ABILENE CITY COMMISSION - REGULAR MEETING AGENDA *(AMENDED)*
ABILENE PUBLIC LIBRARY, 209 NW FOURTH STREET
August 10, 2015 - 4:00 pm

1. **Call to Order**
2. **Roll Call:** ____ Weishaar ____ Marshall ____ Payne ____ Shafer ____ Ray
3. **Pledge of Allegiance**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a majority of the City Commission votes to remove an item for discussion and separate action.)*

4. Agenda Approval for the August 10, 2015 City Commission Meeting
5. Meeting Minutes: July 27, 2015 Regular Meeting
6. Acceptance of the Second Quarter, 2015 Financial Reports and Treasurer's Report of the City of Abilene, Kansas

Public Comments and Communications

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 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.

8. **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.

Proclamations and Recognition

9. **None**

Public Hearings

10. **A Public Hearing for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax for the 2016 Budget for the City of Abilene, Kansas.**

Old Business

11. **None**

New Business

12. **Consideration of an Ordinance approving a Text Amendment to Section 15-201 of the Zoning Regulations of the City of Abilene, Kansas, relating to permitted and conditional uses of the "I-1, Light Industrial District."**

13. **Consideration of an Ordinance approving a Conditional Use Permit for 401 Cottage Avenue, at the request of TSB Enterprises, LLC concerning the temporary use of a movie cinema and/or live production theater in an "I-1, Light Industrial District" of the City of Abilene, Kansas.**

14. **Consideration of a Resolution approving Agreement No. 215-15 between the Kansas Department of Transportation and the City of Abilene, Kansas, concerning KLINK Resurfacing Project No. 15-21 U-0279-01.**

15. **Consideration of a Resolution approving Master Agreement Work Order No. 1-15 with Olsson Associates concerning NW 11th Street Improvements.**

16. **Consideration of a motion to recess into executive session for fifteen minutes for the purpose of discussing attorney-client privileged information and preliminary discussion of the acquisition of real property to include the City Manager and City Attorney.**

17. **Consideration of a motion to return from executive session with only those items in the previous motion mentioned and no action being taken.**

Reports

18. **City Manager's Report**
19. **Expenditures Report**

Adjournment

20. **Consideration of a motion to adjourn the August 10, 2015 City Commission meeting.**

Future Meeting Reminders: *(All meetings at Abilene Public Library unless otherwise noted)*

- Planning Commission meeting, August 11 at 4:30 pm
- Sister City Committee, August 11 at 7 pm (CVB)
- Commission Study Session, August 18 at 7:00 pm (City Manager's Conference Room, City Hall)
- Heritage Commission meeting, August 20 at 4:00 pm
- CVB Board, August 25 at 2 pm (Civic Center)

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

1. **Call to Order**

2. **Roll Call** – City Commission Present: Mayor Weishaar, Commissioners Ray, Payne, and Marshall. Commissioner Shafer absent.

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

Others Present: Bruce Dale and Dustin Avey, Piper Jaffray.

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

Consent Agenda

4. Agenda Approval for the July 27, 2015 City Commission Meeting
5. Meeting Minutes: July 13, 2015, Regular Meeting
6. A Resolution amending the Health Care Flexible Spending Account Non-Discrimination Requirements.

Motion by Commissioner Ray, seconded by Commissioner Marshall to approve the Consent Agenda with the addition of item No. 19, letter of support for DVACK. Motion carried unanimously 4-0.

Public Comments and Communications

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 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. There were none.

8. **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

9. There were no proclamations or recognitions.

Public Hearings

10. There were no public hearings.

Old Business

11. There was no old business.

New Business

12. An Ordinance of the City of Abilene, Kansas, authorizing issuance of the City's (I) General Obligation Bonds, Series 2015-A, in the principal amount of $245,000 to finance certain Capital Improvements in the City, and (II) General Obligation Refunding Bonds, Series 2015-B to refund and redeem certain outstanding General Obligation Bonds of the City; providing for the levy and collection of an annual tax to pay the principal of and interest on the Bonds; authorizing other documents and actions and making other covenants relating to the Bonds.

City Manager Dillner explained this ordinance authorizes the issuance of general obligation bonds. Series 2015-A is in the principal amount of $245,000 and will finance the public improvements associated with the Dawson Cottage Addition. Series 2016-B Refunding Bonds will refund an outstanding obligation from 2008 that was issued to fund the improvements to the library and pool. The proceeds will be funded in part with special assessments on the Series 2015-A and the Series 2015-B will be funded from the City's .35% sales tax that will be continued to be collected for the library and pool project. This will allow us to pay a little bit less on those bonds than was originally anticipated.

City Manager Dillner explained for the Series 2015-A, the final cost was $375,000, the City at-large will contribute $48,721.08, assessments to properties benefitting from the improvement will total $326,270.98 with the amount of pre-paid special assessments we have received being $76,810.02.

Dustin Avey, Piper Jaffray, explained that proposals were sent to local banks and we did receive a proposal from First Bank Kansas. For the 2015-A bonds the rate the provided was a 1.97% over a ten year period, the ten year period aligns with what the special assessments will be for that particular project. The 2016-B, which is the refinance, our initial projections was around $30,000 in savings but the actual savings is right around $50,000. Again First Bank Kansas was the purchaser of that particular issue and the interest rate provided was a 1.04% with a three year financing period.

Motion by Commissioner Marshall, seconded by Commissioner Ray to adopt Ordinance No. 3277 **AN ORDINANCE OF THE CITY OF ABILENE, KANSAS, AUTHORIZING ISSUANCE OF THE CITY'S (I) GENERAL OBLIGATION BONDS, SERIES 2015-A, IN THE PRINCIPAL AMOUNT OF $245,000, TO FINANCE CERTAIN CAPITAL IMPROVEMENTS IN THE CITY, AND (II) GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015-B TO REFUND AND REDEEM CERTAIN OUTSTANDING GENERAL OBLIGATION BONDS OF THE CITY; PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS; AUTHORIZING OTHER DOCUMENTS**

AND ACTIONS AND MAKING OTHER COVENANTS RELATING TO THE BONDS. Motion carried unanimously 4-0.

13. A Resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Bonds, Series 2015-A, in the principal amount of $245,000 and General Obligation Refunding Bonds, Series 2015-B, in the principal amount of $1,365,000 of the City of Abilene, Kansas, previously authorized by Ordinance No. 3277 of the City; making certain covenants and agreements for the payment and security thereof; and authorizing other documents and actions related to the Bonds.

City Manager Dillner explained this Resolution establishes the terms and conditions of how the bonds will be issued and repaid and various other requirements.

Motion by Commissioner Ray, seconded by Commissioner Payne to approve Resolution No. 072715-2 **A RESOLUTION PRESCRIBING THE FORM AND DETAILS OF AND AUTHORIZING AND DIRECTING THE SALE AND DELIVERY OF GENERAL OBLIGATION BONDS, SERIES 2015-A, IN THE PRINCIPAL AMOUNT OF $245,000 AND GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015-B, IN THE PRINCIPAL AMOUNT OF $1,365,000 OF THE CITY OF ABILENE, KANSAS, PREVIOUSLY AUTHORIZED BY ORDINANCE NO. 3277 OF THE CITY; MAKING CERTAIN COVENANTS AND AGREEMENTS FOR THE PAYMENT AND SECURITY THEREOF; AND AUTHORIZING OTHER DOCUMENTS AND ACTIONS RELATED TO THE BONDS.** Motion carried unanimously 4-0.

14. A Resolution approving an Agreement for Interim Legal Services with Clark, Mize and Linvelle, Chartered.

City Manager Dillner explained this resolution approves an agreement for interim legal services with Clark, Mize and Linvelle Chartered. The hourly rate for work by a licensed attorney will be $175 and the hourly rate for work by a legal assistant will by $75.

Motion by Commissioner Ray, seconded by Commissioner Payne to approve Resolution No. 072715-3 **A RESOLUTION APPROVING AN AGREEMENT FOR INTERIM LEGAL SERVICES WITH CLARK, MIZE AND LINVELLE, CHARTERED.** Motion carried unanimously 4-0.

15. A Resolution approving a Services Agreement Contract with Banyon Data Systems, Inc. for accounting and utility billing software services.

City Manager Dillner explained this resolution approves an agreement for software with Banyon Data Systems, Inc. Our current software provider will no longer provide support to the City after the end of 2015

Motion by Commissioner Payne, seconded by Commissioner Marshall to approve Resolution No. 072715-4 **A RESOLUTION APPROVING A SERVICES AGREEMENT CONTRACT WITH BANYON DATA SYSTEMS, INC. FOR ACCOUNTING AND UTILITY BILLING SOFTWARE.** Motion carried unanimously 4-0.

16. A Resolution authorizing the publication of the Notice of Budget Hearing for the proposed 2016 Budget of the City of Abilene, Kansas.

Motion by Commissioner Marshall, seconded by Commissioner Payne to approve Resolution No. 072715-5 **A RESOLUTION AUTHORIZING THE PUBLICATION OF THE NOTICE OF BUDGET HEARING FOR THE PROPOSED 2016 BUDGET OF THE CITY OF ABILENE, KANSAS**. Motion carried unanimously 4-0.

17. A motion to approve Letter of Support to the KDOT/KTA Selection Committee concerning the potential for a Transload Facility to be located near the City of Abilene, Kansas.

City Manager Dillner explained that a letter has been prepared showing the City of Abilene's support of the Transload Facility to be located near Abilene. This letter will be included in the presentation packet when we meet with the selection committee in Topeka on July 30th.

Motion by Commissioner Ray, seconded by Commissioner Marshall to approve to approve the letter of support for the Transload Facility to be located near the City of Abilene. Motion carried unanimously 4-0.

18. A motion to approve Letters of Support to be sent to Senators Roberts and Moran concerning the Wicker-Booker amendment to the Surface Transportation Program.

City Manager Dillner explained the Wicker-Booker amendment will increase the total funding available for the Surface Transportation Program (STP) and increase the portion of STP funds distributed to local areas by population.

Motion by Commissioner Ray, seconded by Commissioner Payne to approve the Letters of Support to Senators Roberts and Moran concerning the Wicker-Booker amendment to the Surface Transportation Program. Motion carried unanimously 4-0.

19. A motion to approve a Letter of Support for DVACK.

City Manager Dillner read the letter so support for the Domestic Violence Association of Central Kansas otherwise known as DVACK.

Motion by Commissioner Ray, seconded by Commissioner Payne to approve a Letter of Support for DVACK. Motion carried unanimously 5-0.

Reports

20. City Manager Reports

The City offices will close at 3:00 on Thursday for the parade.

There will be a joint City/County meeting on August 5th at 7:00 p.m. to discuss the joint justice center.

The City/County Transload Facility team will present to the KDOT/KTA Selection Committee on July 30th in Topeka.

21. Expenditure Report

Adjournment

22. Consideration of a motion to adjourn the July 27, 2015 City Commission meeting.

Motion by Commissioner Payne, seconded by Commissioner Marshall to adjourn at 4:31 p.m. Motion carried unanimously 4-0.

(Seal)

Dennis P. Weishaar, Mayor

ATTEST:

Penny L. Soukup, CMC
City Clerk

GENERAL FUND	2015 QTD Revenue	2015 QTD Expenses	2014 QTD Revenue	2014 QTD Expenses
1st Quarter	$ 1,736,246		$ 1,391,835	
General Government		$ 81,673		$ 119,643
Police		$ 317,803		$ 296,515
Fire		$ 189,256		$ 186,182
Streets		$ 139,414		$ 160,906
Bindwood/Flood Maint		$ 20,976		$ 19,901
Parks		$ 57,602		$ 51,953
Swimming Pool		$ -		$ 630
Community Development		$ 61,373		$ 47,430
Municipal Court		$ 38,475		$ 35,778
Senior Center		$ 5,396		$ 5,564
Public Transportation		$ 19,232		$ 21,671
Civic Center		$ 3,559		$ 5,491
General Fund	**$ 1,736,246**	**$ 934,759**	**$ 1,391,835**	**$ 951,664**
2nd Quarter	$ 2,928,171		$ 2,558,196	
General Government		$ 244,296		$ 231,698
Police		$ 583,374		$ 557,762
Fire		$ 360,842		$ 345,759
Streets		$ 298,227		$ 349,224
Bindwood/Flood Maint		$ 43,775		$ 38,428
Parks		$ 130,976		$ 124,883
Swimming Pool		$ 6,095		$ 6,039
Community Development		$ 107,902		$ 102,342
Municipal Court		$ 71,897		$ 62,574
Senior Center		$ 12,527		$ 13,646
Public Transportation		$ 40,264		$ 42,491
Civic Center		$ 10,433		$ 15,227
General Fund	**$ 2,928,171**	**$ 1,910,609**	**$ 2,558,196**	**$ 1,890,074**

WATER FUND	2015 QTD Revenue	2015 QTD Expenses	2014 QTD Revenue	2014 QTD Expenses
1st Quarter	$ 352,280		$ 353,158	
Distribution		$ 115,588		$ 122,734
Production		$ 81,792		$ 117,484
Commercial		$ 45,923		$ 51,483
Debt Service		$ 1,846		$ 2,534
Water Fund	**$ 352,280**	**$ 245,149**	**$ 353,158**	**$ 294,235**
2nd Quarter	$ 708,450		$ 722,649	
Distribution		$ 247,960		$ 220,575
Production		$ 209,028		$ 241,453
Commercial		$ 106,117		$ 114,378
Debt Service		$ 1,846		$ 140,651
Water Fund	**$ 708,450**	**$ 564,952**	**$ 722,649**	**$ 717,056**

SEWER FUND	2015 QTD Revenue	2015 QTD Expenses	2014 QTD Revenue	2014 QTD Expenses
1st Quarter	$ 342,276		$ 358,957	
Collection		$ 32,262		$ 28,291
WWTP		$ 95,060		$ 102,181
Commercial		$ 42,946		$ 45,597
Bonded Debt		$ 277,223		$ 277,223
Sewer Fund	**$ 342,276**	**$ 447,491**	**$ 358,957**	**$ 453,292**
2nd Quarter	$ 673,098		$ 706,317	
Collection		$ 82,967		$ 64,096
WWTP		$ 232,596		$ 212,780
Commercial		$ 95,284		$ 100,731
Bonded Debt		$ 277,223		$ 277,223
Sewer Fund	**$ 673,098**	**$ 688,071**	**$ 706,317**	**$ 654,831**

FUNDS	2015 QTD Revenue	2015 QTD Expenses	2014 QTD Revenue	2014 QTD Expenses
1st Quarter				
Recycling	$ 24,200	$ 23,579	$ 21,888	$ 19,651
Airport	$ 43,421	$ 6,428	$ 108,668	$ 10,265
Bond & Interest	$ 430,952	$ 119,414	$ 379,878	$ 124,882
Fire Apparatus	$ 30,419	$ 2,274	$ 55,677	$ 2,961
Special Parks & Rec	$ 4,179	$ 16,269	$ 4,080	$ 13,349
Special Alcohol & Drug	$ 4,180	$ 1,500	$ 3,176	$ 1,500
Library	$ 202,281	$ 190,306	$ 198,917	$ 198,917
Tourism & Convention	$ 56,638	$ 56,269	$ 62,528	$ 67,339
Special Street	$ 43,492	$ 11,543	$ 43,909	$ 4,600
Recreation Commission	$ 167,463	$ 65,263	$ 144,669	$ 79,006
Capital Improvement	$ 1,186	$ -	$ 1,418	$ -
Equipment Reserve	$ 3	$ 60,726	$ 8	$ 87,306
Storm Drainage	$ 18,556	$ -	$ 17,351	$ -
Equipment Res-Water	$ 9	$ -	$ 14	$ -
Equipment Res-Sewer	$ 36	$ -	$ 52	$ -
Sales Tax Street	$ 91,651	$ -	$ 82,281	$ -
FUNDS	**$ 1,118,666**	**$ 553,573**	**$ 1,124,514**	**$ 609,776**
2nd Quarter				
Recycling	$ 42,688	$ 55,294	$ 42,288	$ 53,577
Airport	$ 1,421,510	$ 1,200,894	$ 158,253	$ 19,973
Bond & Interest	$ 702,341	$ 119,414	$ 615,932	$ 124,882
Fire Apparatus	$ 50,878	$ 2,274	$ 75,589	$ 2,961
Special Parks & Rec	$ 10,126	$ 21,178	$ 7,002	$ 19,837
Special Alcohol & Drug	$ 7,170	$ 6,500	$ 6,098	$ 7,500
Library	$ 335,075	$ 190,306	$ 327,064	$ 327,064
Tourism & Convention	$ 96,151	$ 110,063	$ 94,563	$ 117,290
Special Street	$ 88,270	$ 27,187	$ 86,209	$ 28,676
Recreation Commission	$ 360,439	$ 182,335	$ 313,471	$ 214,071
Capital Improvement	$ 1,218	$ -	$ 2,063	$ -
Equipment Reserve	$ 10	$ 61,162	$ 12	$ 98,567
Storm Drainage	$ 35,444	$ -	$ 34,572	$ 716
Equipment Res-Water	$ 19	$ 2,782	$ 26	$ 1,481
Equipment Res-Sewer	$ 74	$ -	$ 102	$ -
Sales Tax Street	$ 173,565	$ -	$ 163,067	$ -
General Fund	**$ 3,324,978**	**$ 1,979,390**	**$ 1,926,313**	**$ 1,016,594**

CITY OF ABILENE, KANSAS
CITY TREASURER'S QUARTERLY REPORT
The statement below shows the standing of the various funds of the City of Abilene, Kansas for the quarter ending June 30, 2015.

		Beg Balance	Revenues	Expenses	End Balance	Outstanding Obligations	Available Cash
General	1	$ 2,095,800.69	$ 1,191,925.42	$ 975,850.06	$ 2,311,876.05	$ 500.35	$ 2,311,375.70
Water	2	$ 434,940.77	$ 366,393.74	$ 360,574.78	$ 440,759.73	$ 138.03	$ 440,621.70
Recycle	3	$ 250,089.37	$ 18,490.89	$ 31,718.06	$ 236,862.20		$ 236,862.20
Sewer	4	$ 1,235,063.70	$ 331,210.92	$ 240,968.51	$ 1,325,306.11		$ 1,325,306.11
Airport	5	$ 247,312.23	$ 1,378,088.78	$ 1,194,465.79	$ 430,935.22		$ 430,935.22
Bond & Interest	6	$ 270,284.66	$ 271,388.75	$ -	$ 541,673.41		$ 541,673.41
Fire Apparatus	7	$ 70,539.81	$ 20,458.99	$ -	$ 90,998.80		$ 90,998.80
Special Parks & Rec	8	$ 34,781.82	$ 5,946.84	$ 4,908.95	$ 35,819.71		$ 35,819.71
Special Alcohol & Drug	9	$ 57,948.44	$ 2,990.19	$ 5,000.00	$ 55,938.63		$ 55,938.63
Self-Insured Health Account	10	$ 88,743.91	$ 146,779.87	$ 139,432.14	$ 96,091.64		$ 96,091.64
Library	11	$ 11,974.63	$ 132,793.67	$ -	$ 144,768.30		$ 144,768.30
Tourism & Convention	13	$ 35,617.02	$ 39,513.49	$ 53,794.00	$ 21,336.51		$ 21,336.51
Special Street	14	$ 412.11	$ 44,777.75	$ 15,644.46	$ 29,545.40	$ 4,061.62	$ 25,483.78
Recreation Commission	15	$ 271,426.93	$ 192,976.66	$ 117,071.21	$ 347,332.38		$ 347,332.38
Capital Improvement	18	$ 479,594.40	$ 31.17	$ -	$ 479,625.57		$ 479,625.57
Equipment Reserve	20	$ 164,766.61	$ 7.33	$ 62,346.33	$ 102,427.61		$ 102,427.61
Storm Water	27	$ 379,394.38	$ 16,891.08	$ 2.50	$ 396,282.96		$ 396,282.96
Water Equipment Reserve	28	$ 162,546.68	$ 9.79	$ 2,782.12	$ 159,774.35	$ (1.00)	$ 159,775.35
Sewer Equipment Reserve	29	$ 630,994.59	$ 38.09	$ -	$ 631,032.68		$ 631,032.68
Public Building Commission-Hospital	32	$ 362,731.33	$ 217,540.75	$ -	$ 580,272.08		$ 580,272.08
Special Revenue - Community Center	35	$ 153,898.63	$ 9.29	$ -	$ 153,907.92		$ 153,907.92
Special Revenue - Lib-Pool Renov	36	$ 426,111.18	$ 114,659.66	$ 428,167.50	$ 112,603.34		$ 112,603.34
Special Revenue - Streets	37	$ 238,352.68	$ 81,913.40	$ -	$ 320,266.08		$ 320,266.08
Dawson Cottage Addition	46	$ 29,947.62	$ 1.72	$ 216.62	$ 29,732.72		$ 29,732.72
Municipal Court Bonds	50	$ 7,705.00	$ 4,612.50	$ 2,542.50	$ 9,775.00		$ 9,775.00
Total		$ 8,140,979.19	$ 4,579,450.74	$ 3,635,485.53	$ 9,084,944.40	$ 4,699.00	$ 9,080,245.40

INDEBTEDNESS	
2008 GO Bonds	$ 1,335,000
2008 WWTP State Loan	$ 6,264,035
2009 GO Bonds	$ 1,420,000
2010A GO Bonds	$ 3,500,000
2011 GO Bonds	$ 1,605,000
2011 PBC Bonds - Hospital	$ 7,540,000
2012 PBC Bonds - Hospital	$ 10,000,000
2013 GO Bonds	$ 1,150,000
2013 Temporary Notes - Dawson Cottage Addition	$ 380,000
Total Indebtedness	**$ 33,194,035**

I hereby certify the above to be a true and correct copy of the City Treasurer's Financial Statement ending June 30, 2015.

Marcus Rothchild, Finance Director
City of Abilene, Kansas

2016

CERTIFICATE

To the Clerk of Dickinson County, State of Kansas

We, the undersigned, officers of

City of Abilene

certify that: (1) the hearing mentioned in the attached publication was held;
(2) after the Budget Hearing this budget was duly approved and adopted as the maximum expenditures for the various funds for the year 2016; and
(3) the Amounts(s) of 2015 Ad Valorem Tax are within statutory limitations.

