use the same criteria for security as last year. There were no problems or concerns last year.

Motion by Commissioner Payne, seconded by Commissioner Marshall to approve Resolution No. 042715-2 **A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CHAMPIONSHIP DEMOLITION DERBY ASSOCIATION AND THE CITY OF ABILENE, KANSAS, CONCERNING THE SALE OF CEREAL MALT BEVERAGES ON CITY-OWNED PROPERTY**. Motion carried unanimously 5-0.

17. A Resolution making certain appointments to the Library Board of the City of Abilene, Kansas.

City Manager Dillner explained this resolution approves the appointment of Mitzi Gose and Emma Detrixhe to the Library Board for terms ending in 2019 and Sheila Biggs for an unexpired term ending in 2018.

Motion by Commissioner Shafer, seconded by Commissioner Payne to approve Resolution No. 042715-3 **A RESOLUTION APPROVING ANNUAL APPOINTMENTS TO THE LIBRARY BOARD OF THE CITY OF ABILENE, KANSAS.** Motion carried unanimously 5-0.

Reports

18. City Manager Reports

City Manager Dillner said that the City has communicated with Flint Hills Grain, LLC that they can proceed with the construction at their own risk. The Planning Commission meets May 12th and they will discuss it then.

19. Expenditure Report

Adjournment

20. Consideration of a motion to adjourn the April 27, 2015 City Commission meeting.

Motion by Commissioner Ray, seconded by Commissioner Payne to adjourn at 4:28 p.m. Motion carried unanimously 5-0.

(Seal)

Dennis P. Weishaar, Mayor

ATTEST:

Penny L. Soukup, CMC
City Clerk

The Cedar House

The Cedar House is a supervised sober living environment. We provide the next step on the path of recovery. Successfully maintaining sobriety requires an individual to alter how they live and rebuild their life and behaviors from the ground up. The Cedar House helps residents to recreate their roots and to strengthen their wings.

The Cedar House Mission

The Cedar House is a Women's Sober Living environment where we provide an atmosphere of caring support, structure, rules, education and guidance.

The Cedar House

785.280.1391

Pray.It.Forward@Outlook.com

PO Box 581
Abilene, KS 67410

The Cedar House

Who We Help...

The Cedar House works with women who have a deep desire to stay sober and who are willing to make a long-term commitment to changing how they live their lives.

We recommend residents make a commitment of one year. Residents must complete a period of drug and/or alcohol treatment prior to entrance into The Cedar House program.

How we Help...

Although we believe that true healing and recovery can only come from within the individual, we also believe that there are many tools and strategies one needs to learn in order to understand oneself, cope with their disease and establish a healthy, happy and fulfilling life.

The Cedar House provides residents with Mentors, Sponsors and Life Coaches to create a vision for a clean and sober life and establish goals to achieve that vision.

Program Components

* Communal Sober Living Environment with responsibilities
* AA/NA Meetings
* Spirituality Meetings
* Life Skills Education
* Volunteer in and around the communities we serve
* Required Employment
* Attend Semi-Annual AA/NA Conventions
* Financial Responsibility
* Plan of Hope - Goal Setting

We provide "Roots" to give you "Wings"

The Cedar House Foundation

The Cedar House is a supervised sober living house that provides education, on-site therapy and Kansas Certified Peer Mentoring for women who are willing to make a long-term commitment to changing how they live their lives.

The Cedar House was established in June of 2012. During the first year the house was renovated by individuals who were in drug and alcohol treatment programs. Total cost of construction and wages were met through private funding. In 2013 The Cedar House formed a development committee which met weekly to research and design programs for residents who would enter the house beginning mid-year 2014. May 2014 we opened our doors to the first resident. Since that time we have provided a safe and stable full time living environment to a total of eight individuals who have benefited from life skills training, physical and occupational therapy, spiritual counseling and career development. In October of 2014 we gained 501c3 status as a nonprofit organization.