			2016 Adopted Budget		
Table of Contents:		Page No.	Budget Authority for Expenditures	Amount of 2015 Ad Valorem Tax	County Clerk's Use Only
Computation to Determine Limit for 2016		2			
Allocation of MVT, RVT, 16/20M Vehicle Tax		3			
Schedule of Transfers		4			
Statement of Indebtedness		5			
Statement of Lease-Purchases		6			
Computation to Determine State Library Grant		7			
Fund	**K.S.A.**				
General	12-101a	8	5,881,171	1,463,495	
Debt Service	10-113	9	1,089,989	499,948	
Library	12-1220	10	405,775	352,434	
Airport	3-113a	11	344,450	70,076	
Fire Apparatus	12-110c	11	112,473	51,241	
Capital Improvement	12-1,118	12	506,569		
		12			
Special Highway		13	413,500		
Recycle		13	115,570		
Special Parks & Recreation		14	40,000		
Special Alcohol & Drug		14	12,500		
Equipment Reserve		15	123,200		
Storm Water		15	203,400		
Equipment Reserve - Water		16	35,000		
Equipment Reserve - Sewer		16	19,400		
Special Revenue - Community Center		17			
Special Revenue - Lib/Pool Project		17	454,325		
Special Revenue - Streets		18	325,000		
		18			
Water		19	1,751,404		
Sewer		20	1,638,027		
Tourism & Convention		21	337,996		
Recreation Commission		22	572,453		
Totals for City		xxxxxx	14,382,202	2,437,195	
Recreation	12-1927	10			
Totals Includes Recreation		xxxxxx	14,382,202	2,437,195	
Notice of the vote to adopt required to be published and attached to the budget?				No	County Clerk's Use Only
Budget Summary		23			
Neighborhood Revitalization Rebate					Nov 1, 2015 Total Assessed Valuation

Assisted by:

Address:

Email:

Attest:_____, 2015

County Clerk

Governing Body

City of Abilene 2016

Computation to Determine Limit for 2016

			Amount of Levy
1. Total tax levy amount in 2015 budget			+ $ 2,358,929
2. Debt service levy in 2015 budget			- $ 519,674
3. Tax levy excluding debt service			$ 1,839,255

2015 Valuation Information for Valuation Adjustments

4. New improvements for 2015:			+ 275,688	
5. Increase in personal property for 2015:				
5a. Personal property 2015	+	2,713,321		
5b. Personal property 2014	-	0		
5c. Increase in personal property (5a minus 5b)			+ 2,713,321 (Use Only if > 0)	
6. Valuation of annexed territory for 2015				
6a. Real estate	+	0		
6b. State assessed	+	0		
6c. New improvements	-	0		
6d. Total adjustment (sum of 6a, 6b, and 6c)			+ 0	
7. Valuation of property that has changed in use during 2015			84,941	
8. Total valuation adjustment (sum of 4, 5c, 6d &7)			3,073,950	
9. Total estimated valuation July 1,2015		52,676,645		
10. Total valuation less valuation adjustment (9 minus 8)			49,602,695	
11. Factor for increase (8 divided by 10)			0.06197	
12. Amount of increase (11 times 3)				+ $ 113,981
13. 2016 budget tax levy, excluding debt service, prior to CPI adjustment (3 plus 12)				$ 1,953,236
14. Debt service in this 2016 budget				499,948
15. 2016 budget tax levy, including debt service, prior to CPI adjustment (13 plus 14)				2,453,184
16. Consumer Price Index for all urban consumers for calendar year 2014				1.60%
17. Consumer Price Index adjustment (3 times 16)				$ 29,428
18. Maximum levy for budget year 2016 including debt service, not requiring 'notice of vote publication.' (15 plus 17)				$ 2,482,612

If the 2016 adopted budget includes a total property tax levy exceeding the dollar amount in line 18 you must publish notice of vote by the governing body to adopt such budget in the official county newspaper and attach a copy of the published notice to this budget.

In no event will published notice of the vote be required if the total budget year tax levy is $1,000 or less.

City of Abilene 2016

Allocation of MV, RV, 16/20M, Commercial Vehicle, and Watercraft Tax Estimates

Budgeted Fund for 2015	Ad Valorem Levy Tax Year 2014	Allocation for Year 2016				
		MVT	RVT	16/20M Veh	Comm Veh	Watercraft
General	1,400,802	166,159	2,193	595	5,352	1,029
Debt Service	519,674	61,642	814	220	1,986	382
Library	328,625	38,980	515	139	1,256	241
Airport	59,304	7,034	93	25	227	44
Fire Apparatus	50,524	5,993	79	21	193	37
Capital Improvement						
Recreation	32,187	3,818	50	14	123	24
TOTAL	2,358,929	279,808	3,694	1,000	9,014	1,733

County Treas Motor Vehicle Estimate	279,808
County Treas Recreational Vehicle Estimate	3,694
County Treas 16/20M Vehicle Estimate	1,000
County Treas Commercial Vehicle Tax Estimate	9,014
County Treas Watercraft Tax Estimate	1,733

Motor Vehicle Factor	0.11862
Recreational Vehicle Factor	0.00157
16/20M Vehicle Factor	0.00042
Commercial Vehicle Factor	0.00382
Watercraft Factor	0.00073

City of Abilene 2016

Allocation of MV, RV, 16/20M, Commercial Vehicle, and Watercraft Tax Estimates

Budgeted Fund for 2015	Ad Valorem Levy Tax Year 2014	Allocation for Year 2016				
		MVT	RVT	16/20M Veh	Comm Veh	Watercraft
General	1,400,802	166,159	2,193	595	5,352	1,029
Debt Service	519,674	61,642	814	220	1,986	382
Library	328,625	38,980	515	139	1,256	241
Airport	59,304	7,034	93	25	227	44
Fire Apparatus	50,524	5,993	79	21	193	37
Capital Improvement						
Recreation	32,187	3,818	50	14	123	24
TOTAL	2,358,929	279,808	3,694	1,000	9,014	1,733

County Treas Motor Vehicle Estimate	279,808
County Treas Recreational Vehicle Estimate	3,694
County Treas 16/20M Vehicle Estimate	1,000
County Treas Commercial Vehicle Tax Estimate	9,014
County Treas Watercraft Tax Estimate	1,733

Motor Vehicle Factor	0.11862
Recreational Vehicle Factor	0.00157
16/20M Vehicle Factor	0.00042
Commercial Vehicle Factor	0.00382
Watercraft Factor	0.00073

City of Abilene

2016

Schedule of Transfers

Expenditure Fund Transferred From:	Receipt Fund Transferred To:	Actual Amount for 2014	Current Amount for 2015	Proposed Amount for 2016	Transfers Authorized by Statute
General Administration	Convention & Tourism	-	25,000	25,000	ommission Direction
General Police	Equipment Reserve	99,000	63,200	63,200	KSA 12-1, 117
General Fire	Equipment Reserve	-	-	-	KSA 12-1, 117
General Street	Equipment Reserve	65,000	34,000	60,000	KSA 12-1, 117
Water Fund	General Fund	75,300	75,300	81,162	KSA 825d
Recycling Fund	General Fund	5,600	4,700	-	KSA 825d
Sewer Fund	General Fund	69,775	70,400	71,426	KSA 825d
Storm Drain Fund	General Fund	6,525	6,375	3,400	KSA 825d
Sewer Fund	Equipment Res - Sewer	25,000	25,000	-	KSA12-631o
Water Fund	Equipment Res - Water	-	50,000	35,000	KSA 825d
	Totals	346,200	353,975	339,188	
	Adjustments				
	Adjusted Totals	346,200	353,975	339,188	

*Note: Adjustments are required only if the transfer is being made in 2015 and/or 2016 from a non-budgeted fund.

City of Abilene

2016

STATEMENT OF INDEBTEDNESS

Type of Debt	Date of Issue	Date of Retirement	Interest Rate %	Amount Issued	Beginning Amount Outstanding Jan 1,2015	Date Due		Amount Due 2015		Amount Due 2016	
						Interest	Principal	Interest	Principal	Interest	Principal
General Obligation:											
G.O. Series 2008	10/06/08	06/01/18	3.20-4.00	3,700,000	1,730,000	6-1, 12-1	6/1	59,225	395,000	44,135	420,000
G.O. Series 2009	07/23/09	09/01/26	4.13-5.70	1,780,000	1,420,000	3-1, 9-1	9/1	53,248	80,000	51,168	80,000
G.O. Series 2010A	04/20/10	09/01/30	2.50-4.60	4,055,000	3,500,000	3-1, 9-1	9/1	144,814	16,000	145,013	165,000
G.O. Series 2011	03/25/11	09/01/21	1.50-3.00	2,200,000	1,605,000	3-1, 9-1	9/1	38,118	210,000	34,233	215,000
G.O. Series 2013	02/27/13	09/01/23	1.00-1.90	1,570,000	1,150,000	3-1, 9-1	9/1	12,890	265,000	10,241	210,000
Total G.O. Bonds					**9,405,000**			**308,295**	**966,000**	**284,790**	**1,090,000**
Revenue Bonds:											
KDHE WWTP	09/01/07	03/01/28	2.58	8,620,417	7,521,308	3-1, 9-1	3-1, 9-1	143,685	393,355	134,451	403,569
Total Revenue Bonds					**7,521,308**			**143,685**	**393,355**	**134,451**	**403,569**
Other:											
PBC Revenue Bonds	12/01/11	01/01/28	1.00-4.30	7,760,000	7,545,000	6-1, 12-1	12/1	275,115	105,000	278,645	105,000
PBC Revenue Bonds	01/05/12	12/01/35	4.45-5.03	10,000,000	10,000,000	12/1	12/1	490,039	0	490,039	0
Total Other					**17,545,000**			**765,154**	**105,000**	**768,684**	**105,000**
Total Indebtedness					**34,471,308**			**1,217,134**	**1,464,355**	**1,187,925**	**1,598,569**

City of Abilene

2016

STATEMENT OF CONDITIONAL LEASE-PURCHASE AND CERTIFICATE OF PARTICIPATION*

Items Purchased	Contract Date	Term of Contract (Months)	Interest Rate %	Total Amount Financed (Beginning Principal)	Principal Balance On Jan 1,2015	Payments Due 2015	Payments Due 2016
Street Sweeper	12/12/11	60	3.89	122,889	122,889	23,099	23,099
Motor Grader	02/09/15	83	3.20	138,300	138,300	0	26,224
				Totals	**261,189**	**23,099**	**49,323**

***If you are merely leasing/renting with no intent to purchase, do not list--such transactions are not lease-purchases.

WORKSHEET FOR STATE GRANT-IN-AID TO PUBLIC LIBRARIES AND REGIONAL LIBRARY SYSTEMS

Budgeted Year: 2016

Library found in: City of Abilene
Dickinson County

Two tests are used to determine eligibility for State Library Grant. If the grant is approved, then the municipality's library will be paid the grant on February 15 of each year.

First test:

	Current Year 2015	Proposed Year 2016
Ad Valorem Tax	$328,625	$352,434
Delinquent Tax	$0	$0
Motor Vehicle Tax	$39,897	$38,980
Recreational Vehicle Tax	$583	$515
16/20M Vehicle Tax	$0	$139
LAVTR	$0	$0
	$0	$0
TOTAL TAXES	$369,105	$392,068
Difference in Total Taxes:	$22,963	
Qualify for grant: Qualify		

Second test:

Assessed Valuation	$51,914,222	$52,676,645
Did Assessed Valuation Decrease?	No	
Levy Rate	6.33	6.691
Difference in Levy Rate:	0.361	
Qualify for grant: Qualify		

Overall does the municipality qualify for a grant? **Qualify**

If the municipality would not have qualified for a grant, please see the below narrative for assistance from the State Library.

City of Abilene 2016

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget **General**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	1,492,286	1,464,599	1,555,244
Receipts:			
Ad Valorem Tax	1,257,693	1,400,802	xxxxxxxxxxxxxxxxxxx
Delinquent Tax	18,224	23,674	15,000
Motor Vehicle Tax	136,560	149,017	166,159
Recreational Vehicle Tax	1,692	2,338	2,193
16/20M Vehicle Tax			595
Commercial Vehicle Tax			5,352
Watercraft Tax			1,029
Gross Earning (Intangible) Tax			0
LAVTR			0
City and County Revenue Sharing			0
Mineral Production Tax			
Local Alcoholic Liquor	12,716	14,328	15,000
Compensating Use Tax			
Local Sales Tax	1,263,712	1,280,200	1,302,744
Franchise Tax	746,655	728,806	700,000
License/Permit Fees	53,789	73,656	81,000
KLINK	30,750	132,225	130,000
Fines and Penalties	139,996	180,128	160,000
Charges for Services	29,263	25,319	30,000
Interest Income	7,019	8,174	9,000
Rent	11,355	21,422	10,980
Grants	64,926	93,532	68,380
Reimbursed Expenses	56,052	38,133	0
Transfers	0	159,775	150,000
Other	27,840	22,456	15,000
In Lieu of Taxes (IRB)			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**3,858,242**	**4,353,985**	**2,862,432**
Resources Available:	**5,350,528**	**5,818,584**	**4,417,676**

City of Abilene

FUND PAGE - GENERAL

Adopted Budget General	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Resources Available:	5,350,528	5,818,584	4,417,676
Expenditures:			
General Government	428,830	489,418	363,737
Police	1,109,608	1,266,787	1,326,217
Fire	681,816	742,246	781,320
Streets	721,022	657,332	729,017
Flood Control	102,349	115,198	141,622
Parks	251,350	273,157	288,085
Swimming Pool	21,249	18,470	21,550
Community Development	269,074	359,014	311,846
Municipal Court	141,457	189,066	178,561
Senior Center	29,766	25,209	31,273
Public Transportation	93,699	106,219	89,668
Civic Center	35,709	21,224	31,775
General Fund Balance Reserve	0	0	1,586,500
0	0	0	0
0	0	0	0
0	0	0	0
Subtotal detail (Should agree with detail)	3,885,929	4,263,340	5,881,171
Neighborhood Revitalization Rebate			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**3,885,929**	**4,263,340**	**5,881,171**
Unencumbered Cash Balance Dec 31	1,464,599	1,555,244	xxxxxxxxxxxxxxxxxxxx
2014/2015/2016 Budget Authority Amount:	5,167,611	5,575,995	5,881,171
		Non-Appropriated Balance	
		Total Expenditure/Non-Appr Balance	5,881,171
		Tax Required	1,463,495
	Delinquent Comp Rate:	0.0%	0
		Amount of 2015 Ad Valorem Tax	1,463,495

City of Abilene 2016

Adopted Budget General Fund - Detail Page 1	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Expenditures:			
General Government			
Salaries	223,428	217,290	193,462
Contractual	7,780	15,837	9,200
Commodities	184,207	201,291	116,075
Capital Outlay	13,415	30,000	20,000
Transfer to Convention & Tourism	0	25,000	25,000
Total	**428,830**	**489,418**	**363,737**
Police			
Salaries	974,267	1,068,442	1,089,867
Contractual	0	0	0
Commodities	135,341	142,878	166,150
Capital Outlay	0	55,467	70,200
Total	**1,109,608**	**1,266,787**	**1,326,217**
Fire			
Salaries	587,358	651,135	655,486
Contractual	0	0	0
Commodities	78,059	81,156	82,700
Capital Outlay	16,399	9,955	43,134
Total	**681,816**	**742,246**	**781,320**
Streets			
Salaries	314,979	304,777	288,646
Contractual	0	0	57,721
Commodities	354,854	290,616	322,650
Capital Outlay	51,189	61,939	60,000
Total	**721,022**	**657,332**	**729,017**
Flood Control			
Salaries	61,644	74,168	99,122
Contractual	0	0	0
Commodities	40,705	41,030	42,500
Capital Outlay			
Total	**102,349**	**115,198**	**141,622**
Parks			
Salaries	167,869	194,557	198,885
Contractual	0	0	0
Commodities	78,466	74,600	78,500
Capital Outlay	5,015	4,000	10,700
Total	**251,350**	**273,157**	**288,085**
Swimming Pool			
Salaries	0	0	0
Contractual	0	0	0
Commodities	21,249	18,470	21,550
Capital Outlay	0	0	0
Total	**21,249**	**18,470**	**21,550**
Community Development			
Salaries	185,342	235,802	229,686
Contractual	4,820	5,000	10,000
Commodities	28,914	15,212	22,160
Capital Outlay	49,998	103,000	50,000
Total	**269,074**	**359,014**	**311,846**
Page 1 - Total	**3,585,298**	**3,921,622**	**3,963,394**

Adopted Budget General Fund - Detail Page 2	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Expenditures:			
Municipal Court			
Salaries	81,338	85,895	86,736
Contractual	3,526	29,000	31,000
Commodities	56,593	74,171	60,825
Capital Outlay			
Total	**141,457**	**189,066**	**178,561**
Senior Center			
Salaries	3,949	4,251	5,223
Contractual	7,200	6,000	7,200
Commodities	18,617	14,958	18,850
Capital Outlay			
Total	**29,766**	**25,209**	**31,273**
Public Transportation			
Salaries	60,997	67,275	67,968
Contractual	0	0	0
Commodities	21,975	26,944	21,700
Capital Outlay	10,727	12,000	0
Total	**93,699**	**106,219**	**89,668**
Civic Center			
Salaries	0	0	0
Contractual	0	0	0
Commodities	31,089	20,224	31,775
Capital Outlay	4,620	1,000	0
Total	**35,709**	**21,224**	**31,775**
General Fund Balance Reserve			
Salaries			
Contractual			
Commodities			
Capital Outlay			
Balance Reserve			1,586,500
Total	**0**	**0**	**1,586,500**
Salaries			
Contractual			
Commodities			
Capital Outlay			
Total	**0**	**0**	**0**
Salaries			
Contractual			
Commodities			
Capital Outlay			
Total	**0**	**0**	**0**
Salaries			
Contractual			
Commodities			
Capital Outlay			
Total	**0**	**0**	**0**
Page 2 -Total	300,631	341,718	1,917,777
Page 1 -Total	**3,585,298**	**3,921,622**	**3,963,394**
Grand Total	**3,885,929**	**4,263,340**	**5,881,171**

(Note: Should agree with general sub-totals.)

City of Abilene 2016

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget **Debt Service**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	101,219	208,510	399,072
Receipts:			
Ad Valorem Tax	423,280	519,674	xxxxxxxxxxxxxxxxxxx
Delinquent Tax	5,409	4,000	4,000
Motor Vehicle Tax	42,103	54,388	61,642
Recreational Vehicle Tax	523	788	814
16/20M Vehicle Tax			220
Commercial Vehicle Tax			1,986
Watercraft Tax			382
Special Assessment	179,608	174,056	120,425
Interest on Idle Funds	1,368	1,500	1,500
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**652,291**	**754,406**	**190,969**
Resources Available:	**753,510**	**962,916**	**590,041**
Expenditures:			
Principal & Interest	545,000	563,844	564,989
Debt Service Balance Reserve			525,000
Neighborhood Revitalization Rebate			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**545,000**	**563,844**	**1,089,989**
Unencumbered Cash Balance Dec 31	208,510	399,072	xxxxxxxxxxxxxxxxxxx
2014/2015/2016 Budget Authority Amount:	795,164	778,030	1,089,989
		Non-Appropriated Balance	
		Total Expenditure/Non-Appr Balance	1,089,989
		Tax Required	499,948
	Delinquent Comp Rate:	0.0%	0
		Amount of 2015 Ad Valorem Tax	**499,948**

City of Abilene 2016

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget **Library**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	0	0	0
Receipts:			
Ad Valorem Tax	321,835	328,625	xxxxxxxxxxxxxxxxxx
Delinquent Tax	0	0	0
Motor Vehicle Tax	35,499	39,897	38,980
Recreational Vehicle Tax	791	583	515
16/20M Vehicle Tax	0	0	139
Commercial Vehicle Tax	0	0	1,256
Watercraft Tax	0	0	241
Non Tax Revenue			4,210
Grants			8,000
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**358,125**	**369,105**	**53,341**
Resources Available:	**358,125**	**369,105**	**53,341**
Expenditures:			
Tax Distributions	358,125	369,105	405,775
Neighborhood Revitalization Rebate			
Miscellaneous			
Does miscellanous exceed 10% Total Exp			
Total Expenditures	**358,125**	**369,105**	**405,775**
Unencumbered Cash Balance Dec 31	0	0	xxxxxxxxxxxxxxxxxx
2014/2015/2016 Budget Authority Amount:	358,125	370,007	405,775
		Non-Appropriated Balance	
		Total Expenditure/Non-Appr Balance	405,775
		Tax Required	352,434
	Delinquent Comp Rate:	0.0%	0
		Amount of -1 Ad Valorem Tax	352,434

Adopted Budget **Recreation**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	103,191	302,955	335,142
Receipts			
Ad Valorem Tax	199,764	32,187	xxxxxxxxxxxxxxxxxx
Delinquent Tax	0	0	0
Motor Vehicle Tax			3,818
Recreational Vehicle Tax			50
16/20M Vehicle Tax			14
Commercial Vehicle Tax			123
Watercraft Tax			24
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**199,764**	**32,187**	**4,029**
Resources Available:	**302,955**	**335,142**	**339,171**
Expenditures			
Neighborhood Revitalization Rebate			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**0**	**0**	**0**
Unencumbered Cash Balance Dec 31	302,955	335,142	xxxxxxxxxxxxxxxxxx
2014/2015/2016 Budget Authority Amount:	0	470,792	0
		Non-Appropriated Balance	
		Total Expenditure/Non-Appr Balance	0
		Tax Required	0
	Delinquent Comp Rate:	0.0%	0
		Amount of 2015 Ad Valorem Tax	0

City of Abilene 2016

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget **Airport**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	90,132	228,537	249,101
Receipts:			
Ad Valorem Tax	73,324	59,304	xxxxxxxxxxxxxxxxxx
Delinquent Tax			
Motor Vehicle Tax			7,034
Recreational Vehicle Tax			93
16/20M Vehicle Tax			25
Commercial Vehicle Tax			227
Watercraft Tax			44
FAA Funding	83,352	0	0
Rentals	12,111	12,800	12,800
Land Lease/ Crop Income	2,540	5,080	5,000
Interest on Idle Funds	49	30	50
Miscellaneous	100	0	0
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**171,476**	**77,214**	**25,273**
Resources Available:	261,608	305,751	274,374
Expenditures:			
Contractual	1,500	0	1,500
Service & Supplies	29,880	31,650	33,000
Capital Outlay	1,691	0	0
Transfers	0	25,000	0
Airport Balance Reserve			309,950
Neighborhood Revitalization Rebate			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**33,071**	**56,650**	**344,450**
Unencumbered Cash Balance Dec 31	228,537	249,101	xxxxxxxxxxxxxxxxxx
2014/2015/2016 Budget Authority Amount:	2,291,554	85,427	344,450
		Non-Appropriated Balance	
		Total Expenditure/Non-Appr Balance	344,450
		Tax Required	70,076
	Delinquent Comp Rate:	0.0%	0
		Amount of 2015 Ad Valorem Tax	70,076

Adopted Budget **Fire Apparatus**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	45,270	47,786	54,409
Receipts:			
Ad Valorem Tax	49,563	50,524	xxxxxxxxxxxxxxxxxx
Delinquent Tax	477	200	500
Motor Vehicle Tax	3,356	6,380	5,993
Recreational Vehicle Tax	42	92	79
16/20M Vehicle Tax			21
Commercial Vehicle Tax			193
Watercraft Tax			37
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**53,438**	**57,196**	**6,823**
Resources Available:	**98,708**	**104,982**	**61,232**
Expenditures:			
Principal Payments	45,000	45,000	45,000
Bond & Interest	5,922	5,473	5,473
Commission & Postage	0	100	100
Fire Apparatus Balance Reserve			61,900
Neighborhood Revitalization Rebate			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**50,922**	**50,573**	**112,473**
Unencumbered Cash Balance Dec 31	47,786	54,409	xxxxxxxxxxxxxxxxxx
2014/2015/2016 Budget Authority Amount:	85,288	74,223	112,473
		Non-Appropriated Balance	
		Total Expenditure/Non-Appr Balance	112,473
		Tax Required	51,241
	Delinquent Comp Rate:	0.0%	0
		Amount of 2015 Ad Valorem Tax	51,241

City of Abilene 2016

FUND PAGE FOR FUNDS WITH A TAX LEVY

Adopted Budget **Capital Improvement**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	508,930	506,419	506,569
Receipts:			
Ad Valorem Tax	3,409	0	xxxxxxxxxxxxxxxxxx
Delinquent Tax			
Motor Vehicle Tax			
Recreational Vehicle Tax			
16/20M Vehicle Tax			
Commercial Vehicle Tax			
Watercraft Tax			
Interest on Idle Funds	137	150	
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**3,546**	**150**	**0**
Resources Available:	**512,476**	**506,569**	**506,569**
Expenditures:			
Capital Outlay	6,057	0	506,569
Neighborhood Revitalization Rebate			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**6,057**	**0**	**506,569**
Unencumbered Cash Balance Dec 31	506,419	506,569	xxxxxxxxxxxxxxxxxx
2014/2015/2016 Budget Authority Amount:	484,205	400,000	506,569
		Non-Appropriated Balance	
		Total Expenditure/Non-Appr Balance	506,569
		Tax Required	0
	Delinquent Comp Rate:	0.0%	0
		Amount of 2015 Ad Valorem Tax	0

Adopted Budget 0	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1		0	0
Receipts:			
Ad Valorem Tax		0	xxxxxxxxxxxxxxxxxx
Delinquent Tax			
Motor Vehicle Tax			
Recreational Vehicle Tax			
16/20M Vehicle Tax			
Commercial Vehicle Tax			
Watercraft Tax			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**0**	**0**	**0**
Resources Available:	**0**	**0**	**0**
Expenditures:			
Neighborhood Revitalization Rebate			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**0**	**0**	**0**
Unencumbered Cash Balance Dec 31	0	0	xxxxxxxxxxxxxxxxxx
2014/2015/2016 Budget Authority Amount:	0	0	0
		Non-Appropriated Balance	
		Total Expenditure/Non-Appr Balance	0
		Tax Required	0
	Delinquent Comp Rate:	0.0%	0
		Amount of 2015 Ad Valorem Tax	0

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Special Highway**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	392,886	238,775	267,065
Receipts:			
State of Kansas Gas Tax	173,862	175,590	175,830
County Transfers Gas	0	0	0
Reimbursed Expenses	0	65,000	65,000
KDOT Funds	0	200,000	200,000
Interest on Idle Funds	993	1,200	1,200
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**174,855**	**441,790**	**442,030**
Resources Available:	**567,741**	**680,565**	**709,095**
Expenditures:			
Service & Supplies	22,227	26,500	26,500
Capital Outlay	306,739	387,000	387,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**328,966**	**413,500**	**413,500**
Unencumbered Cash Balance Dec 31	238,775	267,065	295,595
2014/2015/2016 Budget Authority Amount:	1,410,184	413,500	413,500

Adopted Budget **Recycle**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	284,188	249,470	175,602
Receipts:			
Service Charges	56,883	58,936	59,160
Refunds Received	100	0	0
Sale of Merchandise	24,563	25,000	25,000
Interest on Idle Funds	80	65	80
Miscellaneous	0	0	0
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**81,626**	**84,001**	**84,240**
Resources Available:	**365,814**	**333,471**	**259,842**
Expenditures:			
Personnel	17,591	45,299	0
Contractual	74,000	74,000	74,000
Services & Supplies	24,753	24,470	27,470
Capital Outlay	0	14,100	14,100
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**116,344**	**157,869**	**115,570**
Unencumbered Cash Balance Dec 31	249,470	175,602	144,272
2014/2015/2016 Budget Authority Amount:	124,556	160,928	115,570

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Special Parks & Recreation**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	50,477	38,416	25,153
Receipts:			
Liquor Control Tax	9,742	16,712	16,712
Interest on Idle Funds	11	25	25
Miscellaneous	905	0	0
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**10,658**	**16,737**	**16,737**
Resources Available:	**61,135**	**55,153**	**41,890**
Expenditures:			
Capital Outlay/Special Projects	22,719	30,000	40,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**22,719**	**30,000**	**40,000**
Unencumbered Cash Balance Dec 31	38,416	25,153	1,890
2014/2015/2016 Budget Authority Amount:	19,200	35,000	40,000

See Tab A

Adopted Budget **Special Alcohol & Drug**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	59,740	58,345	57,067
Receipts:			
Liquor Control Tax	6,091	16,712	16,000
Interest Income	14	10	10
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**6,105**	**16,722**	**16,010**
Resources Available:	**65,845**	**75,067**	**73,077**
Expenditures:			
Service & Supplies	7,500	13,000	7,500
Capital Outlay	0	5,000	5,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**7,500**	**18,000**	**12,500**
Unencumbered Cash Balance Dec 31	58,345	57,067	60,577
2014/2015/2016 Budget Authority Amount:	18,000	13,000	12,500

See Tab C

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Equipment Reserve**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	147,859	163,579	203,588
Receipts:			
Transfer from General Fund	164,000	110,406	123,200
Interest on Idle Funds	18	70	70
Miscellaneous	12,180	0	0
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**176,198**	**110,476**	**123,270**
Resources Available:	**324,057**	**274,055**	**326,858**
Expenditures:			
Capital Outlay	160,478	70,467	123,200
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**160,478**	**70,467**	**123,200**
Unencumbered Cash Balance Dec 31	163,579	203,588	203,658
2014/2015/2016 Budget Authority Amount:	164,000	115,000	123,200

Adopted Budget **Storm Water**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	292,266	362,026	381,726
Receipts:			
User Charges	68,879	68,000	68,000
Reimbursed Expenses	791		
Interest on Idle Funds	90	100	100
Miscellaneous	0		
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**69,760**	**68,100**	**68,100**
Resources Available:	**362,026**	**430,126**	**449,826**
Expenditures:			
Contractual	0	45,000	0
Capital Outlay	0	0	200,000
Transfer to General Fund	0	3,400	3,400
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**0**	**48,400**	**203,400**
Unencumbered Cash Balance Dec 31	362,026	381,726	246,426
2014/2015/2016 Budget Authority Amount:	81,525	281,375	203,400

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Equipment Reserve - Water**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	163,971	162,536	162,636
Receipts:			
Transfer from Water Fund	0	0	35,000
Interest on Idle Funds	46	100	100
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**46**	**100**	**35,100**
Resources Available:	**164,017**	**162,636**	**197,736**
Expenditures:			
Capital Outlay	1,481	0	35,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**1,481**	**0**	**35,000**
Unencumbered Cash Balance Dec 31	162,536	162,636	162,736
2014/2015/2016 Budget Authority Amount:	80,000	0	35,000

Adopted Budget **Equipment Reserve - Sewer**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	630,781	630,781	700,806
Receipts:			
Transfer from Sewer Fund	0	70,025	71,426
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**0**	**70,025**	**71,426**
Resources Available:	**630,781**	**700,806**	**772,232**
Expenditures:			
Capital Outlay			19,400
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**0**	**0**	**19,400**
Unencumbered Cash Balance Dec 31	630,781	700,806	752,832
2014/2015/2016 Budget Authority Amount:	0	0	19,400

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Special Revenue - Community Center**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	153,847	153,847	153,907
Receipts:			
Interest on Idle Funds	0	60	60
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**0**	**60**	**60**
Resources Available:	**153,847**	**153,907**	**153,967**
Expenditures:			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**0**	**0**	**0**
Unencumbered Cash Balance Dec 31	153,847	153,907	153,967
2014/2015/2016 Budget Authority Amount:	5,000	0	0

Adopted Budget **Special Revenue - Lib/Pool Project**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	298,731	314,715	305,490
Receipts:			
Sales Tax Distribution	458,554	445,000	473,310
Interest on Idle Funds	55	100	100
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**458,609**	**445,100**	**473,410**
Resources Available:	**757,340**	**759,815**	**778,900**
Expenditures:			
Principal Payments	370,000	395,000	395,000
Bond Interest	72,625	59,225	59,225
Commission & Postage	0	100	100
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**442,625**	**454,325**	**454,325**
Unencumbered Cash Balance Dec 31	314,715	305,490	324,575
2014/2015/2016 Budget Authority Amount:	442,625	454,325	454,325

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Special Revenue - Streets**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	189,708	146,695	185,177
Receipts:			
Sales Tax	327,559	325,000	325,000
Interest on Idle Funds	70	70	70
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**327,629**	**325,070**	**325,070**
Resources Available:	**517,337**	**471,765**	**510,247**
Expenditures:			
Capital Outlay	370,642	286,588	325,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**370,642**	**286,588**	**325,000**
Unencumbered Cash Balance Dec 31	146,695	185,177	185,247
2014/2015/2016 Budget Authority Amount:	280,000	300,000	325,000

See Tab A

Adopted Budget **0**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1		0	0
Receipts:			
Interest on Idle Funds			
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**0**	**0**	**0**
Resources Available:	**0**	**0**	**0**
Expenditures:			
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**0**	**0**	**0**
Unencumbered Cash Balance Dec 31	0	0	0
2014/2015/2016 Budget Authority Amount:	0	0	0

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Water**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	103,753	301,978	483,333
Receipts:			
Charges for Service	1,531,334	1,591,412	1,623,240
Sales Tax	169	650	650
Fines and Penalties	25,596	25,288	22,000
Reimbursed Expenses	2,040	5,547	5,000
Antenna Fees	12,632	12,500	12,500
Interest on Idle Funds	4,418	4,500	4,500
Miscellaneous	16,738	13,110	12,000
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**1,592,927**	**1,653,007**	**1,679,890**
Resources Available:	**1,696,680**	**1,954,985**	**2,163,223**
Expenditures:			
Production	478,881	467,118	531,173
Distribution	465,540	540,203	692,762
Commercial	217,096	248,848	241,739
Debt Service	233,185	135,768	169,568
Transfer	0	79,715	116,162
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**1,394,702**	**1,471,652**	**1,751,404**
Unencumbered Cash Balance Dec 31	301,978	483,333	411,819
2014/2015/2016 Budget Authority Amount:	1,544,049	1,485,422	1,751,404

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Sewer**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	1,300,462	1,365,895	1,184,173
Receipts:			
User Charges	1,390,199	1,400,500	1,428,510
Reimbursed Expenses	1,265	7,200	7,200
Refunds	4,231	0	0
Interest on Idle Funds	2,714	0	0
Miscellaneous			
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**1,398,409**	**1,407,700**	**1,435,710**
Resources Available:	**2,698,871**	**2,773,595**	**2,619,883**
Expenditures:			
Collection	149,213	229,477	282,779
Treatment Plant	436,989	524,167	535,003
Commercial	177,947	213,306	196,372
Debt Service	568,827	552,447	552,447
Transfer	0	70,025	71,426
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**1,332,976**	**1,589,422**	**1,638,027**
Unencumbered Cash Balance Dec 31	1,365,895	1,184,173	981,856
2014/2015/2016 Budget Authority Amount:	1,603,444	1,658,091	1,638,027

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Tourism & Convention**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	79,218	77,111	85,839
Receipts:			
Transient Guest Tax	131,758	130,000	130,000
Arts Festival Revenue	30,970	90,000	90,000
Transfers	0	25,000	25,000
Reimbursed Billboards	20,918	20,000	20,000
Civic Center Rental/Deposit	13,059	10,000	13,000
Reimbursed Other	8,596	35,000	35,000
CVB-Trolley Fares	7,720	8,641	8,641
Interest on Idle Funds			
Miscellaneous	6,764	10,510	10,510
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**219,785**	**329,151**	**332,151**
Resources Available:	**299,003**	**406,262**	**417,990**
Expenditures:			
Salaries & Benefits	121,611	147,023	145,596
Service & Supplies	96,666	167,400	186,400
Capital Outlay	3,615	6,000	6,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**221,892**	**320,423**	**337,996**
Unencumbered Cash Balance Dec 31	77,111	85,839	79,994
2014/2015/2016 Budget Authority Amount:	241,892	325,443	337,996

City of Abilene 2016

FUND PAGE FOR FUNDS WITH NO TAX LEVY

Adopted Budget **Recreation Commission**	Prior Year Actual for 2014	Current Year Estimate for 2015	Proposed Budget Year for 2016
Unencumbered Cash Balance Jan 1	103,191	134,067	128,824
Receipts:			
Ad Valorem	199,764	200,000	218,186
Motor Vehicle	17,525	22,600	25,359
Donations/Grants/Scholarships	12,435	12,000	15,000
Administration	1,591	1,500	1,500
Aquatics	67,328	69,700	69,000
Athletics	85,740	91,500	89,800
Community Education	4,530	10,000	17,500
Community Center	9,233	9,500	9,500
Interest on Idle Funds	60	60	100
Miscellaneous	945	0	1,000
Does miscellaneous exceed 10% Total Rec			
Total Receipts	**399,151**	**416,860**	**446,945**
Resources Available:	**502,342**	**550,927**	**575,769**
Expenditures:			
Administration	153,640	168,503	170,953
Aquatics	68,366	80,000	85,000
Athletics	65,176	73,000	82,250
Community Education	7,557	15,500	31,250
Community Center	51,487	60,100	78,000
Special Projects	22,049	25,000	125,000
Miscellaneous			
Does miscellaneous exceed 10% Total Exp			
Total Expenditures	**368,275**	**422,103**	**572,453**
Unencumbered Cash Balance Dec 31	134,067	128,824	3,316
2014/2015/2016 Budget Authority Amount:	527,191	559,067	572,453

NOTICE OF BUDGET HEARING

2016

The governing body of

City of Abilene

will meet on August 10, 2015 at 4:00 pm at Commission Chambers, Abilene Public Library 209 NW 4th Street for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.

Detailed budget information is available at City Hall, 419 N Broadway Street, Abilene, KS 67410 and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2016 Expenditures and Amount of 2015 Ad Valorem Tax establish the maximum limits of the 2016 budget.

Estimated Tax Rate is subject to change depending on the final assessed valuation.

	Prior Year Actual for 2014		Current Year Estimate for 2015		Proposed Budget for 2016		
FUND	Expenditures	Actual Tax Rate *	Expenditures	Actual Tax Rate *	Budget Authority for Expenditures	Amount of 2015 Ad Valorem Tax	Estimate Tax Rate *
General	3,885,929	25.173	4,263,340	26.983	5,881,171	1,463,495	27.783
Debt Service	545,000	8.487	563,844	10.010	1,089,989	499,948	9.491
Library	358,125	6.280	369,105	6.330	405,775	352,434	6.691
Airport	33,071	1.171	56,650	1.142	344,450	70,076	1.330
Fire Apparatus	50,922	0.996	50,573	0.973	112,473	51,241	0.973
Capital Improvement	6,057				506,569		
Special Highway	328,966		413,500		413,500		
Recycle	116,344		157,869		115,570		
Special Parks & Recreation	22,719		30,000		40,000		
Special Alcohol & Drug	7,500		18,000		12,500		
Equipment Reserve	160,478		70,467		123,200		
Storm Water			48,400		203,400		
Equipment Reserve - Water	1,481				35,000		
Equipment Reserve - Sewer					19,400		
Special Revenue - Community							
Special Revenue - Lib/Pool Pr	442,625		454,325		454,325		
Special Revenue - Streets	370,642		286,588		325,000		
Water	1,394,702		1,471,652		1,751,404		
Sewer	1,332,976		1,589,422		1,638,027		
Tourism & Convention	221,892		320,423		337,996		
Recreation Commission	368,275		422,103		572,453		
Totals for City	9,647,704	42.107	10,586,261	45.438	14,382,202	2,437,195	46.268
Recreation							0.000
Totals Includes Recreation	9,647,704	42.107	10,586,261	45.438	14,382,202	2,437,195	46.268
Less: Transfers	346,200		353,975		339,188		
Net Expenditure	9,301,504		10,232,286		14,043,014		
Total Tax Levied	2,157,949		2,358,929		xxxxxxxxxxxxxxxxxx		
Assessed Valuation	51,266,549		51,914,222		52,676,645		

Outstanding Indebtedness, January 1,	2013	2014	2015
G.O. Bonds	10,250,000	10,495,000	9,405,000
Revenue Bonds	7,021,130	6,647,434	7,521,308
Other	17,760,000	18,030,000	17,545,000
Lease Purchase Principal	375,131	217,583	261,189
Total	35,406,261	35,390,017	34,732,497

*Tax rates are expressed in mills

Marcus Rothchild

City Official Title: Finance Director

ORDINANCE NO. 3278

AN ORDINANCE APPROVING A TEXT AMENDMENT TO SECTION 15-201 OF THE ZONING REGULATIONS OF THE CITY OF ABILENE, KANSAS, RELATING TO PERMITTED AND CONDITIONAL USES OF THE "I-1, LIGHT INDUSTRIAL DISTRICT"

WHEREAS, the Great Plains Theatre has requested the City consider a Text Amendment to Section 15-201 of the Zoning Regulations to allow movie cinemas and live production theater as a conditional use in the "I-1, Light Industrial District;"

WHEREAS, the Planning Commission conducted a public hearing on August 3, 2015, and no comments were received from the public in opposition to the proposed text amendment;

WHEREAS, the Planning Commission recommended the Governing Body approve a Text Amendment allowing movie cinemas and live production theaters as a conditional use in the "I-1, Light Industrial District."

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

SECTION ONE. Findings of Fact. That the Findings of Fact, as provided in the Staff Report attached hereto, are hereby accepted and approved by the City Commission.

SECTION TWO. Amendment. That Table 15-1 of Section 15-201 of the Zoning Regulations of the City of Abilene, Kansas, is hereby amended to include the following:

33. Movie Cinema/Live Production Theatre as a Conditional Use in the "I-1, Light Industrial District"

SECTION THREE. 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 ADOPTED by the Governing Body of the City of Abilene, Kansas this 10th day of August, 2015.

CITY OF ABILENE, KANSAS

By: _____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC

EXHIBIT A

Staff Report

for

Text Amendment to Section 15-201

City of Abilene, Kansas

August 10, 2015

Staff Report for PC 15-7

Date: July 9, 2015

Agenda Item: PC 15-7

Subject: Request for Text Amendment to Section 15-201 of the Zoning Regulations relating permitted and conditional uses of the "I-1, Light Industrial District."

Applicant: Great Plains Theatre

Location: Not Applicable

Background: The Great Plains Theatre has requested a text amendment to Section 15-201 of the Zoning Regulations to allow movie cinema/live production theaters in the "I-1, Light Industrial District." The Theatre has identified vacant space at 401 Cottage Avenue in the old Alco corporate office building where they propose to operate a movie cinema/live production theater until such time as a new building may be constructed.

The historic Great Plains Theatre, previously located at 300 N. Mulberry Street, was destroyed by fire on July 23, 2014. Prior to the fire, the Great Plains Theatre provided live productions and cinematic movies for the enjoyment of the general public.

Proposed Amendment: The proposed amendment would add "movie cinema/live production theater" to Table 15-1 as a conditional use in the "I-1, Light Industrial District." The use, however, would not be allowed in an "I-2, Heavy Industrial District."

Rationale: The Zoning Regulations of the City of Abilene state that "it is the intent that these zoning regulations shall be consistent with the comprehensive plan and with supplemental land use and community development policies adopted by the Governing Body."

Chapter VI of the Comprehensive Plan briefly discusses various tourism attractions found in Abilene. The Comprehensive Plan specifically mentions the Great Plains Theatre as an attraction, and briefly describes it as "a premier year-round professional stage production company." The Comprehensive Plan further states that "these attractions along with special events, historic structures, seven antique stores, and unique dining provide a sound foundation upon which the local tourism industry is built."

From this brief summary of the tourism industry in Abilene, one can conclude that the Great Plains Theatre has been an important asset to the community with respect to tourism and the local economy. It would stand to reason that the community would be supportive of efforts to preserve the heritage and tradition of the Great Plains Theatre. While the Comprehensive Plan does not envision a movie cinema/live production theater within an "I-1, Light Industrial District," it does stand to reason that such a land use within the aforementioned district could be developed in such a manner as to meet the applicable goals and objectives of the Comprehensive Plan and any standards of the community, particularly since the proposed text amendment would

make such uses subject to appropriate conditions that could safeguard the interests of the public and adjacent properties and land uses.

In addition, the Comprehensive Plan contains several stated goals that may support theater space within the community, and that could reasonably support the proposed text amendment such as: 1) Preserve and recognize historic structures and other resources (Key Issue 5, Goal C); make downtown a regionally recognized shopping and cultural destination (Key Issue 5, Goal E); minimize the cost of providing public services (Key Issue 10, Goal A); and promote context-sensitive in-fill development (Key Issue 12, Goal D).

Further, the Zoning Regulations have been adopted with the purpose and intent of:

1. **Promoting and serving the public health, safety, morals, comfort, and general welfare of the citizens of the City of Abilene.** The proposed text amendment is not anticipated to detrimentally affect the public health, safety, morals, comfort, and general welfare of the citizens of Abilene. If anything, it will promote and serve the comfort and general welfare of the community by providing cultural amenities that add value to the community.

2. **Obtaining the objectives of the comprehensive plan, including the objectives of the future land use maps.** Several of the objectives of the comprehensive plan provide for cultural amenities and enhancing the quality of life for residents that would be enhanced as a result of the proposed text amendment. Future land use maps do not conflict with the proposed amendment.

3. **Preserving and protecting property values.** The proposed text amendment is not anticipated to negatively affect property values in the community. The use of movie cinema/live production theater is of a general commercial nature, and is not anticipated to greatly affect the property values of property zoned as "I-1, Light Industrial District," especially in such areas of the community where such zoning districts already exist.

4. **Regulating and restricting location and use of buildings and land.** If anything, the proposed text amendment would reduce restrictions and regulations that would prevent the use of land in a context that may provide a good location for a movie cinema/live production theater.