There is also an outreach program that works in conjunction with The Cedar House supervised recovery home. The S.O.S. Cabin is an outreach that holds recovery meetings each Monday evening from 6:00pm-8:00pm for women seeking education and mentoring in alcohol and drug prevention, intervention and 12 step programs. The outreach of The Cedar House has maintained an attendance of approximately 15-20 women per week for the past 2 ½ years.

2015 Alcohol Tax Fund

By legislative mandate, a portion of the ATF dollars must be used to fund "programs whose primary purpose is alcoholism and drug abuse prevention or treatment of persons who are alcoholics or drug abusers, or are in danger of becoming alcoholics or drug abusers" (KSA 79-41a04) These services are generally defined as follows:

Education and Prevention programs to provide information and skill building to prevent problems with, or addiction to, alcohol and/or drugs.

Intervention programs to interrupt alcohol and/or drug use that becomes problematic either personally or legally.

Substance Abuse Treatment designed to provide substance abuse treatment services, and to assist clients with stopping use of alcohol and drugs and avoiding relapse.

Aftercare includes efforts to reintegrate clients into a normal living situation and support a substance free existence. Aftercare also includes on-going therapy with clinical, family support and self-help programs.

During 2015**, The Cedar House Foundation** will use funds to provide education, on-site therapy and classes conducted by Kansas Certified Peer Mentors to women who are willing to make a long-term commitment to changing how they live their lives. We recommend residents make a commitment of one year.

Cedar House Program components:

- ✓ **Communal Sober Living** – with responsibilities *(Prevention, Aftercare)*
- ✓ **Weekly AA/NA** –meetings which includes consistent interaction with a sponsor *(Substance Abuse Treatment)*
- ✓ **Participation in regional AA/NA Conferences** – *(Substance Abuse Treatment)*
- ✓ **Medical Assessments** –which includes physical, medications, dental and emergency response *(Aftercare)*
- ✓ **Weekly physical fitness classes** –at Impact Sports & Fitness *(Aftercare)*
- ✓ **Life Skills Education** –which includes financial planning and management, job skills, parenting, cooking, time management, conflict resolution and communication skills, stress management, relationship building and limit setting *(Education, Prevention, Aftercare)*
- ✓ **Employment within Dickinson County** – *(Aftercare)*
- ✓ **Volunteer Community Service Hours** –which provides hands-on positive experience "giving back" *(Aftercare)*
- ✓ **Weekly On-Site Therapy** –with a Certified Professional Drug and Alcohol Counselor *(Education, Substance Abuse Treatment, Aftercare)*
- ✓ **Assigned Kansas Certified Peer Mentor** – for Life Skills and Reintegration *(Education, Prevention, Aftercare)*
- ✓ **Family Outreach** –continued contact with family and/or significant others *(Education, Prevention, Intervention, Aftercare)*

The Cedar House supports a range of recovery and treatment organizations in Abilene which include: Central Kansas Foundation, Impact Sports & Fitness, Memorial Health System, Big Brothers Big Sisters and our local Food and Clothing Bank. During 2015, The Cedar House will use funds to serve approximately 12 residents and their families and/or significant others.

S.O.S. Cabin Outreach Program Components:

- ✓ **Referral and transportation to assessment services –** *(Intervention, Substance Abuse Treatment)*
- ✓ **Referral and transportation to detoxification and treatment –** *(Intervention, Substance Abuse Treatment)*
- ✓ **Kansas Certified Peer Mentor to work with residents & non-residents in life skills and reintegration –** *(Education, Prevention, Intervention, Aftercare)*
- ✓ **Transportation to recovery conferences through the state –** *(Substance Abuse Treatment, Aftercare)*
- ✓ **Weekly 12 Step program –** *(Education, Prevention, Intervention, Aftercare)*
- ✓ **Extensive Resource Library –** *(Education, Aftercare)*

The Cedar House - S.O.S. Cabin Outreach Program currently provides addiction services to residents of Abilene Ks. We also have a Kansas Certified Peer Mentor who works with family outreach through the Al-Anon/Nar-Anon programs to offer services, education and strategies to local Abilene families – parents/guardians/significant others. In 2014, the program was able to serve approximately 30 individuals and their families. Approximately 60% of those attending the programs are from Abilene Ks.