5. **To create zoning districts sensitive to the peculiarities of the allowed uses and designed to protect and enhance the value inherent in each zone.** Because the proposed text amendment would provide for movie cinemas/live production theaters as a conditional use, any development of this land use within an "I-1, Light Industrial District" would be reviewed on a case-by-case basis to determine if it is an appropriate fit for the district in the proposed location, and if there should be conditions to mitigate the affect of the use on adjacent properties.

6. **Regulating and restricting the height, number of stories, and size of buildings; the percentage of lots that may be occupied by buildings and other structures; and the size of yards, and other open spaces.** Light industrial districts contain land uses that facilitate a wide variety of buildings. As a conditional use, proposed movie cinemas/live production theaters within the "I-1, Light Industrial District" would be reviewed in context with adjacent properties and zoning districts to determine if proposed building elements are appropriate for the location.

7. **Avoiding the undue concentration of populations and to prevent overcrowding in the use of land and community facilities.** It is not envisioned that there would be a great demand for multiple movie cinemas/live production theaters within Abilene. Because of this fact, it is highly unlikely that approving the text amendment would encourage the development of an abundance of such facilities. In addition, it is unlikely that allowing movie cinemas/live production theaters in the "I-1, Light Industrial District" as a conditional use would create a catalyst for overcrowding. While there may be small crowds who would concentrate in the immediate area surrounding a movie cinemas/live production theaters prior to an following a show, it is unlikely that such concentration will be lengthy or create any hardship with adjacent properties within the zoning district.

8. **Providing adequate notice of amendments to these regulations and an opportunity for interested parties to be heard.** The public has had an opportunity to provide comments on the proposed text amendment, and will have an opportunity to voice concerns at an upcoming public hearing.

9. **Facilitating the adequate provisions of transportation, water, sewage, schools, parks, and other public improvements and services, and to carry out the goals and objectives as set forth in the applicable law of the State of Kansas and the adopted comprehensive plan of the City of Abilene.** A movie cinemas/live production theater will not create a significant and lasting demand on public infrastructure within any "I-1, Light Industrial District." In many cases, public infrastructure in these districts is often oversized to accommodate larger uses.

10. **Informing the public regarding future development in the City of Abilene thereby providing a basis for wise decisions with respect to such development.** Through the development review process, the public will have an opportunity to learn about movie cinemas/live production theater proposals that are requesting development within an "I-1, Light Industrial District."

Staff is of the opinion that the proposed text amendment to allow movie cinema/live production theaters as a conditional use in the "I-1, Light Industrial District" meets the intent and purpose of the Zoning Regulations as provided in the aforementioned rationale.

Comments

Departmental Comments – None received as of July 9, 2015.

Citizen Comments – The City has not received any comments specific to the proposed text amendment, although the City has received a comment in support of the requested conditional use permit to allow the temporary use of a building in an "I-1, Light Industrial District" as a movie cinema/live production theater.

Staff Recommendation

Staff recommends that the Planning Commission recommend approval of the proposed amendment to Section 15-201 as proposed. This recommendation is made for the following reasons:

1. The text amendment may allow for more productive use of land resources and public infrastructure;

2. The intent and purpose of the Zoning Regulations will not be unduly infringed upon by the text amendment as the conditional use process will provide a case-by-case review of any movie cinema/live production theater within the "I-1, Light Industrial District;" and

3. The proposed text amendment will provide opportunities for a much needed and supported community amenity.

Options

The Planning Commission may:

1. Recommend approval of the proposed zoning text amendment based on staff's recommendation;

2. Recommend approval of the proposed zoning text amendment with revisions and on staff's recommendation;

3. Recommend denial of the proposed zoning text amendment;

4. Recommend partial or amendment proposed zoning text amendment; or

5. Table the request for additional information.

All recommendations require stated findings by the Planning Commission. Motions made by Commission members must include findings and conditions, when applicable, which may be referenced if located within the staff report. Motions may only pass in the affirmative.

CITY OF ABILENE
PLANNING COMMISSION
"SPECIAL" MEETING MINUTES

August 3, 2015
Meeting at 4:30 p.m.
Abilene Public Library
209 NW 4th Street

Members Present: Gene Bielefeld (Acting Chair), Rod Boyd, Bruce Dale, Steven Olson, and Michelle Stephens

Members Absent: Kyle Campbell (Vice-Chair) and Travis Sawyer (Chair)

Staff Present: Jennie Hiatt and Daniel Shea

Others Present: (see attached list)

Call to Order & Roll Call.

The meeting was called to order.

Hiatt took roll call with five of the seven commissioners present.

Approval of Agenda.

Olson made a motion to approve the agenda as written. The motion was seconded by Stephens. The motion passed unanimously. (5-0)

Approval of Meeting Minutes – July 14, 2015.

Dale made a motion to approve the minutes as written. The motion was seconded by Olson. The motion passed unanimously. (5-0)

Business.

Boyd made a motion to appoint Bielefeld as Acting Chair since both Sawyer and Campbell had to be absent from today's meeting. The motion was seconded by Olson. The motion passed unanimously. (5-0)

1. **Public Hearing, PC 15-7**, a request by Great Plains Theatre for a consideration of an ordinance amending Section 15-201 of the Zoning Regulations to allow, by

Conditional Use, the temporary use of movie cinemas and live production theatres in the Light Industrial (I-1) Zoning District.

Shea presented the staff report.

Bielefeld asked the Commissioners if they had any questions for staff and there were none. He then asked the applicant if they had any comments.

Tony Geiger, 210 NW 10th, stated that Great Plains Theatre's Executive Director, Elizabeth Weese could not be present today, so as a board member I'm here in her place. He said that they appreciate the commissioner's support and look forward to your approval and the chance to move forward.

Bielefeld asked the commissioners if they had any questions for the applicant and there were none. He then opened the public hearing and there were no public comments, therefore he closed the public hearing.

There was brief discussion.

Boyd made a motion to recommend approval of PC 15-7 to the City Commission. The motion was seconded by Olson. The motion passed unanimously. (5-0)

Comments.

The next meeting will be held on August 11, 2015.

Adjournment.

Stephens made a motion to adjourn the meeting. The motion was seconded by Boyd. The motion passed unanimously (5-0) and the meeting was adjourned.

Minutes Submitted,

_____
Daniel J. Shea MRCP
Community Development Director

Minutes Approved,

_____
Gene Bielefeld, Acting-Chair

ORDINANCE NO. 3279

AN ORDINANCE APPROVING A CONDITIONAL USE PERMIT FOR 401 COTTAGE AVENUE, AT THE REQUEST OF TSB ENTERPRISES, LLC, CONCERNING THE TEMPORARY USE OF A MOVIE CINEMA AND LIVE PRODUCTION THEATER IN AN "I-1, LIGHT INDUSTRIAL DISTRICT" OF THE CITY OF ABILENE, KANSAS

WHEREAS, the property owners of record have requested the City consider a Conditional Use Permit to allow for the temporary operation of a movie cinema and live production theatre at property generally described as 401 Cottage Avenue in Abilene, Kansas, as provided in **Exhibit A** as attached hereto;

WHEREAS, the Planning Commission conducted a public hearing on July 14, 2015, and comments were received from the public both in support of the proposed Conditional Use Permit; and

WHEREAS, the Planning Commission recommended the Governing Body approve a Conditional Use Permit allowing the temporary operation of a movie cinema and live production theater at the aforementioned address.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:

SECTION ONE. Findings of Fact. That the Findings of Fact, as provided in the Staff Report attached hereto, are hereby accepted and approved by the City Commission.

SECTION TWO. Conditional Use Permit. That a Conditional Use Permit is hereby granted to TSB Enterprises, LLC for the operation of a movie theater and live production theater as generally provided in the Conditional Use Permit application, as attached hereto on property legally described as follows:

> *A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 13 SOUTH, RANGE 2 EAST OF THE 6TH PM, IN THE CITY OF ABILENE, DICKINSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:*
>
> *COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 16, THENCE NORTH 00 DEGREES 56' 22" WEST ON AN ASSUMED BEARING ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A POINT ON THE NORTH LINE OF COTTAGE AVENUE A DISTANCE OF 480.00 FEET; THENCE SOUTH 89 DEGREES 25' 08" WEST TO EXISTING PROPERTY PIN AND TO THE POINT OF BEGINNING A DISTANCE OF 475.21 FEET; THENCE SOUTH 89 DEGREES 22' 44" WEST TO EXISTING PROPERTY PIN A DISTANCE OF 785.14 FEET; THENCE NORTH 00 DEGREES 55' 03" WEST TO SOUTH RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD A DISTANCE OF 210.72 FEET; THENCE NORTH 78 DEGREES 13' 10" EAST ALONG SAID RIGHT-OF-WAY LINE TO EXISTING PROPERTY PIN A DISTANCE OF 799.75 FEET; THENCE SOUTH 00 DEGREES 52' 18" EAST A DISTANCE OF 365.51 FEET TO THE POINT OF BEGINNING.*

SECTION THREE. Permit Conditions, Approval. Per Section 26-110, the Planning Commission may impose, and City Commission may approve, reasonable conditions on approval of a Conditional Use Permit. Conditions for this permit are approved as provided in the Staff Report, as attached hereto, with the addition of a condition that the Theatre will encourage the usage of the parking lot located south of the primary structure by patrons and minimize the parking impact on the residents in the area.

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

SECTION FIVE. 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 ADOPTED by the Governing Body of the City of Abilene, Kansas this 10th day of August, 2015.

CITY OF ABILENE, KANSAS

By: _____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC

APPROVED AS TO FORM:

_____
Aaron O. Martin
Clark, Mize, and Linville, Chartered

EXHIBIT A

Conditional Use Permit Application

and

Staff Report

for

401 Cottage Avenue

City of Abilene, Kansas

August 10, 2015

STAFF REPORT

PC 15-6 Consideration of a Conditional Use Permit for 401 Cottage Avenue for the temporary use of a structure as a movie cinema/live production theater.

Date:	June 2, 2015	**Prepared by:** David Dillner, City Manager, as interim Community Development Director
Owner:	TSB Enterprises, LLC (Casen Brown as agent)	
Applicant:	Elizabeth Weese (Great Plains Theatre)	
Requested Action:	Approval of a Conditional Use Permit	
Purpose:	Temporary use of part of an existing building for movie cinema/live production theater	
Location address:	401 Cottage Avenue, Abilene, Kansas	
Comprehensive Plan:	Comprehensive Plan shows this address as a "I-1, Light Industrial District"	
Sites Existing Zoning:	I-1, Light Industrial District	
Surrounding Zoning and Land Use:	North	*I-1, Light Industrial (Railroad tracks)*
	South	*R-3, High Density Residential*
	East	*I-1, Light Industrial*
	West	*I-1, Light Industrial*
Land Area:	Site contains approximately 6.22 acres	
Notice Date:	This project was published and noticed by mail as required by City Code.	

Comments

- ***Departmental Comments:*** No comments have been received at the time of writing this report: July 1, 2015.
- ***Public Comments:*** As of the time of the writing of this report, staff had received one comment from the public concerning this request. Mrs. Doris Hoover of 110 S. Campbell Street commented as follows: "Sir, I have no objections to opening a "shut door" at 401 Cottage for the GPT by opening these vacated buildings for GPT to expand their outreach to our community. God bless to all involved and all those who will get to attend the productions."

Recommendation and Findings

Staff is recommending approval of the requested Conditional Use permit with the following findings as outlined in Article 26-110:

a. Consistency with intent and purpose of the zoning regulations – The proposed use is interpreted as being consistent with the intent and purpose of proposed text amendments to the Zoning Regulations. Currently, the proposed use of a movie cinema/live production theater would not be permitted in the "I-1, Light Industrial District." However, a text amendment to the regulations has been proposed that would allow the aforementioned use in an "I-1, Light Industrial District" with an approved temporary conditional use permit.

b. Compatibility of proposed use with surrounding uses – The temporary use of a movie cinema and live production theater is considered a compatible use for the existing uses surrounding the property.

c. Public infrastructure – The proposed use is not anticipated to have an adverse impact on existing public infrastructure, including public water and sewer, as these services are already existing and provide sufficient capacity to meet and/or exceed the demand that would be needed for the proposed use. Access to the site is provided off of Cottage Avenue and parking is available in a parking lot located approximately 270 feet south of the proposed entrance and exit for the proposed use. The parking lot is located on the south side of Cottage Avenue across the street from the primary structure, and contains sufficient space to meet the City's parking requirements for the proposed use.

d. Necessity of the proposal due to changes in the affected area – There are no changes in the affected area that are a driving factor to cause this change.

e. Length of time the property has remained vacant – The primary structure is approximately 181,456 sq ft, of which approximately 56,242 sq ft is arranged for office use and 125,304 sq ft is arranged for warehousing. Recently, a manufacturing company acquired the structure with plans to locate its manufacturing business into the side of the building built for warehousing. The property owner had no immediate plans to use the remaining floor space until the applicant proposed using the area as a temporary location for its operation until such time as a new building could be constructed to house the movie cinema/live production theater. But for the conditional use permit, a portion of the building will remain vacant until such time as a tenant is found to occupy the floor space anticipated to be unused by the property owner as part of the manufacturing operation.

f. Compatibility of the subject property for the proposed use – Staff is of the opinion that the property is compatible with the proposed uses. The building contains approximately 56,242 sq ft of office space that contains a sizable room where corporate presentations and large meetings were held when the building was occupied by Alco Stores, Inc. The large room, and some adjacent space, is proposed to be used for the movie cinema/live production theater and general office space and concessions.

Staff has made several visits to the building with the applicant and the property owner to determine how the building will be used for the proposed use. Based on these visits and discussions with the applicant and property owner, staff is of the opinion that the subject property is compatible with the proposed use in a temporary context. Staff acknowledges that the facility may not be entirely ideal for the proposed use, but is satisfied that all life and safety issues may be adequately addressed by the applicant and property owner to accommodate the proposed use.

g. Whether the Comprehensive Plan is furthered and supported by this proposal – It is the opinion of staff that the Comprehensive Plan is both furthered and supported by the proposal. Several Key Issues and Goals of the Comprehensive Plan may be interpreted as supporting the proposed use.

i. **Key Issue 1, Goal F** is to "attract working age residents both new and returning." It is reasonable to believe that working age residents seek to reside in communities with certain amenities such as movie cinemas and live production theaters.

ii. **Key Issue 2, Goal B** is to "increase education opportunities through supplemental resources, activities and community involvement." The Great Plains Theatre has managed a productive youth education program focused on the performing arts. It is imagined that this program will be continued, in some manner, by the applicant. While not considered traditional educational opportunities, the applicant's program has provided a unique educational opportunity that is a potential regional draw to the community and that develops

many quality characteristics in those that participate. The proposed use would allow the program to continue within the community.

iii. **Key Issue 5, Goal E** is to "make downtown a regionally recognized shopping and cultural destination." While the proposed location for the proposed movie cinema/live production theater may not be considered as "downtown," it is in a location that is in close proximity to the downtown and is relatively easy to access from downtown. The proposed use will presumably compliment downtown and may help further the desire for a cultural destination in the community, even if the location is temporary. The Great Plains Theatre is not a new entity in Abilene. The appeal of a movie cinema/live production theater is a great cultural asset for any community, and is especially important given the lack of such facilities since the Great Plains Theatre burned down.

h. Adverse impacts on adjacent properties if all conditions placed upon the request are met

i. ***Traffic Congestion:*** The proposed use is not anticipated to create an increase in traffic greater than what was created by the daily traffic from the previous owners of the property, although the traffic patterns will be different than the former use. Traffic will not be of a commercial nature and will peak less than an hour or so prior to and following most cinematic presentations and live productions. Traffic congestion is not anticipated to be an issue during these peak periods of operation as vehicles will be able to access the parking lot located south of the building easily and conveniently.

ii. ***Noise:*** The sound created by theaters is usually contained within the confines of the structure and is not anticipated to have any off-site impacts. There may be an increase in noise related to vehicles arriving and leaving the site prior to and after presentations, but noise levels are anticipated to be at or below noise levels from previous uses on the site.

iii. ***Parking:*** Sufficient parking is provided in a parking lot at the corner of Cottage Avenue and Campbell Street.

iv. ***Signage:*** The applicant will be required to install any signage in conformance with Article 27 of the Zoning Regulations. As of the preparation of this report, staff is unaware of any plans to install signage.

v. ***Safety:*** There are adequate provisions for water, sanitation and public utilities and services to ensure that the expanded use would not be detrimental to public health and safety in that the site is located within an urbanized area adequately served by existing infrastructure. Furthermore, the proposed use will be done within an existing commercial building that will be remodeled and renovated to comply with all current life and safety requirements. The property owner and applicant have provided a plan for building modifications that will allow the structure to comply with various requirements found in the Fire Code. The applicant will sell, or make available during performances, alcohol that will be sold in compliance with all applicable federal, state, and local laws.

i. Solid waste disposal facilities – This item is not applicable to the request.

j. 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. Staff could not think of any similar uses located in Abilene where a manufacturing use and a low density commercial use existed within the same building for comparative purposes.

Planning Commission Options:

1. Recommend approval of the Conditional Use permit. If this option is chosen, the following conditions of approval are strongly recommended:

    a. All relevant local, state and federal regulations will be followed to include any signage and occupancy certificates.

    b. All exits will be signed and lighted to the satisfaction of the Building Inspector to ensure that patrons may understand how to exit the building in the event of an emergency or other event requiring the evacuation of the building during a performance. The exit in the primary room of the proposed use leading to the north of the building shall not be used as an emergency exit due to its proximity to adjacent railroad tracks and an inaccessible entrance.

    c. The applicant must adhere to the maximum occupancy limit of 200 persons for their event space as set forth by the 2003 International Building as adopted by the City.

    d. The applicant and/or property owner will comply, to the satisfaction of the Building Inspector, with 2003 International Building Code requirements for theaters, as previously discussed with the applicant and attached hereto.

    e. Any significant change in use or physical alteration of the land or structures may require a review of this Conditional Use Permit at the determination of the Community Development Director.

    f. The Conditional Use Permit shall be valid for two years following the date of issuance. The applicant will have to request an extension of the Conditional Use Permit, at the discretion of the Planning Commission, if a permanent structure is not completed and approved for occupancy.

    g. A proposed text amendment to allow movie cinemas/live production theaters as a temporary use in an "I-1, Light Industrial District" must be approved by the City Commission prior to the issuance of a Conditional Use Permit and Certificate of Occupancy.

2. Recommend denial of the Conditional Use Permit.

3. Table for further information. The Planning Commission must specify the information being requested of staff or the applicant in order to allow it to make a recommendation on the request to the City Commission.

Theaters.

IBC –Assembly Group A-1

IBC-Thunderstruck Bumpers, Factory Group F-1 (Moderate Hazard)

IBC- 3 hour fire separation between A-1 & F-1 (IBC 302.3.2)

IBC- Maximum occupancy is 1 person per 15 ft2, to include occupants from accessory spaces (back stage, dressing rooms etc...IBC 1004.1.2 & 1004.1.3)

IBC-Minimum egress width is occupant load x 0.2. For example, an occupancy load of 200 requires a minimum egress width of 40". An Occupancy load of 150 requires a minimum egress width of 30". (IBC Table 1005.1) **Exit Corridor width shall be a minimum of 44" (IBC 1016.2)**

IBC-The means of egress, including the exit discharge, shall be illuminated at ALL times the building space served by the means of egress is occupied, except the aisle "accessways" in Group A. (IBC 1006.1)

IBC- The means of egress illumination shall be supplied by the buildings power under normal operation. In the event of power supply failure, an emergency electrical system shall automatically illuminate the Exit access corridors, passageways, aisles, exterior lights at point of discharge. (IBC 1006.3)

IBC- The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries or an on-site generator. (IBC 1006.3)

IBC- Two or more exits are required. (IBC Table 1014.1)

IBC- Required exits shall be unobstructed at all times. (IBC 1014.2)

IBC- The maximum exit travel distance is 250' (IBC Table 1015.1)

IBC- The clear width of means of egress from the risers/stairs shall by Occupant load x 0.3. (For example, an occupancy load of 200 requires a 60" egress. An occupancy load of 150 requires a 45" egress) (IBC-1024.6.1)

IBC- The minimum clear width of aisles shall be 48" for aisle stairs having seating on each side. (IBC 1024.9.1)

IFC- 1 Fire extinguisher per 1,500 ft2 of floor space with a maximum travel distance of 75' to any extinguisher (IFC Table 906.3 (1).

ABILENE KANSAS

CITY OF ABILENE, KANSAS

DEVELOPMENT APPROVAL APPLICATION FORM

419 N. Broadway · Abilene, Kansas 67410 · Tel: (785) 263-2355 · 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
- ☐ 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: PC 15-7 text amend PC 15-6-CUP

Date Received: 5/26/15

Received By: David

BRIEF DESCRIPTION OF APPLICATION PURPOSE: Temporary use of building for movie/live productions

APPLICANT INFORMATION

APPLICANT/AGENT (If Not Property Owner):

NAME: Elizabeth Weese TELEPHONE: 785.263.4574

BUSINESS NAME: Great Plains Theatre 311 NW 3rd FAX:

CITY: Abilene STATE: KS ZIP: 67410

PROPERTY OWNER (If Different from Applicant/Agent):

NAME: Casen Brown TELEPHONE: 800.240.9392

BUSINESS NAME: Thunderstruck FAX:

CITY: Abilene, KS 67410 STATE: KS ZIP: 67410

ENGINEER/ARCHITECT/SURVEYOR:

NAME: TELEPHONE:

BUSINESS NAME: FAX:

CITY: STATE: ZIP:

E-mail:

Print Form

PROPERTY INFORMATION

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

401 Cottage Avenue

PROPERTY TAX IDENTIFICATION NUMBER:

Existing Zoning: I-1 Proposed Zoning: I-1 Existing Land Use: Manufacturing Proposed Land Use:

GROSS SIZE OF PLAT/LOT:

Residential: 0 Commercial: 0 Industrial: Other: Total:

NUMBER OF LOTS:

Residential: 0 Commercial: 0 Industrial: 1 Other: 0 Total: 1

IMPROVEMENT CHARACTERISTICS:

Number of Buidlings or Structures: 1 Maximum Height of Buildings or Structures: Total Building Area: Total Impervious Area:

EXISTING PUBLIC FACILITIES:

Water Service: ☑ Public ☐ Private Other (Describe):

Wastewater Service: ☑ Public ☐ Private Other (Describe):

Roadway Access: ☑ Public ☐ Private Other (Describe):

FLOODPLAIN INFORMATION:

Floodway ☐ Yes ☐ No FIRM Map-Panel Number:

Floodway Fringe ☐ Yes ☐ No Zone:

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 int he 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 Commisison shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

Applicant Signature — Date: May 26, 2015

Applicant Signature — Date

Fee: $100.00

* 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 authroization to thie Application.

PART II - TO BE COMPLETED BY STAFF

DOCUMENTS TO BE SUBMITTED WITH APPLICATION**

☑ Copy of Deed	☐ Easements and Covenants	☐ Location Map
☐ Site Plan	☐ Preliminary Plat	☐ Final Plat
☐ Infrastructure Plans	☐ Development Agreement	☐ Grading and Stormwater Plans
☐ Elevation Survey	☐ Traffic Impact Study	☐ Construction Plans
☐ Performance Agreement	☐ Proof of Notification	☐ Utility Plans
☐ Text Amendment Language	☐ Property Owner List	☐ Comprehensive Plan Amendment Justification
☐ Annexation Boundary Map	☐ Operating Characteristics Report	☐ Administrative Appeal Justification
☐ Variance Justification	☑ Other building layout + written authorization of use by property owner	

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.

David B. Dillner
Name

City Manager
Title

David B. Dillner
Signature

5/19/15
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 ☐ Board of Zoning Appeals ☑ City Commission ☐ Heritage Commission ☐ Other (specify):_____

DATE OF INITIAL HEARING(S): July 14th, 2015

FEE AMOUNT: 100.00 **DATE FEE PAID:** 5/26/15

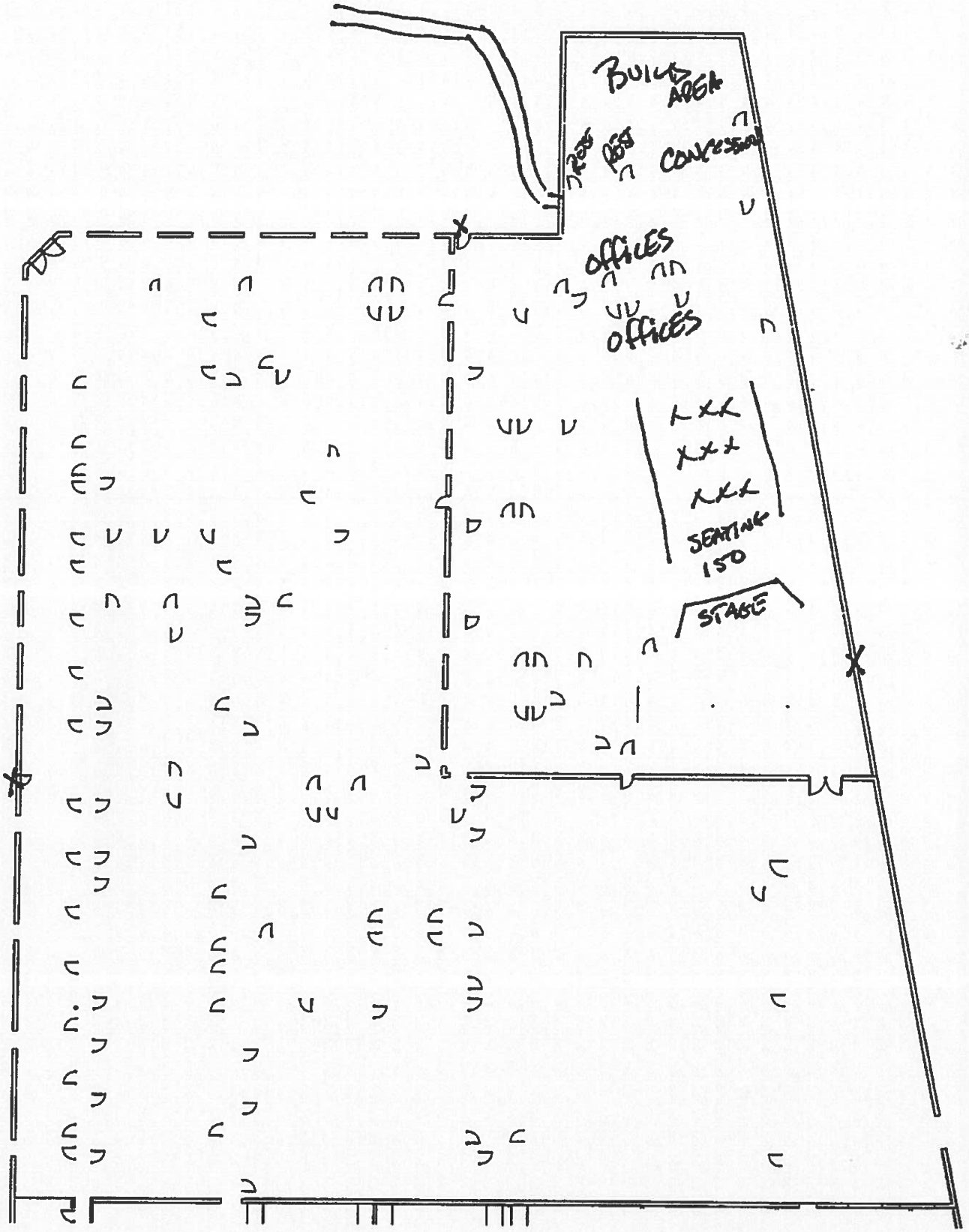
DETERMINATION OF COMPLETE APPLICATION:
I certify that the Development Approval Application and attached documents are sufficient in form and content for review and recommendation by the decision-making bodies of the City of Abilene. As such, all required notifications and hearings may proceed pursuant 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.

David B. Dillner
Name

City Manager
Title

David B. Dillner
Signature

5/26/15
Date


BUILD AREA
POS
POS
CONCESSION
OFFICES
OFFICES
SEATING 150
STAGE

401 Cottage Street Abilene, Ks 67410 | 785-827-5200 | thunderstruckinc@yahoo.com

June 9, 2015

Thunder Struck will be giving Great Plains Theatre the use of the Auditorium located at 401 Cottage Street in Abilene, Ks.

Sincerely,
Casen Brown

CITY OF ABILENE
PLANNING COMMISSION
MEETING MINUTES

July 14, 2015
Meeting at 4:30 p.m.
Abilene Public Library
209 NW 4th Street

Members Present: Gene Bielefeld, Rod Boyd, Kyle Campbell (Vice-Chair), Bruce Dale, Steven Olson, Travis Sawyer (Chair) and Michelle Stephens

Members Absent: none

Staff Present: David Dillner and Jennie Hiatt

Others Present: Commissioner Weishaar (see attached list)

Call to Order & Roll Call.

Seeing that a quorum was present Chair Sawyer called the meeting to order.

Hiatt took roll call with all seven commissioners present.

Approval of Agenda.

Campbell made a motion to approve the agenda as written. The motion was seconded by Olson. The motion passed unanimously. (7-0)

Approval of Meeting Minutes – May 12, 2015 & June 9, 2015.

Bielefeld made a motion to approve both sets of minutes as written. The motion was seconded by Boyd. The motion passed unanimously. (7-0)

Business.

1. **Public Hearing, PC 15-5**, a request by Great Plains Theatre for a Conditional Use Permit (CUP) to allow a movie cinema and live production theatre, as a temporary use, in the Light Industrial (I-1) Zoning District located at 401 Cottage Avenue, Abilene, KS.

Dale stated that he needed to recuse himself because he is on the Great Plains Theatre board.

Dillner presented the staff report.

Sawyer asked the Commissioners if they had any questions for staff.

There was discussion.

Campbell asked about the two different motions that needed to be made and for the CUP and the text amendment.

Dillner explained that it was due to a publishing error that the Text Amendment won't be heard until the special meeting on August 3, 2015 and then both the CUP and Text Amendment will go to the City Commission on August 10, 2015.

There was discussion regarding whether or not to table the CUP and Dillner explained that it would set back the process due to the 14 day waiting period for the CUP.

Sawyer asked the applicant if they had any comments.

Elizabeth Weese said that David had covered it very thoroughly and that this is presenting a perfect interim gap for GPT. She then asked if the Commissioners had any questions or concerns.

Sawyer then opened the public hearing.

Dennis Weese, 2997 Eden Rd., stated the he stood for the power of yes and progress. We have new owners of a business who said yes before we even asked a question. He told about the excitement of patrons on moving forward in the new temporary location. He then thanked the Commissioners for their time and consideration.

Viktoria Koehler, 500 Cottage Ave, stated that she lives directly across from this building and just had a concern about vehicles parking along Cottage Avenue that could create a hardship on those property owners who need to park on the street.

Dillner replied that there will actually be more parking available than at their previous location with the parking lot across the street. He also stated that the City will monitor any issues, but would also recommend that Great Plains Theatre staff continue to encourage patrons to use the parking lot.

Ann Manning, 607 NW 3rd, has been in this community for many, many years and has watched the theatre grow and be a great advantage to our community and if the owners of this building have faith in us, I think our commissioners should too.

Sawyer closed the public hearing.

Sawyer asked if the commissioners had any question.

Campbell has there been discussion over these conditions with the theatre and if so, how receptive was the theatre.

Dillner replied that the conditions listed is a summary of many of things that we've discussed as part of our walk thru and for the most part we're all agreeing that this is what we need to do to move forward.

There was discussion.

Campbell stated that if the commission wanted to add a bullet point to say "encourage usage of the parking lot by patrons" we could add that.

Dillner stated that it could definitely be within the scope of the Conditional Use Permit.

Campbell made a motion to recommend approval to the City Commission with the listed findings along with the addition of the condition that the theatre would encourage the usage of the parking lot south of the structure by its patrons and minimizing the parking impact on the residents in that area. The motion was seconded by Bielefeld. Dale abstained from the vote, due to a previously stated conflict of interest. The motion passed unanimously. (6-0)

Comments.

The next meeting is scheduled for July 14, 2015.

Adjournment.

Stephens made a motion to adjourn the meeting. The motion was seconded by Olson. The motion passed unanimously (7-0) and the meeting was adjourned.

Minutes Submitted,

David Dillner
City Manager

Minutes Approved,

Travis Sawyer, Chair

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: 2015 KLINK Resurfacing Project
DATE: July 31, 2015

The City has applied for and the Secretary of Transportation has approved a KLINK Resurfacing Project for the City of Abilene. The scope of the project will includes the mill and overlay for N. Buckeye Avenue from 15th to 21st Street.

The City has participated in this program for several years, and has provided a mill and overlay of Buckeye Avenue from the south city limits to 15th Street. The City has skipped the intersection of Buckeye Avenue and 14th Street since this intersection has been submitted for Geometric Improvement funding from KDOT.

Special Considerations: None

Budgetary Considerations: The KLINK Resurfacing Program, administered by KDOT, provides state transportation funds towards the cost of construction and construction engineering associated with the mill and overlay of Buckeye Avenue. The KLINK Program is a reimbursement program, so the City must pay for the cost of the project and receive reimbursement from KDOT. Reimbursement is limited to 75% of the total actual cost of construction and construction engineering, not to exceed $200,000. The City is responsible for 100% of the cost associated with preliminary engineering, utility adjustments, or other non-participating items. Historically, the City has used its portion of gas taxes to pay its local share of KLINK Project costs.

The City's estimated cost of the project is $97,152 based on the engineer's estimate prepared on May 5, 2014, based on the preliminary total project cost estimate of $297,152.

City Manager Recommendation: The City Manager recommends approving a resolution approving an agreement with KDOT for the construction of a KLINK Resurfacing Project on Buckeye Avenue.

City Commission Actions: The City Commission will be asked to consider a resolution approving Agreement No. 215-15 between the Kansas Department of Transportation and the City, concerning KLINK Resurfacing Project 15-21 U-0279-01. The Commission has the following options with respect to this option:

1. Approve the resolution and authorize the City to participate in the KLINK Resurfacing Program.

2. Deny approve of the resolution. The City would not participate in the KLINK Resurfacing Program, and the aforementioned section of Buckeye Avenue would not be maintained as provided.

3. Table the resolution for more information. The City Commission will have to specify the information it desires to make a prudent decision.

Supporting Documentation:

- Resolution approving Agreement No. 215-15 between the Kansas Department of Transportation and the City of Abilene, Kansas, concerning KLINK Resurfacing Project No. 15-21 U-0279-01
- Agreement No. 215-15
- Project Application
- Preliminary Total Project Cost Estimate (May 5, 2014)
- Project Boundaries Map

Kansas Department of Transportation

T WORKS

City Connecting Links "KLINK" Resurfacing Program

Fiscal Year 2016

Submittal Date May 5, 2014

1. General Applicant Information

a. Name of City	City of Abilene
County of Project Location	Dickinson
Population of City	6844
State Highway of Project	K-15
b. Name and title of primary contact person *Should be an elected official or employee of the City*	Lon Schrader, Public Works Director
Address	601 NW 2nd Street, Abilene, KS 67410
Phone Number	785-263-3510
Email	pwdirect@abilenecityhall.com

2. Project Location and Description - *Attach additional sheets as necessary*

Project Location	Buckeye Avenue from NE 15th Street to 21st Street Abilene, KS
Project Length (in miles or feet)	2,100
Project Scope (description of work: milling, overlay, etc)	2" Mill & HMA Overlay

3. Estimated Cost of the Project - (Construction Year)

a. Construction	$241,360.00
b. Construction Engineering/Inspection	$18,484.00
c. Inflation Amount [(a+b) x inflation rate)] (Inflation Rate 2016= 8.2%)	$21,307.21
d. Total Estimated Cost (a+b+c)	$281,151.21
e. Local Match* (25% or 50% minimum required, depending on population)	$81,151.21
f. Total Requested Amount from KDOT [(d-e), not to exceed $200,000]	$200,000.00

**KDOT will participate in the cost of construction and construction engineering at the rate of 75% for cities with a population of less than 10,000 or 50% for cities with a population of 10,000 or greater, not to exceed $200,000 of state funds.*

3. Coordination Information

a. Describe any known KDOT or other projects that may need coordination:

b. Has the proposed project been discussed or reviewed by any KDOT field staff? (yes/no) No

If so, who?

Attachment Checklist

a. Project Map

b. Completed details cost estimate

Submit Application by mail to:

Kansas Department of Transportation
Bureau of Local Projects
Eisenhower State Office Building
700 SW Harrison, 3rd Floor- West Wing
Topeka KS 66603-3745

Complete applications may also be emailed to lpeplans@ksdot.org. To confirm receipt, if you do not receive an email response, please follow up with a call to the Bureau of Local Projects at 785.296.3861.

Submit by Email

Google earth

miles 1

km 1

FY2016 Buckeye KLINK

NE 15th Street to NE 21st Street
City of Abilene, Kansas

5/5/2014

Preliminary Total Project Cost Estimate

NO.	ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL
1	Mobilization	1	Lump Sum	$20,000.00	$20,000.00
2	Milling (2") (Mainline)	13,220	Sq. Yd.	3.00	39,660.00
3	Milling (2") (Sideroads)	800	Sq. Yd.	10.00	8,000.00
4	Temporary Surfacing Material	100	Tons	25.00	2,500.00
5	Pavement Marking	1	Lump Sum	12,000.00	12,000.00
6	Traffic Control	1	Lump Sum	20,000.00	20,000.00
7	HMA - Commercial Grade (Class A) (Mainline)	1,455	Tons	80.00	116,400.00
8	HMA - Commercial Grade (Class A) (Sideroads)	88	Tons	100.00	8,800.00
9	Manhole Frame and Cover Replacement *	10	Each	800.00	8,000.00
10	Water Valve Frame and Cover Replacement *	10	Each	600.00	6,000.00
					$241,360.00

* Non-Participating Item per KLINK Program guidelines

Inflation to 2016 (8.2%)	=	$19,791.52
PRELIMINARY CONSTRUCTION COST	=	*$261,151.52*
Engineering (100% City)	=	16,000.00
Construction Inspection (25% City)	=	20,000.00
PRELIMINARY TOTAL PROJECT COST	=	*$297,151.52*

KDOT Breakdown

KDOT Participating Total (Preliminary Construction Cost & Construction Inspection)	=	$267,151.52
KDOT 75% Share of Participating Total	=	$200,363.64
KDOT Maximum per KLINK Program guidelines	=	*$200,000.00*

City Breakdown

City Project Total (Entire Remainder of Total Project Cost above KDOT Maximum)	=	*$97,151.52*

RESOLUTION NO. 081015-1

A RESOLUTION APPROVING AGREEMENT NO. 215-15 BETWEEN THE KANSAS DEPARTMENT OF TRANSPORTATION AND THE CITY OF ABILENE, KANSAS, CONCERNING KLINK RESURFACING PROJECT NO. 15-21 U-0279-01

WHEREAS, the City Commission desires to enter into an Agreement with Michael S. King, Secretary of Transportation of the Kansas Department of Transportation ("KDOT") for the purposes of resurfacing a portion of Buckeye Avenue as an approved KLINK Resurfacing Project.

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

SECTION ONE. Agreement. That an Agreement between KDOT and the City of Abilene, Kansas, is hereby adopted as attached hereto as **Exhibit A**.

SECTION TWO. Implementation. The Mayor is hereby authorized to execute the aforementioned Agreement, and the City Manager shall be authorized to enforce the provisions as provided therein and in applicable resolutions, ordinances, and laws.

SECTION THREE. 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 10th day of August, 2015.

CITY OF ABILENE, KANSAS

By:_____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC
City Clerk

EXHIBIT A

Agreement No. 215-15

Kansas Department of Transportation

and the

City of Abilene, Kansas

(Project No. 15-2 U-0279-01)

August 10, 2015

PROJECT NO. 15-21 U-0279-01
KLINK RESURFACING PROJECT
CMS CONTRACT NO. _____
CITY OF ABILENE, KANSAS

AGREEMENT

This Agreement is between **MICHAEL S. KING, Secretary of Transportation**, Kansas Department of Transportation (KDOT) (the "Secretary") and the **City of Abilene, Kansas** ("City"), **collectively**, the "Parties."

RECITALS:

A. The City has applied for and the Secretary has approved a KLINK Resurfacing Project.

B. The Secretary and the City are empowered by the laws of Kansas to enter into agreements for the construction and maintenance of city connecting links of the State Highway System through the City.

C. The City desires to construct a street resurfacing Project on Buckeye Avenue (K-15), a city connecting link for the State Highway System, in the City.

D. The Secretary desires to enter into an Agreement with the City to participate in the cost of the Project by use of State Highway funds.

NOW, THEREFORE, the Parties agree as follows:

ARTICLE I

DEFINITIONS:

As used in this Agreement, the capitalized terms below have the following meanings:

1. **City Connecting Link** - a route inside the city limits of a city which: (1) connects a state highway through a city; (2) connects a state highway to a city connecting link of another state highway; (3) is a state highway which terminates within such city; (4) connects a state highway with a road or highway under the jurisdiction of the Kansas Turnpike Authority; or (5) begins and ends within a city's limits and is designated as part of the national system of Interstate and defense highways.

2. **KLINK Resurfacing Program** - a city connecting link (KLINK) resurfacing program that is a part of the KDOT Local Partnership Program with cities and counties. The state's participation in the cost of construction and construction engineering will be seventy-five percent (75%) for cities with a population of less than 10,000 or fifty percent (50%) for cities with a population of 10,000 or greater, up to a maximum of $200,000.00 per fiscal year of state funds. The KLINK Resurfacing Program is for contract maintenance only.

3. **Project** - mill and overlay, reconstruction, minor patching, joint repair, slurry seal, microsurfacing, and any other pre-approved resurfacing methods for the KLINK Resurfacing Program for N Buckeye Avenue (K-15), from 15th Street to 21st Street.

4. **Eligible/Participating Bid Items** - all bid items that pertain to Project resurfacing and striping along the connecting link only. Items eligible for KLINK funding include manhole adjustments, milling, overlays, aggregate or paved shoulders (if already existing), concrete pavement, thin bonded concrete overlays, joint repair, slurry seals, bituminous seals, ultra thin bonded overlay, concrete and asphalt pavement patching, subgrade improvement, reconstruction, traffic control, transporting of salvageable material (millings), striping, traffic signal loops on the state highway and that portion of the traffic signal loops that lie inside the return on side streets, and pavement marking on the connecting link. Video-detection systems are participating, except on side streets; however, such systems will require pre-approval, as well as additional details, and a bill of materials to be included in the final design plans. Resurfacing work is participating out to the curb returns on side streets.

5. **Non-Eligible/Non-Participating Bid Items** - items typically non-eligible for KLINK funding include but are not limited to: bridge deck patching, utility adjustments, curb and gutter, overlay of curb and gutter, adjustment or reestablishment of survey markers, drainage appurtenances, driveways, entrances, sidewalks, sidewalk ramps, construction warranties, traffic loop construction outside the return on a side street, video detection on side streets, and construction outside of the curb and gutter. Work performed outside the Project limits on side streets, or outside the city limits is non-eligible for state participation, items with unit price changes from the let price (other than items with price adjustment specification in the bid documents) and any other items deemed non-eligible by the Secretary.

6. **Fiscal Year (FY)** - the state's fiscal year begins July 1 and ends on June 30 of the following calendar year.

ARTICLE II

SECRETARY RESPONSIBILITIES:

1. **Reimbursement of Project Costs.** The Secretary agrees to reimburse the City seventy-five percent (75%) of the total actual costs of construction (which includes the costs of all construction contingency items) and construction engineering, but not to exceed $200,000.00, as the Secretary's total share of the cost to construct the Project. The Secretary shall not be responsible for the total actual costs of construction (which includes the costs of all construction contingency items) and construction engineering that exceed $266,667.00. The Secretary shall not be responsible for the total actual costs of preliminary engineering, utility adjustments, or items not participating in the KLINK Resurfacing Program.

2. **Reimbursement Payments.** The Secretary will make such payment to the City as soon as reasonably possible after construction of the Project is completed, after receipt of proper billing, and attestation by a licensed professional engineer employed by the City that the Project was constructed within substantial compliance of the final design plans and specifications.

ARTICLE III

CITY RESPONSIBILITIES:

1. **Limited Scope.** The Project is limited to roadway resurfacing along the Project location. The Project roadway resurfacing may include all eligible items as defined above. Roadway resurfacing does not include such non-eligible items as defined above and any other items deemed non-eligible by the Secretary. The City will be responsible for construction of any traffic signal and/or sidewalk improvements that are necessary to comply with the American Disabilities Act of 1990 (ADA) and its implementing regulations at 28 C.F.R. Part 35, regardless of whether such improvements are deemed non-eligible/non-participating bid items by the Secretary for reimbursement purposes.

2. **Secretary Authorization.** The Secretary is authorized by the City to take such steps as are deemed by the Secretary to be necessary or advisable for the purpose of securing the benefits of the current KLINK Resurfacing Program for this Project.