In general, these treatment and recovery programs are designed to help reduce substance abuse, break the intergenerational cycle of alcoholism/addiction, lead to positive individual and family change and productivity, reduce mental and physical healthcare costs, improve public safety, and reduce law enforcement and court costs.

Request for Funding
March 2015

The Cedar House Foundation
2375 Milo Road
Abilene, KS 67410
785.280.1391
Pray.it.forward@outlook.com

2015 Requests for the following categories:

Education and Prevention	$ 3,000
Intervention	$ 5,000
Substance Abuse Treatment	$ 5,000
Aftercare	$ 5,000
2015 Funding Request	$18,000

Total Operating Budget 2014	$ 15,000
Total Operating Budget 2015	$ 25,000

City of Abilene
2016-2020 Adopted CIP
Funded Project/Equipment Expenditures by Year

Proj. No.	Project Title	Constr. Year	2015	Budget 2016	2017	2018	2019	2020	Future Years	Total
Streets										
	KDOT/KLINK PROJECTS		$ 45,000	$ 50,000	$ 55,000	$ 60,000	$ 65,000	$ 70,000		$ 345,000
	LOCAL STREET PAVING		$ 313,000	$ 150,000	$ 150,000	$ 450,000	$ 400,000	$ 450,000		$ 1,913,000
	NW 11TH (VINE-MULBERRY) W/FED FUND EXCHANGE			$ 260,000						$ 260,000
	14TH/BUCKEYE(CEDAR) GEOMETRIC IMPR.-KDOT				$ 275,000					$ 275,000
			$ 358,000	$ 460,000	$ 480,000	$ 510,000	$ 465,000	$ 520,000	$ -	$ 2,793,000
Public Buildings										
2015a	Public Works Building	2015				$ 300,000				$ 300,000
			$ -	$ -	$ -	$ 300,000		$ -	$ -	$ 300,000
Stormwater										
	SE STORM DRAINAGE IMPROVEMENTS								$3,800,000	$ 3,800,000
			$ -	$ -	$ -			$ -	$3,800,000	$ 3,800,000
Water										
	WELL EXPLORATION		$ 20,000	$ 20,000	$ 150,000	$ 200,000	$ 200,000			$ 590,000
	WATER MAIN IMPROVEMENTS		$ 55,000	$ 75,000	$ 75,000	$ 80,000	$ 85,000	$ 100,000		$ 470,000
	PRESSURE FILTER MEDIA REPLACEMENT (WTP)			$ 160,000	$ 160,000					$ 320,000
	AUTOMATED METER REPLACEMENT/FIXED BASE								$1,200,000	$ 1,200,000
			$ 75,000	$ 255,000	$ 385,000	$ 280,000	$ 285,000	$ 100,000	$1,200,000	$ 2,580,000
Sewer										
	SANITARY SEWER MAIN/MANHOLE REHABILITATION		$ 75,000	$ 75,000	$ 100,000	$ 120,000	$ 125,000	$ 125,000		$ 620,000
Airport										
2018a	Construct 10 Bay Hangar (replace old hangar)	2018	$ -			$ 480,000				$ 480,000
Future	New Terminal Building	Future							$ 600,000	$ 600,000
			$ -		$ -	$ 480,000			$ 600,000	$ 1,080,000

City of Abilene
2016-2020 Adopted CIP
Funded Project/Equipment Expenditures by Year

Proj. No.	Project Title	Constr. Year	2015	Budget 2016	2017	2018	2019	2020	Future Years	Total
Parks										
2014-2016	Cowboy Trail	Ongoing	$ 10,000	$ 10,000	$ 10,000	$ -	$ -	$ -		$ 30,000
	RESURFACE BASKETBALL AND TENNIS COURTS			$ 25,000						$ 25,000
	BACKSTOP AND DUGOUT REFURBISHED FIELDS #3 & #4			$ 40,000						$ 40,000
	PARK SHOP BUILDING ADDITION TO HOUSE VANS			$ 55,000						$ 55,000
	MASTER PLAN FOR THE PARKS						$ 80,000			$ 80,000
	REMODEL COMPLEX RESTROOMS				$ 30,000					$ 30,000
	FIELD REHAB (NORTH OF COMMUNITY CTR/DRAINAGE DITCH)				$ 25,000					$ 25,000
	DIAMOND #7 BACKSTOP REPLACEMENT				$ 40,000					$ 40,000
	DIAMOND #7 ELECTRICAL UPGRADE					$ 90,000				$ 90,000
	REHAB DIAMONDS #1 AND #2						$ 25,000			$ 25,000
			$ 10,000	$ 130,000	$ 105,000	$ 90,000	$ 105,000	$ -	$ -	$ 440,000
Totals			$ 518,000	$ 920,000	$1,070,000	$1,780,000	$ 980,000	$ 745,000	$5,600,000	$11,613,000

City of Abilene
2014-2018 Adopted CIP
Funded Project/Equipment Expenditures by Year

Proj. No.	Project Title	Purchase Year	2015	Budget 2016	2017	2018	2019	2020	Future Years	Total
Capital Equipment										
General										
2014-2019	POLICE VEHICLES	Ongoing		$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ 75,000	$ -	$ 375,000
	BUNKER GEAR AND FIRE HOSE			$ 15,000	$ 15,500	$ 15,500	$ 16,000	$ 16,000		$ 78,000
	BREATHING AIR COMPRESSOR			$ 45,000						$ 45,000
	SCOTT AIRPAK 26UNITS @ 6,300/UNIT			$ 164,000						$ 164,000
	REPLACE ENGINE #32				$ 450,000					$ 450,000
	PORTABLE RADIO				$ 12,000					$ 12,000
	THERMAL IMAGER CAMERAS					$ 20,000				$ 20,000
	ALL FIRE HELMETS & BUNKER BOOTS					$ 15,000				$ 15,000
	WASHER & DRYER SET FOR FIRE GEAR						$ 35,000			$ 35,000
	EXTRICATION TOOLS FOR RESCUE							$ 62,000		$ 62,000
	REPLACE #39 PICK-UP							$ 35,000		$ 35,000
	14 PASSENGER VAN GENERAL PUBLIC TRANSPORTATION			$ 54,000						$ 54,000
	1570- 72" FRONT MOUNT MOWER 2WD, DIESEL			$ 24,500						$ 24,500
	ROTARY BROOM			$ 4,500						$ 4,500
	2018 JD OR EXCEL 4WD, DIESEL MOWER					$ 27,000				$ 27,000
	PICKUP TRUCK FOR PARKS & REC, TRADE 2002 S-10					$ 20,000				$ 20,000
				$ 382,000	$ 552,500	$ 172,500	$ 126,000	$ 188,000	$ -	$ 1,421,000

City of Abilene
2016-2020 Adopted CIP
Funded Project/Equipment Expenditures by Year