3. **General Indemnification.** To the extent permitted by law and subject to the maximum liability provisions of the Kansas Tort Claims Act, the City will defend, indemnify, hold harmless, and save the Secretary and the Secretary's authorized representatives from any and all costs, liabilities, expenses, suits, judgments, damages to persons or property or claims of any nature whatsoever arising out of or in connection with the provisions or performance of this Agreement by the City, the City's employees, agents, or subcontractors. The City shall not be required to defend, indemnify, hold harmless, and save the Secretary for negligent acts or omissions of the Secretary or the Secretary's authorized representatives or employees.

4. **Indemnification by Contractors.** The City will require the contractor to indemnify, hold harmless, and save the Secretary and the City from personal injury and property damage claims arising out of the act of omission of the contractor, the contractor's agent, subcontractors (at any tier), or suppliers (at any tier). If the Secretary or the City defends a third party's claim, the contractor shall indemnify the Secretary and the City for damages paid to the third party and all related expenses either the Secretary or the City or both incur in defending the claim.

5. **Design, Letting, and Administration.** The City will prepare or contract to have prepared, the design plans, specifications, and cost estimate (PS&E) for the Project, let the contract, and award the contract to the lowest responsible bidder. The City agrees to construct or have constructed the Project in accordance with the final design plans and specifications; inspect or have inspected the construction; administer the Project; and make the payments due the contractor, including the portion of cost borne by the Secretary. The City shall design the Project or contract to have the Project designed in conformity with the current version of Section 16.0 City Connecting Links (KLINK) Resurfacing Program of the LPA Project Development Manual.

6. **Responsibility for Adequacy of Design.** The City and any consultant retained by the City shall have the sole responsibility for the adequacy and accuracy of the design plans, specifications, and estimates. Any review of these items that may be performed by the Secretary or the Secretary's representatives is not intended to and shall not be construed to be an undertaking of the City's and its consultant's duty to provide adequate and accurate design plans, specifications, and estimates. Such reviews are not done for the benefit of the consultant, the construction contractor, the City, or other political subdivision, nor the traveling public. The Secretary makes no representation,

expressed or implied warranty to any person or entity concerning the adequacy or accuracy of the design plans, specifications, and estimates or any other work performed by the consultant or the City.

7. **Design Schedule and Submission to Secretary.** The City will follow a schedule for design and development of plans that will allow the Project to be let to contract in the programmed fiscal year; otherwise, the City agrees the Secretary has the right to withdraw the Secretary's participation in the Project. If the City's Project preliminary plans, specifications, and a cost estimate (PPS&E) are submitted to KDOT's Bureau of Local Projects later than May 1 of the programmed fiscal year, at the Secretary's discretion, the Project may be moved into a future fiscal year.

8. **Movement of Utilities.** The City will move or adjust, or cause to be moved or adjusted, and will be responsible for such removal or adjustment of all existing structures, pole lines, pipelines, meters, and other utilities, publicly or privately owned, which may be necessary for construction of the Project in accordance with the final design plans. The expense of the removal or adjustment of the utilities and encroachments located on public right of way or easement shall be borne by the owner or the City.

9. **Future Encroachments.** The City will prohibit future erection, installation or construction of encroachments either on or above the right of way, and it will not in the future permit the erection of fuel dispensing pumps upon the right of way of the connecting link. The City further agrees it will require any fuel dispensing pumps erected, moved or installed along the connecting link be placed a distance from the right of way line no less than the distance permitted by the National Fire Code.

10. **Legal Authority.** The City will adopt all necessary ordinances and/or resolutions and take such administrative or legal steps as may be required to give full effect to the terms of this Agreement.

11. **Temporary Traffic Control.** The City shall provide a temporary traffic control plan within the design plans, which includes the City's plan for handling multi-modal traffic during construction, including detour routes and road closings, if necessary, and installation of alternate or temporary pedestrian accessible paths to pedestrian facilities in the public Right of Way within the Project Limits. The City's temporary traffic control plan must be in conformity with the latest version of the Manual on Uniform Traffic Control Devices (MUTCD), as adopted by the Secretary, and be in compliance with the American Disabilities Act of 1990 (ADA) and its implementing regulations at 28 C.F.R. Part 35, and FHWA rules, regulations, and guidance pertaining to the same.

12. **Permanent Traffic Control.** The City shall conform the location, form and character of informational, regulatory and warning signs, of traffic signals and of curb and pavement or other markings installed or placed by an public authority, or other agency as authorized by K.S.A. 8-2005, shall conform to the manual and specifications adopted under K.S.A. 8-2003, and any amendments thereto are incorporated by reference, and shall be subject to the approval of the Secretary.

13. **Access Control.** The City will maintain control of access rights and prohibit the construction or use of any entrances or access points along the Project within the City other than those shown on the final design plans, unless prior approval is obtained from the Secretary.

14. **Final Design Plans.** The final design plans will depict the entire Project location. The eligible/participating bid items must be shown separated and listed apart from the non-eligible/non-

participating bid items on the final design plans, bid documents, and on the detailed billing provided by the City. The City shall have the final design plans signed and sealed by a licensed professional engineer. The City will furnish to KDOT's Bureau of Local Projects an electronic set of final design plans and specifications. The City further agrees the specifications will require the contractor to provide a performance bond in a sum not less than the amount of the contract as awarded.

15. **Program Administration.** In addition to complying with all requirements contained in Section 16.0 City Connecting Links (KLINK) Resurfacing Program of the LPA Project Development Manual:

(a) The City acknowledges that funding for the Project may be cancelled if the City proceeds to advertise, let, or award a contract for the Project, prior to receipt of notification from KDOT's Bureau of Local Projects of its completion of the final review of the plans, specifications, and estimates (PS&E).

(b) The City acknowledges that funding for the Project may be cancelled if the City awards the contract for the Project prior to its receipt of an "Authority to Award" notification from KDOT's Bureau of Local Projects.

(c) The City will provide to KDOT's Bureau of Local Projects an electronic copy of the executed contract, the completed tax exemption form (PR-76 or PR-74a) and the City's Notice of Award.

(d) After the contract for the Project is awarded, the City will promptly notify both the Project Manager of KDOT's Bureau of Local Projects and the KDOT Area Engineer to communicate the date the contractor is anticipated to begin work on the Project.

(e) The City acknowledges that any costs for work completed prior to receipt of a Notice of Actual Start Date from the KDOT Area Engineer are ineligible for participation in the Program, will be deemed non-participating costs, and shall be the responsibility of the City.

16. **Discrimination Laws.** The City will: (a) comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 *et seq.*) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 *et seq.*) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101 *et seq.*)(ADA) and not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs or activities; (b) include in all solicitations or advertisements for employees, the phrase "equal opportunity employer"; (c) comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; and (d) include those provisions in (a) through (c) in every contract, subcontract or purchase order so they are binding upon such contractor, subcontractor or vendor. If the City fails to comply with any applicable requirements of (a) through (d) above or if the City is found guilty of any violation by federal or state agencies having enforcement jurisdiction for those Acts, such violation will constitute a breach of this Agreement. If the Secretary determines the City has violated applicable provisions of the ADA, the violation will constitute a breach of this Agreement. If any violation under this paragraph occurs, this Agreement may be cancelled, terminated or suspended in whole or in part.

17. **Prevailing Wages.** The City will require the contractor to pay prevailing wages. The City will incorporate into the construction contract the current general wage decision for the county in

which the Project is being constructed. The City can obtain the current wage decision from the KDOT Bureau of Construction and Materials website.

18. **Inspections.** The City will provide the construction engineering/inspection necessary to determine substantial compliance with the final design plans, specifications, and this Agreement. The City will require at a minimum all personnel, whether City or consultant to comply with the high visibility apparel requirements of the *KDOT Safety Manual*, Chapter 4, Section 8 Fluorescent Vests. If the City executes an agreement for inspection, the agreement must contain this requirement as a minimum. The City may set additional clothing requirements for adequate visibility of personnel.

19. **Corrective Work.** Representatives of the Secretary may make periodic inspection of the Project and the records of the City as may be deemed necessary or desirable. The City will direct or cause its contractor to accomplish any corrective action or work required by the Secretary's representative as needed for a determination of the funding participation in the KLINK Resurfacing Program. The Secretary does not undertake (for the benefit of the City, the contractor, the consultant, or any third party) the duty to perform day-to-day detailed inspection of the Project or to catch the contractor's errors, omissions or deviations from the final design plans and specifications.

20. **Attestation.** Upon completion of the Project the City shall have a licensed professional engineer employed by the City attest in an email to the KDOT Area Engineer and the Project Manager for KDOT's Bureau of Local Projects, that the Project was completed in substantial compliance with the final design plans and specifications.

21. **Final Acceptance.** Prior to issuing final payment to the contractor, the City must obtain final acceptance of the Project from the KDOT Area Engineer.

22. **Accounting.** Upon request by the Secretary, the City will provide the Secretary an accounting of all actual non-participating costs which are paid directly by the City to any party outside of KDOT and costs incurred by the City not to be reimbursed by KDOT for preliminary engineering, utility adjustments, or any other major expense associated with the Project. This will enable the Secretary to report all costs of the Project to the legislature.

23. **Reimbursement Request.** The City will request payment from the Secretary after the City has paid the contractor in full, and a licensed professional engineer has attested in writing the Project has been completed in conformance with the plans and specifications.

24. **Audit.** The City will participate and cooperate with the Secretary in an annual audit of the Project. The City shall make its records and books available to representatives of the Secretary for audit for a period of five (5) years after date of final payment under this Agreement. If any such audits reveal payments have been made with state funds by the City for items considered non-participating, the City shall promptly reimburse the Secretary for such items upon notification by the Secretary.

ARTICLE IV

GENERAL PROVISIONS:

1. **Existing Right of Way.** The Project will be constructed within the limits of the existing right of way.

2. **Incorporation of Final Plans.** The final design plans and specifications are by this reference made a part of this Agreement.

3. **Compliance with Federal and State Laws.** The Parties agree to comply with all appropriate state and federal laws and regulations applicable to this Project.

4. **Project Modification.** Any of the following Project changes require the City to send a formal notice to the Secretary for approval:

a. Fiscal year the Project is to be let
b. Project length
c. Project location
d. Project scope

Items b, c, and d require an attached map to scale.

It is further mutually agreed during construction, the City shall notify the Secretary of any changes in the plans and specifications.

5. **Civil Rights Act.** The "Special Attachment No. 1," pertaining to the implementation of the Civil Rights Act of 1964, is attached and made a part of this Agreement.

6. **Contractual Provisions.** The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 06-12), which is attached hereto, are hereby incorporated in this contract and made a part hereof.

7. **Termination.** If, in the judgment of the Secretary, sufficient funds are not appropriated to continue the function performed in this Agreement and for the payment of the charges hereunder, the Secretary may terminate this Agreement at the end of its current fiscal year. The Secretary will participate in all costs approved by the Secretary incurred prior to the termination of the Agreement.

8. **Binding Agreement.** This Agreement and all contracts entered into under the provisions of this Agreement are binding upon the Secretary and the City and their successors in office.

9. **No Third Party Beneficiaries.** No third party beneficiaries are intended to be created by this Agreement and nothing in this Agreement authorizes third parties to maintain a suit for damages pursuant to the terms or provisions of this Agreement.

10. **Headings.** The captions of the various articles and sections of this Agreement are for convenience and ease of reference only, and do not alter the terms and conditions of any part or parts of this Agreement.

11. **Effective Date.** This Agreement will become effective as of the date signed by the Secretary or designee.

The signature page immediately follows this paragraph.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their duly authorized officers.

ATTEST:

THE CITY OF ABILENE, KANSAS

_____
CITY CLERK (Date)

_____
MAYOR

(SEAL)

Kansas Department of Transportation
Michael S. King, Secretary of Transportation

By:_____
Jerome T. Younger, P.E. (Date)
Deputy Secretary and
State Transportation Engineer

KANSAS DEPARTMENT OF TRANSPORTATION

Special Attachment
To Contracts or Agreements Entered Into
By the Secretary of Transportation of the State of Kansas

NOTE: Whenever this Special Attachment conflicts with provisions of the Document to which it is attached, this Special Attachment shall govern.

THE CIVIL RIGHTS ACT OF 1964, and any amendments thereto,
REHABILITATION ACT OF 1973, and any amendments thereto,
AMERICANS WITH DISABILITIES ACT OF 1990, and any amendments thereto,
AGE DISCRIMINATION ACT OF 1975, and any amendments thereto,
EXECUTIVE ORDER 12898, FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN MINORITY POPULATIONS AND LOW INCOME POPULATIONS 1994, and any amendments thereto,
49 C.F.R. Part 26.1 (DBE Program), and any amendments thereto

NOTIFICATION

The Secretary of Transportation for the State of Kansas, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964 (78 Stat. 252), §504 of the Rehabilitation Act of 1973 (87 Stat. 355) and the Americans with Disabilities Act of 1990 (42 USC 12101), the Age Discrimination Act of 1975 (42 USC 6101), the regulations of the U.S. Department of Transportation (49 C.F.R., Part 21, 23, and 27), issued pursuant to such Act, Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations (1994), and the DBE Program (49 C.F.R., Part 26.1), hereby notifies all contracting parties that, the contracting parties will affirmatively ensure that this contract will be implemented without discrimination on the grounds of race, religion, color, gender, age, disability, national origin, or minority populations and low income populations as more specifically set out in the following "Nondiscrimination Clauses".

CLARIFICATION

Where the term "Consultant" appears in the following "Nondiscrimination Clauses", the term "Consultant" is understood to include all parties to contracts or agreements with the Secretary of Transportation of the State of Kansas.

Nondiscrimination Clauses

During the performance of this contract, the Consultant, or the Consultant's assignees and successors in interest (hereinafter referred to as the "Consultant"), agrees as follows:

1) Compliance with regulations: The Consultant will comply with the regulations of the U.S. Department of Transportation relating to nondiscrimination in its federally-assisted programs and codified at Title 49, Code of Federal Regulations, Parts 21, 23 and 27, (hereinafter referred to as the "Regulations"). The Regulations are herein incorporated by reference and made a part of this contract.

2) Nondiscrimination: The Consultant, with regard to the work performed by the Consultant after award and prior to the completion of the contract work, will not discriminate on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations in the selection and retention of subcontractors, including in the procurements of materials and leases of equipment. The Consultant will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

3) Solicitations for Subcontractors, including Procurements of Material and Equipment: In all solicitations, either competitive bidding or negotiation made by the Consultant for work to be performed under a subcontract including procurements of materials and equipment, each potential subcontractor or supplier shall be notified by the Consultant of the Consultant's obligation under this contract and the Regulations relative to nondiscrimination on the grounds of race, religion, color, gender, age, disability, national origin or minority populations and low income populations.

4) Information and Reports: The Consultant will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and the Secretary of the Transportation of the State of Kansas will be permitted access to the Consultant's books, records, accounts, other sources of information, and facilities as may be determined by the Secretary of Transportation of the State of Kansas to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a Consultant is in the exclusive possession of another who fails or refuses to furnish this information, the Consultant shall so certify to the Secretary of Transportation of the State of Kansas and shall set forth what efforts it has made to obtain the information.

5) Employment: The Consultant will not discriminate against any employee or applicant for employment because of race, religion, color, gender, age, disability, or national origin.

6) Sanctions for Noncompliance: In the event of the Consultant's noncompliance with the nondiscrimination provisions of this contract, the Secretary of Transportation of the State of Kansas shall impose such contract sanctions as the Secretary of Transportation of the State of Kansas may determine to be appropriate, including, but not limited to,

   (a) withholding of payments to the Consultant under the contract until the Consultant complies, and/or

   (b) cancellation, termination or suspension of the contract, in whole or in part.

7) Disadvantaged Business Obligation

   (a) Disadvantaged Business as defined in the Regulations shall have a level playing field to compete for contracts financed in whole or in part with federal funds under this contract.

   (b) All necessary and reasonable steps shall be taken in accordance with the Regulations to ensure that Disadvantaged Businesses have equal opportunity to compete for and perform contracts. No person(s) shall be discriminated against on the basis of race, color, gender, or national origin in the award and performance of federally-assisted contracts.

   (c) The Consultant, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Consultant shall carry out applicable requirements of 49 C.F.R. Part 26 in the award and administration of Federally-assisted contracts. Failure by the Consultant to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the recipient deems appropriate.

8) Executive Order 12898

   (a) To the extent permitted by existing law, and whenever practical and appropriate, all necessary and reasonable steps shall be taken in accordance with Executive Order 12898 to collect, maintain, and analyze information on the race, color, national origin and income level of persons affected by programs, policies and activities of the Secretary of Transportation of the State of Kansas and use such information in complying with Executive Order 12898.

9) Incorporation of Provisions: The Consultant will include the provisions of paragraphs (1) through (8) in every subcontract, including procurements of materials and equipment, unless exempt by the Regulations, order, or instructions issued pursuant thereto. The Consultant will take such action with respect to any subcontract or procurement as the Secretary of Transportation of the State of Kansas may direct as a means of enforcing such provisions including sanctions for noncompliance: PROVIDED, however, that, in the event a Consultant becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the Consultant may request the State to enter into such litigation to protect the interests of the State.

State of Kansas
Department of Administration
DA-146a (Rev. 06-12)

CONTRACTUAL PROVISIONS ATTACHMENT

Important: This form contains mandatory contract provisions and must be attached to or incorporated in all copies of any contractual agreement. If it is attached to the vendor/contractor's standard contract form, then that form must be altered to contain the following provision:

"The Provisions found in Contractual Provisions Attachment (Form DA-146a, Rev. 06-12), which is attached hereto, are hereby incorporated in this contract and made a part thereof."

The parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being the _____ day of _____, 20_____.

1. **Terms Herein Controlling Provisions**: It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated. Any terms that conflict or could be interpreted to conflict with this attachment are nullified.

2. **Kansas Law and Venue**: This contract shall be subject to, governed by, and construed according to the laws of the State of Kansas, and jurisdiction and venue of any suit in connection with this contract shall reside only in courts located in the State of Kansas.

3. **Termination Due To Lack Of Funding Appropriation**: If, in the judgment of the Director of Accounts and Reports, Department of Administration, sufficient funds are not appropriated to continue the function performed in this agreement and for the payment of the charges-hereunder, State may terminate this agreement at the end of its current fiscal year. State agrees to give written notice of termination to contractor at least 30 days prior to the end of its current fiscal year, and shall give such notice for a greater period prior to the end of such fiscal year as may be provided in this contract, except that such notice shall not be required prior to 90 days before the end of such fiscal year. Contractor shall have the right, at the end of such fiscal year, to take possession of any equipment provided State under the contract. State will pay to the contractor all regular contractual payments incurred through the end of such fiscal year, plus contractual charges incidental to the return of any such equipment. Upon termination of the agreement by State, title to any such equipment shall revert to contractor at the end of the State's current fiscal year. The termination of the contract pursuant to this paragraph shall not cause any penalty to be charged to the agency or the contractor.

4. **Disclaimer Of Liability**: No provision of this contract will be given effect that attempts to require the State of Kansas or its agencies to defend, hold harmless, or indemnify any contractor or third party for any acts or omissions. The liability of the State of Kansas is defined under the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.).

5. **Anti-Discrimination Clause**: The contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 et seq.) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 et seq.) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101 et seq.) (ADA) and to not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs or activities; (b) to include in all solicitations or advertisements for employees, the phrase "equal opportunity employer"; (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor; (e) that a failure to comply with the reporting requirements of (c) above or if the contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration; (f) If it is determined that the contractor has violated applicable provisions of ADA, such violation shall constitute a breach of contract and the contract may be cancelled, terminated or suspended, in whole or in part, by the contracting state agency or the Kansas Department of Administration.

   Contractor agrees to comply with all applicable state and federal anti-discrimination laws.

   The provisions of this paragraph number 5 (with the exception of those provisions relating to the ADA) are not applicable to a contractor who employs fewer than four employees during the term of such contract or whose contracts with the contracting State agency cumulatively total $5,000 or less during the fiscal year of such agency.

6. **Acceptance Of Contract**: This contract shall not be considered accepted, approved or otherwise effective until the statutorily required approvals and certifications have been given.

7. **Arbitration, Damages, Warranties**: Notwithstanding any language to the contrary, no interpretation of this contract shall find that the State or its agencies have agreed to binding arbitration, or the payment of damages or penalties. Further, the State of Kansas and its agencies do not agree to pay attorney fees, costs, or late payment charges beyond those available under the Kansas Prompt Payment Act (K.S.A. 75-6403), and no provision will be given effect that attempts to exclude, modify, disclaim or otherwise attempt to limit any damages available to the State of Kansas or its agencies at law, including but not limited to the implied warranties of merchantability and fitness for a particular purpose.

8. **Representative's Authority To Contract**: By signing this contract, the representative of the contractor thereby represents that such person is duly authorized by the contractor to execute this contract on behalf of the contractor and that the contractor agrees to be bound by the provisions thereof.

9. **Responsibility For Taxes**: The State of Kansas and its agencies shall not be respons ble for, nor indemnify a contractor for, any federal, state or local taxes which may be imposed or levied upon the subject matter of this contract.

10. **Insurance**: The State of Kansas and its agencies shall not be required to purchase any insurance against loss or damage to property or any other subject matter relating to this contract, nor shall this contract require them to establish a "self-insurance" fund to protect against any such loss or damage. Subject to the provisions of the Kansas Tort Claims Act (K.S.A. 75-6101 et seq.), the contractor shall bear the risk of any loss or damage to any property in which the contractor holds title.

11. **Information**: **No provision of this contract shall be construed as limiting the Legislative Division of Post Audit from having access to information pursuant to K.S.A. 46-1101 et seq.**

12. **The Eleventh Amendment**: "The Eleventh Amendment is an inherent and incumbent protection with the State of Kansas and need not be reserved, but prudence requires the State to reiterate that nothing related to this contract shall be deemed a waiver of the Eleventh Amendment."

13. **Campaign Contributions / Lobbying**: Funds provided through a grant award or contract shall not be given or received in exchange for the making of a campaign contribution. No part of the funds provided through this contract shall be used to influence or attempt to influence an officer or employee of any State of Kansas agency or a member of the Legislature regarding any pending legislation or the awarding, extension, continuation, renewal, amendment or modification of any government contract, grant, loan, or cooperative agreement.

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Olsson Associates Master Agreement Work Order No. 1-15
DATE: August 4, 2015

The decision by Unified School District 435 to construct new Eisenhower Elementary School has necessitated the need to improve NW 11th Street from N. Vine Street to N. Mulberry Street. This section of NW 11th Street is presently an unimproved, gravel street that is not conducive to safe and efficient traffic to and from the new school.

Special Considerations: The previous City Commission decided to delay improvements to NW 11th Street until such time as the new school construction was completed so as to avoid conflicts with school construction and to keep heavy construction traffic off of the newly built street. As such, staff is requesting the Commission authorize engineering services for the improvements in order for the project to be let to bid on a schedule that would allow for the street to be constructed in the Spring of 2016, or as soon after the new school is completed as is possible. If the Work Order is approved, Olsson anticipates commencing services in September and completing such services by November 2015.