Proj. No.	Project Title	Constr. Year	2015	Budget 2016	2017	2018	2019	2020	Future Years	Total
Public Works										
	STREET SWEEPER(CURRENT LEASE), 2018 REPLACE		$ 23,098	$ 23,098	$ 23,098	$ 30,000	$ 30,000	$ 30,000	$ -	$ 159,294
	CAT GRADER (2006) CURRENT LEASE		$ 21,000	$ 26,223	$ 26,223	$ 26,223	$ 26,223	$ 26,223	$ -	$ 152,115
	SCADA CONTROL SYSTEM WWTP					$ 80,000				$ 80,000
	VARIABLE FREQUENCY DRIVE			$ 35,000						$ 35,000
	REVERSE OSMOSIS FILTER REPLACEMENT				$ 75,000		$ 80,000			$ 155,000
	ASPHALT PLANER		$ 15,000							$ 15,000
	WATER DISTRIBUTION PICKUP (2007) BECOMES SHOP TRUCK					$ 50,000				$ 50,000
	1 TON DUAL WHEEL PICKUP						$ 50,000			$ 50,000
	WATER DISTRIBUTION PICKUP (2009)							$ 50,000		$ 50,000
	SIDE MOUNT MOWER TRACTOR (USED)			$ 35,000						$ 35,000
	TANDEM AXLE DUMP TRUCK (USED)			$ 70,000						$ 70,000
	HYDROSTATIC ZERO TURN MOWER			$ 25,000						$ 25,000
	SINGLE AXLE DUMP TRUCK (PLOW AND SPREADER)				$ 120,000					$ 120,000
	WEED SPRAYING TRUCK (USED) PRESENT UNIT TO WTP			$ 25,000						$ 25,000
	FORKLIFT (USED)				$ 30,000					$ 30,000
	WOOD CHIPPER					$ 30,000				$ 30,000
	SMALL MOWER TRACTOR AND MOWER					$ 25,000				$ 25,000
	WWTP PICKUP (USED)					$ 28,000				$ 28,000
	INTERMEDIATE SIZE MOWER TRACTOR (USED)				$ 55,000					$ 55,000
	ASPHALT ROLLER (USED)					$ 12,000				$ 12,000
	TRACTOR/BACKHOE							$ 70,000		$ 70,000
	CAT MOTOR GRADER 1994, LEASE USED UNIT						$ 30,000	$ 30,000		$ 60,000
	CONCRETE SAW					$ 9,000				$ 9,000
	SUV (DIRECTORS) (USED)							$ 25,000		$ 25,000
	MOSQUITO SPRAYER						$ 13,000			$ 13,000
	PORTABLE AIR COMPRESSOR						$ 18,000			$ 18,000
	PAVEMENT BREAKER						$ 8,500			$ 8,500
	MANURE/SLUDGE SPREADER							$ 20,000		$ 20,000
	PAINT STRIPPER						$ 8,000			$ 8,000
			$ 59,098	$ 239,321	$ 329,321	$ 290,223	$ 263,723	$ 251,223	$ -	$ 1,432,909
Totals			$ 59,098	$ 621,321	$ 881,821	$ 462,723	$ 389,723	$ 439,223	$ -	$ 2,853,909

TO: City Commission
CC: Mark Guilfoyle, City Attorney
FROM: David Dillner, City Manager
SUBJ: Highlands Development Proposal - DRAFT
DATE: April 30, 2015

The following proposal has been developed by the City Manager as a framework to guide public discussion on a viable solution to address the challenges associated with the Highlands development. The purpose of this draft framework is to provide a starting point for public dialogue on a politically acceptable solution to allow the community to begin to address the Highlands situation. Presently, taxpayers are paying about $300,000 per year, or the equivalent of about 5.7 mills, to pay the debt service on the development. The G.O. bonds issued for the development will be paid in full in 2030.

The proposal is proactive; instead of waiting until the property is available through the tax foreclosure process, the City would take actions now to increase the probability of progressive development within the subdivision. Any development that occurs within the Highlands is another lot that is paying property taxes and special assessments, thus reducing the overall liability for the City.

By no means is the framework final; the public is encouraged to review the proposal and provide any comments that may assist in making the proposal more politically acceptable. Instructions for providing comments may be found at the end of this memorandum.

1. The City negotiates the donation of real property generally known as the Highlands development to the Land Bank. The property owner is amenable to donating the property to the City's Land Bank, although he has requested the City provide an appraisal of the value of the property. If the City Commission wishes to proceed, the City Manager would solicit proposals from appraisers to determine the cost of preparing this information to be used in negotiations.

2. Upon completion of a negotiated transfer of the Highlands to the Land Bank, the Land Bank would sell the undeveloped acreage and deposit the proceeds into an escrow account to pay annual debt service for General Obligation debt issued by the City on behalf of the the development. Funds may also be used to pay for the replatting of the developed tracts to a configuration more aligned with the local market or as needed for a developer to repurpose the lots.