Budgetary Considerations: The total cost of engineering services is $68,415, which the City will pay from revenues from the Special Highway Fund. The City has budgetary authority for this fund of $413,500 in 2015. Revenue for this fund is primarily the Kansas Gas Tax and proceeds from the City's participation in the Federal Funds Exchange Program. This project is a local project and is not eligible for state or federal matching funds.

As part of the services outlined in Work Order No. 1-15, Olsson Associates will prepare an Engineer's Opinion of Probable Cost that will be used by staff to develop a Project Finance Plan for review and consideration by the City Commission prior to the project's authorization.

City Manager Recommendation: The City Manager recommends the City Commission adopt the proposed resolution authorizing Work Order No. 1-15 in order for design and related engineering services to commence so as to allow the project to meet the aforementioned schedule.

City Commission Actions: The City Commission will be asked to consider a resolution approving Master Agreement Work Order No. 1-15 with Olsson Associates concerning NW 11th Street Improvements. The Commission has the following options with respect to this option:

- Approve the resolution and authorize the City to proceed with design and related engineering services as outlined in Work Order No. 1-15.

- Deny approve of the resolution. The City would not proceed with design and related engineering services for NW 11th Street Improvements.

- Table the resolution for more information. The City Commission will have to specify the information it desires to make a prudent decision.

Supporting Documentation:
- Proposed Resolution approving Master Agreement Work Order No. 1-15 with Olsson Associates
- Master Agreement Work Order No. 1-15

RESOLUTION NO. 081015-2

A RESOLUTION APPROVING MASTER AGREEMENT WORK ORDER NO. 1-15 WITH OLSSON ASSOCIATES CONCERNING NW 11TH STREET IMPROVEMENTS

WHEREAS, the City Commission approved Resolution No. 071315-3 approving a Master Agreement with Olsson Associates for general engineering services; and

WHEREAS, the City Commission desires to proceed with the engineering of certain public infrastructure improvements to NW 11th Street from Vine Street to Mulberry Street, such improvements being necessitated by the construction, by Unified School District 435, of new Eisenhower Elementary School at the intersection of Vine and NW 11th Streets.

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

SECTION ONE. Work Order. That Master Agreement Work Order No. 1-15 with Olsson Associates is hereby adopted as attached hereto as **Exhibit A**.

SECTION TWO. Implementation. The Mayor is hereby authorized to execute the aforementioned Agreement, and the City Manager shall be authorized to enforce the provisions as provided therein and in applicable resolutions, ordinances, and laws.

SECTION THREE. 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 10th day of August, 2015.

CITY OF ABILENE, KANSAS

By:_____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC
City Clerk

EXHIBIT A

Master Agreement Work Order No. 1-15

Olsson Associates

(NW 11th Street Improvements)

August 10, 2015

MASTER AGREEMENT WORK ORDER

This exhibit is hereby attached to and made a part of the Master Agreement for Professional Services dated July 13, 2015 between City of Abilene, Kansas ("Client") and Olsson Associates ("Olsson") providing for professional services. Olsson's Scope of Services for the Agreement is as indicated below.

GENERAL

Olsson has acquainted itself with the information provided by Client relative to the project and based upon such information offers to provide the services described below for the project. Client warrants that it is either the legal owner of the property to be improved by this Project or that Client is acting as the duly authorized agent of the legal owner of such property.

PROJECT DESCRIPTION AND LOCATION

Project will be located at: NW 11th Street between N. Vine Street and N. Mulberry Street.

Project Description: Street and Storm Sewer Improvements

SCOPE OF SERVICES

Olsson shall provide the following services (Scope of Services) to Client for the Project:

PHASE 1 – PROJECT MANAGEMENT ($4,020.00)

General Project Management
Project management is responsible for coordination of the various disciplines that have involvement in the project, tracking of work completion, maintenance of project schedule, and project management updates. Specific activities include coordination and meetings with the City, coordination and meetings with permitting agencies, internal project meetings, bimonthly updates of project management tracking worksheets, billings, collections, and project wrap-up documentation.

Project Kickoff Meeting
A project kickoff meeting will be conducted with all parties involved to identify needs for the project, obtain further background information, establish schedule for completion, and establish channels of communication. In addition, Olsson requests that Client provide the following:

a. A copy of the site improvement plans for the new elementary school currently under construction at the northeast corner of N. Vine Street and NW 11th Street.

b. A copy of record utility drawings, including any plan or survey drawings that describe the existing concrete box drainage structure on NW 11th Street.

c. Copies of final plat and/or property survey documents kept on file at the Register of Deeds office.

Review Meetings
Project progress meetings including the project team will be held at 30%, 60% and 90% stages to discuss the project status, critical milestones, review progress submittals and design issues. A preliminary cost estimate will be updated and submitted at each stage.

a. **30% Review Meeting:** Submit five (5) copies of the preliminary plans and conduct the 30% meeting to summarize findings and recommendations and work plan for final design.

b. **60% and 90% Meetings:** Conduct progress review meetings with the entire project team at 60% and 90% design completion stages to review the progress and status of the design.

PHASE 2 – TOPOGRAPHIC SURVEY AND DATA COLLECTION ($15,640.00)

Design Survey
Survey and Easements - A topographic survey will be conducted within the public right-of-way and along the proposed project from N. Vine Street to N. Mulberry Street. The survey will consist of the following:

Establish a Horizontal Control Network
OA will locate the section line and existing property corners to define boundary information for the existing right of way and proposed new right of way and easements. Additional control points will be established for use during the preliminary survey, design and construction phases of this project.

Establish a Vertical Control Network
Vertical benchmarks will be established in the vicinity of the project for use during the preliminary survey, design and construction phases of this project.

Conduct a Topographic Survey
A field survey will be conducted to determine the location of existing topographic features within the public right-of-way. This will include, but not be limited to existing driveways, trees, fences, utility poles and guy lines, observable above ground and flagged buried utilities. This shall also include gathering sufficient vertical data to generate contours at one-foot intervals. The limits of the survey will be the following:

- Area defined by the public right-of-way of NW 11th Street from the centerline of N. Vine Street to the centerline of N. Mulberry Street.

Utility locations
The location of the existing utilities will be determined by surveying the visible features and the location of buried utilities as flagged by the utility owners. Record information will be gathered from the utility owners, including the City of Abilene.

Easements/Right of Way
Certificate of Title search will be conducted for each property that may be impacted by the construction that may need an easement or right of way.

PHASE 3 – EVALUATION OF THE EXISTING RCB STORM STRUCTURE ($3,120.00)

Client recently provided Olsson with a set of construction drawings for 1984 CDBG Drainage Improvements 11th Street & Vine Street, prepared by Wilson & Company for Client in December, 1984. Olsson will review the plan drawings for information relevant to the proposed public improvements for NW 11th Street. Design details for the large RCB storm structure will be studied to determine structural integrity. Analysis will include how to efficiently integrate this existing drainage structure, exposed at the surface along much of the proposed alignment, into the new street and storm sewer improvements.

Olsson will identify and provide one conceptual solution for integration of the existing RCB structure into the new street pavement section. Olsson will provide a memorandum summarizing the methodology, observations, analysis, and conclusions of the conceptual design. Olsson will also provide a recommended design solution based on the analysis and input from Client.

PHASE 4 – PERMITTING ($1,945.00)

Olsson will complete a Notice of Intent with associated documentation to Kansas Department of Health and Environment (KDHE) for discharge of stormwater from construction activities that disturb areas greater than 1 acre. This will include development of a Storm Water Pollution Prevention Plan (SWPPP) that the contractor will use in inspecting runoff and best management practices during construction.

PHASE 5 – ROADWAY GEOMETRICS AND PLANS ($28,925.00)

NW 11th Street is anticipated to be a two lane roadway between 28 feet and 31 feet in width, from back-of-curb to back-of-curb. A new public sidewalk will also be located, at a minimum, on the north side of the road. With this anticipated typical section an alignment study will be conducted to determine how it will fit within the existing right-of-way and to determine if additional right-of-way or easements may be needed.

A 30% design conference will be conducted with Client participation; we will review impacts of maintaining the current centerline profile and set a proposed design based on information gathered.

Final Plans
Olsson will verify and adjust centerline profile vertical alignment from the 30% Design Conference. Olsson with develop final plans for bidding including the following:

Hydrology and Hydraulic

Determine the layout of the storm sewer system along NW 11th Street and how the storm sewer pipes will impact the roadway and land owners. Yards will be reviewed for re-grading to collect the storm water in area inlets in areas where the improvements will not allow sheet drainage over the curb and gutter. Work on private property will not be performed but area inlet elevations will be set to allow adjacent property owners to grade their property to the new system.

- Prepare drainage area map
- Prepare pavement spread calculations
- Perform inlet, storm sewer, culvert design calculations
- Hydraulic grade calculations

Final Plan Contents

- Cover Sheet
- Typical Sections
- Plan and Profile
- Entrances
- Storm Sewer Plan & Profile
- Drainage Map
- Construction Phasing and Traffic Control plan
- Pavement Marking Plan
- Seeding along the roadway
- Erosion Control Plan
- Cross sections
    1. Every 50'
    2. Locations of special interest (i.e. culverts, entrances, etc.)

PHASE 6 – PUBLIC/NEIGHBORHOOD MEETING ($2,910.00)

A public/neighborhood meeting will be held early in the process to gather information from the public. This meeting will be held close to the project site. Olsson will show the concept drawings of the improvements planned for NW 11th Street and illustrate how they may affect adjacent properties.

Flyers will be prepared and delivered to the school district and to the homeowners along NW 11th Street. Door hangers will be prepared and placed at each home along NW 11th Street from N Vine Street to N Mulberry Street.

Present findings of the public/neighborhood meeting to the City Commission.

PHASE 7 – GEOTECHNICAL ($3,430.00)

Olsson will drill four borings at equidistant locations along the proposed alignment of the new street. The borings will be advanced to a depth of 5 feet. Samples of the soils will be obtained using split barrel or thin walled tube sampling techniques. The borings will be backfilled the same day.

Proposed laboratory testing will include visual soil classification, unconfined compression tests, density tests, moisture content tests and up to three Atterberg limits tests.

Upon completion of the laboratory testing program, we will prepare a geotechnical engineering report. The report will contain a discussion of the subsurface soil conditions encountered and will provide pavement design recommendations.

PHASE 8 – UTILITY RELOCATIONS ($1,355.00)

Preliminary plans depicting the desired alignment of NW 11th Street will be provided to all utilities for review and input and to identify critical conflicts and locations that may require pot holing/ field verification of existing conditions. A utility coordination meeting will be conducted to receive comments and questions concerning the project. Utility company comments and questions will be addressed as they may be applicable to the project.

It is anticipated that the electrical, cable TV and telephone will all have to be relocated due to this project. It is further anticipated that the existing waterline, sanitary sewer, and gas lines will not be relocated due to this project.

PHASE 9 – LIGHTING ($970.00)

A street lighting plan will be developed with the power utility (Westar). It is anticipated that new Cobra head lighting standards will be attached to existing utility poles along the north side of NW 11th Street. It is further anticipated that said existing utility poles will be relocated north as part of the street improvement project. Proposed lights and poles will be provided for review and approval.

PHASE 10 – SPECIFICATIONS ($2,150.00)

Project specifications will be prepared utilizing the City's general conditions and standard specifications. Supplemental specifications and technical specifications prepared by consultant will be incorporated into the standard specifications when required to provide further detail or to provide for items not currently covered by City standards. Coordinate incorporation of specifications from other disciplines into the Project specifications.

PHASE 11 – BIDDING PHASE SERVICES ($3,950.00)

Invitation for Bids
Prepare an Engineers Opinion of Probable Cost prior to the invitation of bids. Identify potential contractors and distribute copies of Invitation to Bid for the Contract. Maintain a record of prospective bidders to whom drawings or specifications have been issued.

Distribute Plans and Specifications
Prepare and distribute five sets of construction contract drawings and specifications for the project to the City. Plan sets will be distributed to plan service agencies for use during bidding. Prepare and distribute construction contract documents to potential bidders. (Maintain a record of prospective bidders and suppliers to whom drawings or specifications have been issued).

Answer Questions / Prepare Addendum(s) and Distribute
Interpret construction contract drawings and specifications, and provide responses to questions from bidders requiring clarification during bidding periods. Prepare and issue addenda to the construction contract documents when required.

Recommendation of Award
Evaluate bids and make written recommendations to the City concerning contract award to the lowest responsive bidder.

PHASE 12 – ADDITIONAL MEETINGS AND TIME AND MATERIAL SERVICES

Olsson will prepare for and attend additional meetings as directed by the owner on a time and material basis with prior approval.

EXCLUDED SERVICES

The following are additional services that Olsson can provide.

- Construction Staking
- QA/QC for Construction
- New Street Signs will be provided by the City of Abilene. Locations will be shown on the plans.
- Landscaping & Irrigation

Should Client request work in addition to the Scope of Services, Olsson shall invoice Client for such additional services (Optional Additional Services) at the standard hourly billing labor rate charged for those employees actually performing the work, plus reimbursable expenses if any. Olsson shall not commence work on Optional Additional Services without Client's prior written approval.

Olsson agrees to provide all of its services in a timely, competent and professional manner, in accordance with applicable standards of care, for projects of similar geographic location, quality and scope.

SCHEDULE FOR OLSSON'S SERVICES

Unless otherwise agreed, Olsson expects to perform its services under the Agreement as follows:

Anticipated Start Date:	September, 2015
Anticipated Completion Date:	November, 2015

Olsson will endeavor to start its services on the Anticipated Start Date and to complete its services on the Anticipated Completion Date. However, the Anticipated Start Date, the Anticipated Completion Date, and any milestone dates are approximate only, and Olsson reserves the right to adjust its schedule and any or all of those dates at its sole discretion, for any reason, including, but not limited to, delays caused by Client or delays caused by third parties.

COMPENSATION

Fixed Fee That Includes Reimbursable Expenses (FF)

Client shall pay to Olsson for the performance of the Scope of Services a fixed fee of Sixty-Eight Thousand Four Hundred Fifteen Dollars ($68,415.00). Olsson's reimbursable expenses for this Project are included in the fixed fee. Olsson shall submit invoices on a monthly basis and payment is due within 30 calendar days of invoice date.

TERMS AND CONDITIONS OF SERVICE

We have discussed with you the risks, rewards and benefits of the Project, the Scope of Services, and our fees for such services and the Agreement represents the entire understanding between Client and Olsson with respect to the Project. The Agreement may only be modified in writing signed by both parties.

Client's designated Project Representative shall be Lon Schrader, Public Works Director for the City of Abilene.

If this Work Order satisfactorily sets forth your understanding of our agreement, please sign in the space provided below. Retain a copy for your files and return an executed original to Olsson. This proposal will be open for acceptance for a period of [maximum 30] days from the date set forth above, unless changed by us in writing.

OLSSON ASSOCIATES, INC.

By _____ By _____
Mark A. Bachamp, P.E. Stan F. Meyers, P.E.

By signing below, you acknowledge that you have full authority to bind Client to the terms of the Agreement. If you accept this Work Order, please sign:

City of Abilene

By _____
Signature

Print Name _____

Title _____ Dated: _____

CITY OF ABILENE

Summary Voucher Listing

Open, Completed , Printed, Requisitions

Vendor Number & Name		Voucher No	Sts	Date	Memo	Voucher Total	Scheduled Partial Payments	Man Chk#
01070	ABILENE ANIMAL HOSPITAL, PA	20151143	C	08/10/15	STRAY ANIMALS	870.75		
01260	ABILENE MUNICIPAL BAND	20151144	C	08/10/15	2015 BUDGET ALLOCATION	9,000.00		
01320	ABILENE REFLECTOR-CHRONICLE	20151145	C	08/10/15	1 YEAR SUBSCRIPTION	87.00		
01350	ABILENE TERMITE & PEST CO	20151146	C	08/10/15	PEST CONTROL - JULY 2015-JUNE 2016	450.00		
		20151147	C	08/10/15	SC PEST CONTROL	35.00		
999226	ADM	20151148	C	08/10/15	REFUND WATER METER OVER READ	2,274.37		
19396	APAC, INC - SHEARS	20151149	C	08/10/15	RUNWAY 17/35 REHAB ESTIMATE #3	498,962.29		
		20151150	C	08/10/15	HMA FOR STREET REPAIR	2,670.24		
01696	ARLAN CO INC	20151151	C	08/10/15	CHEMICALS	76.94		
		20151152	C	08/10/15	CHEMICALS	1,165.22		
01748	AT & T	20151153	C	08/10/15	INTERNET	127.70		
02009	B & B HYDRAULICS, INC	20151156	C	08/10/15	CRACK WELDING & REPAIRS TO BALER	738.50		
02070	BANYON DATA SYSTEMS	20151154	C	08/10/15	SOFTWARE CONVERSION	37,225.00		
02014	BAYER CONSTRUCTION CO, INC	20151155	C	08/10/15	HMA FOR STREET REPAIR	267.86		
02250	BNSF RAILWAY COMPANY	20151157	C	08/10/15	SEWER LINE LEASE	18.51		
999227	BOWERS, TIMBERLY	20151158	C	08/10/15	REFUND CLOSED WATER ACCT	70.90		
03275	CINTAS FIRST AID & SAFETY	20151159	C	08/10/15	1ST AID SUPPLIES	109.05		
03350	CNA SURETY	20151160	C	08/10/15	FIDELITY BOND	105.00		
999221	COLLETTE, HEATHER	20151161	C	08/10/15	REFUND TACKEL FB - MOVING	150.00		
03417	CONSOLIDATED PRINTING	20151162	C	08/10/15	COPIES	121.73		
03430	CONTINENTAL ANALYTICAL	20151163	C	08/10/15	WWTP & WTP SAMPLING	846.60		
18150	COOPER, CHARLES D.	20151164	C	08/10/15	JULY 2015 CLEANING	600.00		
03441	COOPER, KELLY	20151165	C	08/10/15	JULY 2015 CLEANING	1,500.00		
03480	COUNTRYPOLITAN	20151166	C	08/10/15	TABLE FOR CONCIERGE BOOTH	100.00		
04135	DETROIT INDUSTRIAL TOOL	20151167	C	08/10/15	MULTI USE DIAMOND CUT OFF SAW BLADE	571.11		
04244	DK CTY ADMINISTRATION	20151168	C	08/10/15	DIESEL	969.46		
04394	DPC INDUSTRIES, INC	20151169	C	08/10/15	CAUSTIC SODA	3,796.00		
999223	DURHAM, JAIME	20151170	C	08/10/15	TACKLE FB REFUND	145.00		
05046	EAGLE COMMUNICATIONS	20151171	C	08/10/15	ETHERNET AUG 2015	270.00		
05230	EXPRESS PRINT & SIGNS	20151172	C	08/10/15	POOL SHIRTS/DANCE BANNER	345.00		
06290	FOUR SEASONS INC	20151173	C	08/10/15	REPLACE A/C SYSTEM FOR EAST END	2,190.00		
08145	HD SUPPLY WATERWORKS	20151174	C	08/10/15	METERS, RADIOS & SADDLES	8,714.50		
08390	HOLLAND INDUSTRIES, LLC	20151175	C	08/10/15	PARADE & PERMANENT SILHOUETTES	1,400.00		
02383	HOMMAN, BRAD	20151176	C	08/10/15	REPAIR VANCE POURTABLE RADIO	121.00		

CITY OF ABILENE

Summary Voucher Listing

Open, Completed , Printed, Requisitions

Vendor Number & Name		Voucher No	Sts	Date	Memo	Voucher Total	Scheduled Partial Payments	Man Chk#
999160	HOOK, MICHAEL	20151177	C	08/10/15	SET UP CIVIC CENTER	155.00		
999224	HOWARD, DENISE	20151178	C	08/10/15	REFUND CLOSED WATER ACCT	34.03		
09069	IMAGE QUEST	20151179	C	08/10/15	COPIER LEASE	44.92		
11485	KANSAS ALCOHOLIC BEVERAGE	20151180	C	08/10/15	CMB TAX STAMP - JULY 2015	25.00		
11014	KAW VALLEY ENGINEERING	20151181	C	08/10/15	ENGINEERING FOR KLINK	2,432.00		
11450	KDHE	20151182	C	08/10/15	15 OF 40 SEMI ANNUAL PYMTS FOR WWTP C20-1657-01	276,223.26		
11740	KS STATE FAIR	20151184	C	08/10/15	PARTICIPANT TICKETS/RESERVED PARKING	240.00		
11095	KSGFOA TREASURER	20151183	C	08/10/15	MEMBERSHIP FEE MARCUS ROTHCHILD	50.00		
12120	LEAGUE KS MUNICIPALITIES	20151185	C	08/10/15	LKM FULL CONF. REGISTRATION - DENNIS & TERESA WEISHAAR	275.00		
12125	LINDER ELECTRIC	20151186	C	08/10/15	REPAIR VFD #16/REPAIR MOTOR AT WTP	145.90		
09075	MADDEN MEDIA	20151187	C	08/10/15	KS TRAVEL GUIDE LISTINGS	2,622.00		
13580	MARCOA PUBLISHING, INC	20151188	C	08/10/15	FT RILEY MAP AD	1,360.00		
999219	MEIN, DYLAN	20151189	C	08/10/15	OVERPAYMENT 15-0067	400.00		
13200	MEMORIAL HOSPITAL	20151190	C	08/10/15	CLEANING BUNKER GEAR	9.00		
		20151191	C	08/10/15	JESSE ADAMS	84.81		
11227	MIDWEST CONCRETE MATERIALS	20151192	C	08/10/15	WATER LINE & STREET REPAIR	2,200.88		
13480	MULLER RECREATIONAL PRODUCT	20151193	C	08/10/15	2 POOL TABLES - SR CENTER DELIVERY & SET UP	5,810.00		
14190	NEX-TECH RURAL TELEPHONE	20151194	C	08/10/15	PHONE SERVICE	2,393.97		
03220	OFFICE OF THE STATE FIRE MARSH	20151195	C	08/10/15	BOILER INSPECTION & CERTIFICATION FEES	90.00		
14860	OLSSON ASSOCIATES	20151196	C	08/10/15	RUNWAY REHAB PROJECT 013-0286	25,851.77		
		20151197	C	08/10/15	FAA DRAWDOWN #6	26,281.93		
15030	OSBORN PROPERTIES	20151198	C	08/10/15	SIGNAGE	200.00		
16300	PRAIRIE FIRE COFFEE	20151199	C	08/10/15	COFFEE	49.25		
18320	ROBSON OIL CO, INC	20151200	C	08/10/15	FUEL	6,974.53		
19080	SAGE PRODUCTS, INC	20151201	C	08/10/15	PAPER TOWELS & MARKING PAINT	393.00		
19180	SALINA SUPPLY CO	20151202	C	08/10/15	WATER & WASTEWATER REPAIRS	467.26		
19195	SAMS CLUB/GECF	20151203	C	08/10/15	CONCESSIONS	50.43		
999083	SHERWIN WILLIAMS	20151204	C	08/10/15	REPAIRS TO PAINT SHOP	229.36		
19629	SOUTHERN UNIFORM & EQUIPMENT	20151205	C	08/10/15	SHIRTS 206 KUPPER	62.94		
19715	STANION WHOLESALE ELECTRIC	20151206	C	08/10/15	BALLASTS	275.10		
19837	STOUT SERVICE & SALES, INC	20151207	C	08/10/15	SPRAY BAGWORMS	75.00		