3. The City Commission would consider whether to pay a portion of the debt service liabilities on lots in the Highlands as an at-large contribution. Subsidization would reduce the private liability for special assessments for lots in the Highlands to more closely align with the amount of special assessments levied against lots in other new subdivisions in Abilene. In the event the City elects to subsidize special assessments in the Highlands, the City Manager recommends not subsidizing special assessments below the average amount of special assessments in other subdivisions in Abilene with outstanding special assessments.

4. The Land Bank would develop goals for the type of development to pursue for the Highlands. Such development options may include residential development opportunities that would provide housing options that are not presently offered in the Abilene market or that do not directly compete with the single-family residential market. Selecting a type of housing stock other than single-family housing may reduce direct competition between the Land Bank and local builders who mostly construct single-family housing.

5. The Land Bank would convey a lot or lots to interested builders, who would then be responsible for paying the future property taxes and special assessments levied against the property until it is sold to another party. The conveyance of lots may be subject to covenants or deed restrictions that would facilitate the goal of reducing competition with local builders. One scenario for possible build-out may include:

    a. **Phase I** - The Land Bank would make five lots available for development at no cost to prospective builders on a first come, first served basis.

    b. **Phase II** - Following the issuance of certificates of occupancy on the Phase I lots, the Land Bank would make another ten to fifteen lots available for development by auction.

    c. **Phase III** - Following the issuance of certificates of occupancy on the Phase II lots, the Land Bank would make other lots available, in geographic order, for development at market rates.

6. The City Attorney would prepare a special deed instrument that would allow existing property owners of property in a subdivision with special assessments in Abilene to swap a lot or lots within such subdivision with a commensurate number of lots in the Highlands. The lots will be conveyed to the Land Bank with a deed restriction ensuring that such lots will be reconveyed to the participant, at the participant's request and at no cost, following the issuance of a certificate of occupancy for a house constructed on the exchanged lots in the Highlands. Abilene developers/builders may elect to participate in the exchange program at any time, subject to the terms and conditions associated with the particular phase of implementation.

    During such time as the exchanged lots are held by the Land Bank, the privately assigned property owner will not be subject to property taxes or special assessments on the exchanged lots. The participant, however, will be liable for property taxes and special assessments on the lots conveyed from the Highlands until such time as the property is sold to a third-party.

7. The proposal has thus far dealt with the supply side of the economics equation. One approach to address the demand question economics associated with the general housing market in Abilene would be to implement a collaborative approach to marketing that focuses on the community rather than individual lots or houses. The approach would seek to draw in ideas and resources from various stakeholders with the intent of developing a marketing venture to sell Abilene as a livable community to selected target areas. The approach will draw on the experience of real estate agents, bankers, builders, business leaders, and others who have insight into the community and general marketing practices. Participants will assist in developing the marketing campaign, to include the selection of target areas, as well as produce a marketing plan for distribution of the community's message.

8. The City will actively engage the real estate community to promote its newly adopted Residential Incentive and other applicable incentives that seek to encourage new home purchases throughout Abilene.

As previously mentioned in this memorandum, the public is invited to review the proposal and provide comments that may assist in making the proposal more politically acceptable and successful. The deadline to submit comments is **5:00 pm** on **June 5, 2015**. Comments may be submitted as follows:

By Mail:
City of Abilene
Attn: David Dillner, Highlands Comments
PO Box 519
Abilene, KS 67410

By Email:
citymgr@abilenecityhall.com
Please include "Highlands Comments" in subject.

By Walk-In:
Comments may also be brought to City Hall, located at 419 N. Broadway, Abilene, KS

In addition, the City will host a Town Hall Meeting on June 4, 2015 to provide the public with an opportunity to voice their ideas to manage the Highlands development or to generally promote Abilene as a destination for future residents. The Town Hall Meeting will begin at 6:30 pm and will be held in the Commission Chambers of the Abilene Public Library.

Any input received from the public on this topic will be provided to the City Commission for their review and consideration.