CITY OF ABILENE

Summary Voucher Listing

Open, Completed , Printed, Requisitions

Vendor Number & Name		Voucher No	Sts	Date	Memo	Voucher Total	Scheduled Partial Payments	Man Chk#
19892	SUPERIOR SANITATION SERVICE	20151209	C	08/10/15	TRASH SERVICE @ CVB, RECYCLE CENTER & WWTP	240.00		
		20151210	C	08/10/15	TRASH SERVICE @ BD, PARK, SC & CC	230.00		
19888	SUTTON AUTO SALVAGE	20151208	C	08/10/15	PIPE FOR VB STANIONS	297.00		
19900	SWISHER, ANDREA K.	20151211	C	08/10/15	AUG 2015 SERVICE	2,083.33		
20140	THE FLOWER BOX	20151212	C	08/10/15	FLOWERS FOR DANCERS	72.50		
23210	UNIFIRST CORPORATION	20151213	C	08/10/15	UNIFORM SERVICE	2,090.76		
11724	US BANK EQUIPMENT FINANCE	20151214	C	08/10/15	COPIER LEASE 7/21-8/21/15	464.17		
		20151215	C	08/10/15	COPIER CONTRACT	163.30		
22020	VAN DIEST CHEMICAL CO	20151216	C	08/10/15	GRUB CONTROL	70.42		
		20151217	C	08/10/15	MOSQUITO SPRAY & WEED CONTROL CHEMICALS	3,252.50		
23129	WEIS FIRE & SAFETY EQUIPMENT	20151219	C	08/10/15	NEW FIRE EXTINGUISHER	405.00		
999222	WEISBENDER, JAYNIE	20151218	C	08/10/15	BOND REFUND	10.00		
23483	WICHITA STATE UNIVERSITY	20151220	C	08/10/15	GFOA ACCOUNTING ACADEMY - MARCUS ROTHCHILD	550.00		
23266	WICHITA WINWATER WORKS CO.	20151221	C	08/10/15	INSTALLATION OF CUT IN 12"WATER MAIN VALUE @ W1ST AND VAN BUREN	7,670.00		
25010	ZEE MEDICAL, INC	20151222	C	08/10/15	1ST AID SUPPLIES	95.85		
999220	ZION BRETHREN IN CHRIST CHURC	20151223	C	08/10/15	REFUND POOL PARTY	100.00		
					Report Total	949,395.90		

MANUAL PAYABLES

August 10, 2015

Date	Check Number	Vendor	Line Item	Amount	Description
07/28/15	20068	Jerry Rankin	001-001-520880	$ 360.00	Printer & meals @ the Mall for Sister
Total				$ 360.00	

900 SW Jackson St. Suite 201
Topeka, Kansas 66612-1235

STATE OF KANSAS
Ron Estes
TREASURER

TELEPHONE
(785) 296-4151

KARLA EFURD
419 N BROADWAY
P O BOX 519
ABILENE, KS 67410

July 27, 2015

Dear Ms Efurd

This is notice of a distribution from the State Treasurer for Abilene, City Of. Our system sends email notices as soon as a distribution has been completed. You may have the emails sent to as many contacts as you like. Please call Lucinda at 785.296.4151 to add or modify email addresses for your notifications.

You will receive an EFT to settle 07/30/2015. The details are as follows:

Detail Description	County	Amount
Jul 2015 Sales Tax		
City Tax File	Dickinson	115,074.47
City Share From County Tax	Dickinson	44,725.55
	Total for Jul 2015 Sales Tax:	**$159,800.02**
Jul 2015 Compensating Use Tax		
City Tax File	Dickinson	10,074.62
City Share From County Tax	Dickinson	5,971.02
	Total for Jul 2015 Compensating Use Tax:	**$16,045.64**
	Grand Total Amount:	**$175,845.66**

Additional information can be found at http://kansasstatetreasurer.com/prodweb/dist or contact Lucinda Anstaett at 785.296.4151 or lucinda@treasurer.state.ks.us.

Sincerely,

Lucinda Anstaett

Lucinda Anstaett
Director Of Cash Management

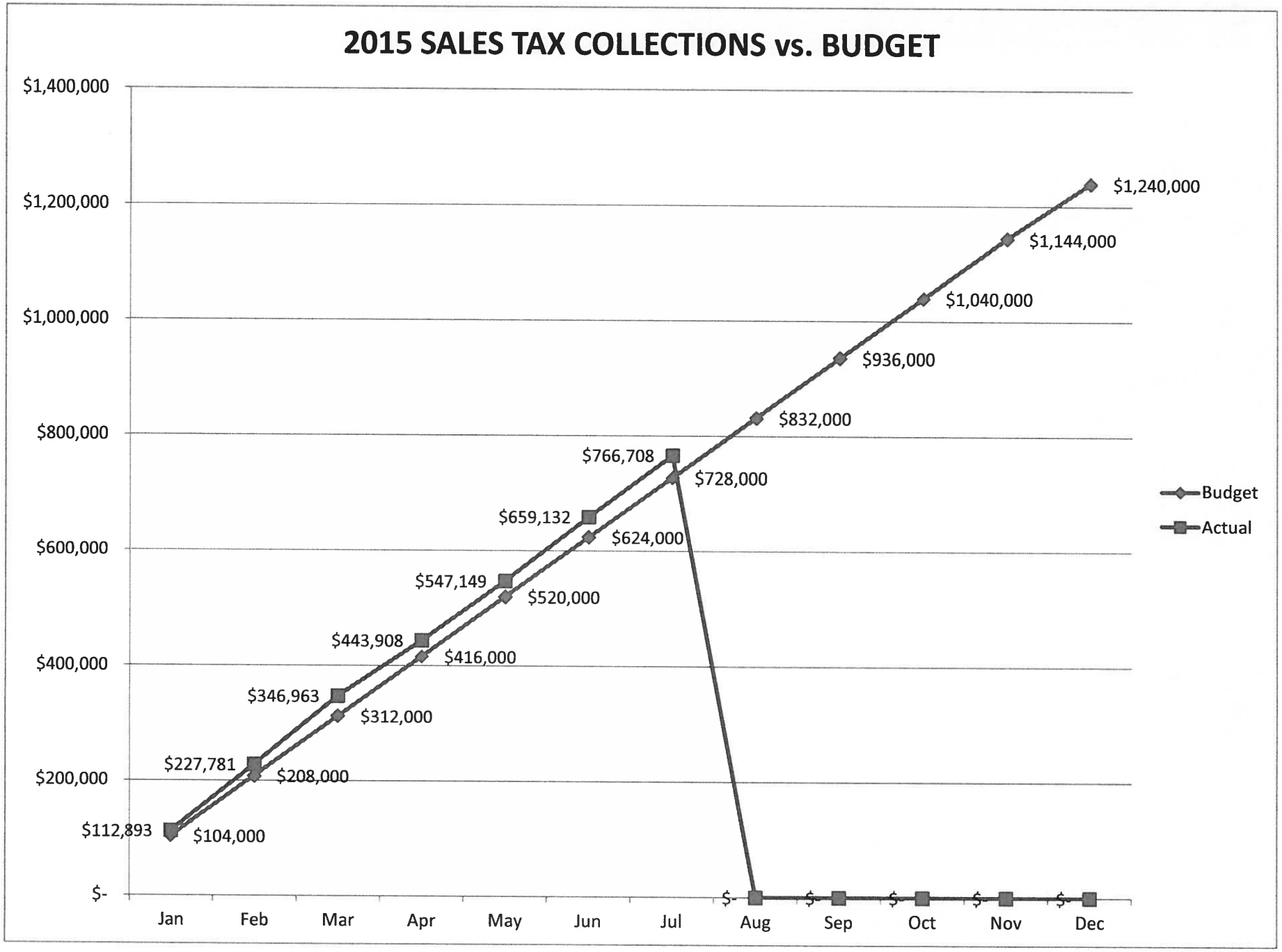
SALES TAX WORKSHEET 2015						
		SALES (CITY)	SALES (CITY SHARE OF COUNTY)	COMPENSATION USE TAX (CITY)	COMPENSATION USE TAX (CITY SHARE OF COUNTY)	TOTAL
TOTAL		$ 115,074.47	$ 44,725.55	$ 10,074.62	$ 5,971.02	$ 175,845.66
GENERAL FUND (58.82% OF CITY SALES AND CITY CU TAX) **001 430070**	45.45%	$ 52,301.35	$ 44,725.55	$ 4,578.91	$ 5,971.02	$ 107,576.83
GENERAL FUND STREET (22.73% OF CITY SALES AND CITY CU TAX) **037 430070**	22.73%	$ 26,156.43		$ 2,289.96		$ 28,446.39
LIBRARY/POOL PROJECT (41.18% OF CITY SALES AND CITY CU TAX) **036 430070**	31.82%	$ 36,616.70		$ 3,205.74		$ 39,822.44
		$ 115,074.47	$ 44,725.55	$ 10,074.62	$ 5,971.02	$ 175,845.66
						$ 175,845.66

CITY OF ABILENE
SALES TAX COLLECTIONS
CITY OF ABILENE
SALES TAX COLLECTIONS
2015

City - .50 (June, 1983) **County - 1.25 (Jan., 1996)** **County - 1.00 (July, 1997)**

2015 DATE REC'D	MONTH COLLECT	2015 CITY	2015 COUNTY	2015 MONTHLY TOTAL	CURRENT YEAR TOTALS	2014 CITY	2014 COUNTY	2014 MONTHLY TOTAL	2014 YEAR TOTALS	% OF PRIOR YEAR
1/30	November	$60,857.27	$52,035.89	$112,893.16	$112,893.16	$51,684.52	$47,639.40	$99,323.92	$99,323.92	113.662%
2/27	December	$59,875.33	$55,012.64	$114,887.97	$227,781.13	$53,283.65	$48,720.44	$102,004.09	$201,328.01	113.139%
3/30	January	$62,510.21	$56,671.89	$119,182.10	$346,963.23	$59,524.47	$51,015.86	$110,540.33	$311,868.34	111.253%
4/29	February	$49,345.79	$47,599.04	$96,944.83	$443,908.06	$54,351.92	$47,904.45	$102,256.37	$414,124.71	107.192%
5/28	March	$53,272.61	$49,968.67	$103,241.28	$547,149.34	$53,371.27	$52,367.31	$105,738.58	$519,863.29	105.249%
6/29	April	$61,141.76	$50,841.00	$111,982.76	$659,132.10	$53,769.06	$54,794.96	$108,564.02	$628,427.31	104.886%
7/30	May	$56,880.26	$50,696.57	$107,576.83	$766,708.93	$56,140.74	$55,231.94	$111,372.68	$739,799.99	103.637%
8/28	June	$0.00	$0.00	$0.00	$766,708.93	$54,035.27	$50,713.77	$104,749.04	$844,549.03	90.783%
9/24	July	$0.00	$0.00	$0.00	$766,708.93	$50,654.03	$49,940.16	$100,594.19	$945,143.22	81.121%
10/27	August	$0.00	$0.00	$0.00	$766,708.93	$61,431.35	$51,664.61	$113,095.96	$1,058,239.18	72.451%
11/28	September	$0.00	$0.00	$0.00	$766,708.93	$51,710.92	$48,386.89	$100,097.81	$1,158,336.99	66.190%
12/24	October	$0.00	$0.00	$0.00	$766,708.93	$51,174.81	$45,198.74	$96,373.55	$1,254,710.54	61.106%
	TOTALS	**$403,883.23**	**$362,825.70**	**$766,708.93**		**$651,132.01**	**$603,578.53**	**$1,254,710.54**		
								$1,254,710.54		
ANNUAL BUDGET				**$1,240,000.00**				**$1,200,000.00**		
PERCENTAGE OF BUDGET RECEIVED				**61.831%**				**104.559%**		
PERCENTAGE OF BUDGET YEAR				**58.333%**						

NOTE: Sales tax collections and distributions lag behind by 2 months. Businesses have until the 25th of the following month to send in the sales tax report and money. The Kansas Department of Revenue has until the following month to distribute the money.


2015 SALES TAX COLLECTIONS vs. BUDGET
$1,400,000
$1,200,000
$1,000,000
$800,000
$600,000
$400,000
$200,000
$-
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
$112,893
$104,000
$227,781
$208,000
$346,963
$312,000
$443,908
$416,000
$547,149
$520,000
$659,132
$624,000
$766,708
$728,000
$832,000
$936,000
$1,040,000
$1,144,000
$1,240,000
$-
$-
$-
$-
$-
Budget
Actual

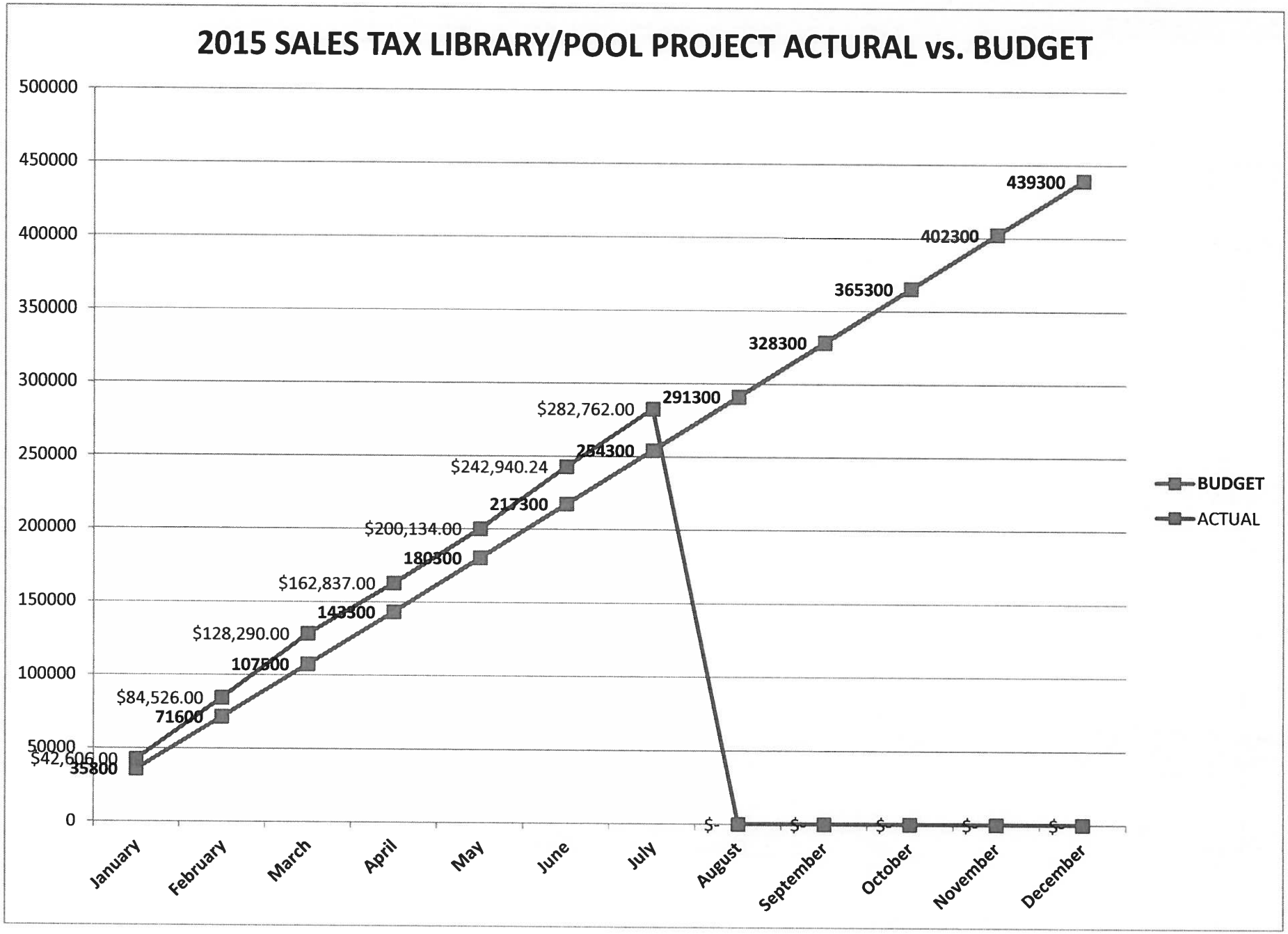
CITY OF ABILENE
SALES TAX COLLECTIONS
POOL & LIBRARY PROJECTS
2015

.35% SALES TAX (PASSED NOV 2007) COLLECTIONS STARTED APRIL 1, 2008 (Sunsets in 2018)

2015 DATE REC'D	MONTH COLLECTED FOR	2015 AMOUNT COLLECTED	2015 YEAR TOTALS	DATE REC'D	2014 AMOUNT COLLECTED	2014 YEAR TOTALS	% OF PRIOR YEAR
1/30	November	$ 42,606.78	$ 42,606.78	1/31	$ 36,184.85	$ 36,184.85	117.75%
2/27	December	$ 41,919.32	$ 84,526.10	2/25	$ 37,304.41	$ 73,489.26	115.02%
3/30	January	$ 43,764.02	$ 128,290.12	3/25	$ 41,673.68	$ 115,162.94	111.40%
4/29	February	$ 34,547.48	$ 162,837.60	4/26	$ 38,052.33	$ 153,215.27	106.28%
5/28	March	$ 37,296.68	$ 200,134.28	5/30	$ 37,365.76	$ 190,581.03	105.01%
6/29	April	$ 42,805.96	$ 242,940.24	6/25	$ 37,644.26	$ 228,225.29	106.45%
7/30	May	$ 39,822.44	$ 282,762.68	7/29	$ 39,304.70	$ 267,529.99	105.69%
8/28	June	$ -	$ -	8/29	$ 37,830.63	$ 305,360.62	0.00%
9/24	July	$ -	$ -	9/26	$ 35,463.39	$ 340,824.01	0.00%
10/27	August	$ -	$ -	10/30	$ 43,008.70	$ 383,832.71	0.00%
11/28	September	$ -	$ -	11/25	$ 36,203.33	$ 420,036.04	0.00%
12/24	October	$ -	$ -	12/30	$ 38,518.35	$ 458,554.39	0.00%
	TOTALS	$ 282,762.68			$ 458,554.39		

ANNUAL BUDGET	**$ 454,325.00**
PERCENTAGE OF BUDGET RECEIVED	**62.24%**
PERCENTAGE OF BUDGET YEAR	**58.33%**

NOTE: Sales tax collections and distributions lag behind by 2 months. Businesses have until the 25th of the following month to send in the sales tax report and money. The Kansas Department of Revenue has until the following month to distribute the money.


2015 SALES TAX LIBRARY/POOL PROJECT ACTURAL vs. BUDGET
500000
450000
400000
350000
300000
250000
200000
150000
100000
50000
0
$42,606.00
35800
$84,526.00
71600
$128,290.00
107500
$162,837.00
143300
$200,134.00
180300
$242,940.24
217300
$282,762.00
254300
291300
328300
365300
402300
439300
$-
$-
$-
$-
$-
January
February
March
April
May
June
July
August
September
October
November
December
BUDGET
ACTUAL

CITY OF ABILENE

SALES TAX COLLECTIONS SPECIAL STREET PROGRAM

2015

April 2013 .25-Street (Sunsets in 2023)

2015 DATE REC'D	MONTH COLLECT	2015 CITY	CURRENT YEAR TOTALS	2014 CITY	2014 YEAR TOTALS	% OF PRIOR YEAR
1/30	November	$30,435.33	$30,435.33	$25,847.94	$25,847.94	117.748%
2/27	December	$29,944.25	$60,379.58	$26,647.68	$52,495.62	115.018%
3/30	January	$31,261.98	$91,641.56	$29,768.78	$82,264.40	111.399%
4/29	February	$24,678.32	$116,319.88	$27,181.94	$109,446.34	106.280%
5/28	March	$26,642.16	$142,962.04	$26,691.51	$136,137.85	105.013%
6/29	April	$30,577.61	$173,539.65	$26,890.45	$163,028.30	106.448%
7/30	May	$28,446.39	$201,986.04	$28,076.55	$191,104.85	105.694%
8/28	June	$0.00	$0.00	$27,023.58	$218,128.43	0.000%
9/24	July	$0.00	$0.00	$25,332.59	$243,461.02	0.000%
10/27	August	$0.00	$0.00	$30,722.43	$274,183.45	0.000%
11/28	September	$0.00	$0.00	$25,861.15	$300,044.60	0.000%
	October			$27,514.83	$327,559.43	0.000%
	TOTALS	**$201,986.04**		**$327,559.43**		

ANNUAL BUDGET	**$ 300,000**
PERCENTAGE OF BUDGET RECEIVED	67.33%
PERCENTAGE OF BUDGET YEAR	58.33%

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City of Abilene
Payroll Expenditures Report
07/17/15

	TOTALS	
NET SALARIES	$	82,637.44
OASDI - CITY/EMPLOYEE	$	14,403.42
MEDICARE - CITY/EMPLOYEE	$	3,368.50
FEDERAL WITHHOLDING - EMPLOYEE	$	10,228.16
KPERS - CITY/EMPLOYEE	$	9,959.31
KPF - CITY/EMPLOYEE	$	12,269.77
WADDELL & REED 457 - CITY/EMPLOYEE	$	2,086.00
WADDELL & REED SAVINGS - EMPLOYEE	$	290.00
STATE TAX - EMPLOYEE	$	3,301.67
AFLAC INSURANCE - EMPLOYEE	$	556.80
VISION PLANS - EMPLOYEE	$	289.71
HEALTH INSURANCE - CITY/EMPLOYEE	$	21,867.10
ATHLETIC CLUBS - CITY/EMPLOYEE	$	223.63
KS PAYMENT CENTER SUPPORT - EMPLOYEE	$	785.64
WAGE GARNISHMENTS - EMPLOYEE	$	776.15
FLEXIBLE SPENDING ACCOUNT - EMPLOYEE	$	1,035.46
POLICE & FIREMENS INS. - EMPLOYEE	$	20.92
TOTAL PAYROLL EXPENDITURES	**$**	**164,099.68**